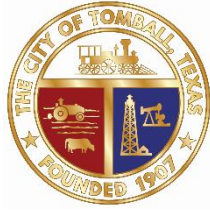


**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR
MEETING
CITY OF TOMBALL, TEXAS**



**Monday, August 08, 2022
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, August 08, 2022 at 6:00 PM, City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- A. Call to Order
- B. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*
- C. Reports and Announcements
- D. Approval of Minutes
 - [D.1](#) Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of July 11, 2022.
- 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.
- 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.

- [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.
- [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.
- [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.
- [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.
- [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.
- [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).
- [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.

[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.

G. Discussion Item

G.1 Overview of the GIS Interactive Map.

H. Adjournment

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 5th day of August 2022 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kimberly Chandler
Community Development Coordinator

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.

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

MONDAY, JULY 11, 2022



6:00 P.M.

- A. The meeting was Called to Order by Chair Tague at 6:01 p.m. Other members present were:

Commissioner Richard Anderson
Commissioner Susan Harris
Commissioner Tana Ross – Excused Absence

Others present:

Nathan Dietrich – Community Development Director
Jared Smith – City Planner
Kim Chandler – Community Development Coordinator

Draft

- B. No Public Comments were received.

- C. Reports and Announcements:

- Nathan Dietrich, Community Development Director, announced the following:
 - Dane Dunagin was elected to City Council.
 - City Council approved First Reading of **Case P22-184:** Request to amend the City of Tomball's Comprehensive Plan to update the Major Thoroughfare Plan Map. Reclassifying the proposed east-west extension of Medical Complex Drive from a major arterial to a minor arterial. Specifically being a segment that is planned to extend approximately 0.9 miles from the eastern right-of-way boundary of Hufsmith-Kohrville Road to the southern right-of-way boundary of Mahaffey Road.
 - City Council approved First Reading as rezoning to Office District (O) of **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.

- Presented the new GIS Interactive Map to the Commissioners and commended Jared Smith, City Planner, for developing the program.
- Announced the City is in Stage 2 of our drought contingency plan. Additional information is available on the City of Tomball Website.

D. Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 13, 2022.

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

Motion carried unanimously.

E. New Business

E.1 Consideration to Approve Final Plat of **SEVEN OAKS HOLDERRIETH**: A Subdivision of 19.34 acres (842,341 Square Feet) of land located in the C. Pillot Survey, A-632, 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 Harris, to approve with contingencies.

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

Motion carried unanimously.

E.2 Conduct a public hearing and consideration to approve **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.

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

Michael Seitz, Applicant (817 E. Main Street, Tomball, TX 77375) spoke on behalf of the request.

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

David Thompson, and Rev. George McGavern with Episcopal Church of the Good Shepherd, (715 Carrell Street, Tomball, TX 77375), submitted a public comment in favor of the request.

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

Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve **Zoning Case P22-205** with the following conditions:

- All outdoor storage of equipment and material must be screened from residential zoning districts and street right-of-ways by an opaque fence and/or wall with a minimum height of six feet. Said screening may be made of wood, metal, vegetation, or a combination thereof.
- Accessory residence must remain subordinate to the principal land use and shall be no greater than 25% of the square footage for the existing principal building.
- Accessory residence shall be limited to no more than one (1) story in height.

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

Vote was as follows:

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

Motion CARRIED (2 Votes Aye, 1 Vote Nay)

F. Discussion Item

F.1 **Text Amendment Discussion Items:** Discuss potential upcoming text amendments:

- Increase notification area for public hearings.
- Add/revise right-of-way dimensions to match street design standards.
- Remove/revise “submittal date and time” for plat reviews.
- Add driveway separation and access management standards.
- Revise minimum lot width requirements for key or flag-shaped lots.
- Revise OT & MU land-use regulations.

G. Motion was made by Commissioner Anderson, second by Commissioner Harris, to adjourn.

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

Motion carried unanimously.

The meeting adjourned at 6:45 p.m.

PASSED AND APPROVED this _____ day of _____ 2022.

Kim Chandler
Community Development Coordinator /
Commission Secretary

Barbara Tague
Commission Chair

CITY OF TOMBALL

Plat Name: RABURN RESERVE SEC. 2, Amending Plat Type: Minor
Plat No. 1

Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: August 8, 2022

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, Community Development recommends approval of this plat with contingencies.

1. Per the Planned Development District Ordinance this portion of the development is to be utilized for commercial space. Please remove reference of "Restricted Reserve 'B' " and call this out as being a lot, the frontages along Persimmon and Medical Complex should be left as being Restricted Reserve B, as they are illustrated as being landscaped in the PD ordinance. Said Reserve "B" should be a minimum of 25-feet in width to match Restricted Reserve A along Medical Complex Drive.
2. Provide the Correct Dimension as called out in the field notes for the eastern boundaries of Lots 6 & 7.
3. Correct the block number to be Block 4
4. Provide a 2' Non-Access Easement along the eastern boundaries of Lot 6 & 7.
5. Because this is a minor plat, revise the City of Tomball approval signature block to identify Nathan Dietrich (Community Development Director)

STATE OF TEXAS §
COUNTY OF HARRIS §

We, HT Raburn Reserve Development LP, a Texas limited partnership, acting by and through Adil Noorani, Sr., Managing Director of JCH Investments, Inc., a Texas corporation, general partner of Hines Real Estate Holdings Limited Partnership, sole member of HIMH GP LLC, general partner of Hines Investment Management Holdings Limited Partnership, general partner of Hines Raburn Reserve Associates LP, sole member of HT Raburn Reserve LLC, general partner of HT Raburn Reserve LP, sole member of HT Raburn Reserve Development LLC, general partner of HT Raburn Reserve Development LP, a Texas limited partnership, owner, hereinafter referred to as Owners, (whether one or more), of the 5,1100 acre tract described in the above and foregoing map of Raburn Reserve Sec. 2, Amending Plat No. 1, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen (16'0") above the ground level upward, located adjacent to and adjoining said public utility easement that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon whereby the aerial easements totals twenty-one, six inches (21'6") in width.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easement. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements, or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements from a plane sixteen (16'0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easements totals thirty feet (30'0") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement, five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements that are designated with aerial easements (U.E. & A.E.) as indicated and depicted hereon.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15' 0") wide on each side of the center line of any and all baysous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County or any other governmental agency, the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, HT Raburn Reserve Development LP, a Texas limited partnership, has caused these presents to be signed by Adil Noorani, Sr., Managing Director of JCH Investments, Inc., a Texas corporation, general partner of Hines Real Estate Holdings Limited Partnership, sole member of HIMH GP LLC, general partner of Hines Investment Management Holdings Limited Partnership, general partner of Hines Raburn Reserve Associates LP, sole member of Hines Raburn Reserve LLC, general partner of HT Raburn Reserve LP, sole member of HT Raburn Reserve Development LLC, general partner of HT Raburn Reserve Development LP, a Texas limited partnership, thereunto authorized this ____ day of _____, 2022.

OWNER:
HT Raburn Reserve Development LP, a Texas limited partnership
By HT Raburn Reserve Development LLC, its general partner
By HT Raburn Reserve LP, its sole member
By Hines Raburn Reserve LLC, its general partner
By Hines Raburn Reserve Associates LP, its sole member
By Hines Investment Management Holdings Limited Partnership, its general partner
By HIMH GP LLC, its general partner
By Hines Real Estate Holdings Limited Partnership, its sole member
By JCH Investments, Inc., a Texas corporation, its general partner

By: _____
Adil Noorani, Sr., Managing Director

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Adil Noorani, Sr., Managing Director, of JCH Investments, Inc., a Texas corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2022

Notary Public in and for the State of Texas
My Commission expires: _____

We, Texas Capital Bank, National Association, owner and holder of a lien against the property described in the plat known as "Raburn Reserve Sec 2" secured by deed of trust under Harris County Clerk's file No. RP-2019-536601, RP-2019-536600, and RP-2020-608024 of the official records of Harris County, Texas, do hereby in all things subordinate to said plat said lien and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

By: _____
Print name: _____
Texas Capital Bank, National Association

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared _____, 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 considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2022.

Notary Public in and for the State of T E X A S
My Notary Commission Expires _____

JOB NO. 181-056-02

I, Kevin M. Reidy, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than five-eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System, South Central Zone (NAD 83).

Kevin M. Reidy
Registered Professional Land Surveyor
Texas Registration No. 6450

By: _____
Deputy

We, Taylor Morrison of Texas, Inc., owner and holder of a lien against the property described in the plat known as "Raburn Reserve Sec 2" secured by deed of trust under Harris County Clerk's file No. RP-2019-536602, RP-2019-536603, and RP-2020-127895 of the official records of Harris County, Texas, do hereby in all things subordinate to said plat said lien and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

By: _____
Print name: _____
Taylor Morrison of Texas, Inc.

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared _____, 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 considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2022.

Notary Public in and for the State of T E X A S

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of Raburn Reserve Sec. 2, Amending Plat No. 1, in conformance with the laws of the State of Texas and the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this ____ day of _____, 2022.

Barbara Tague
Chairman

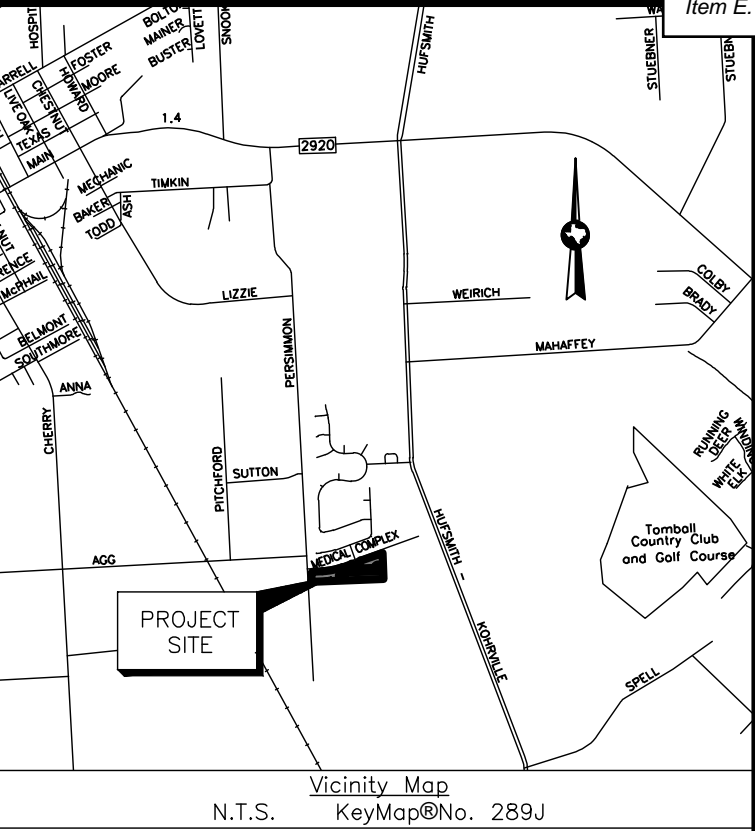
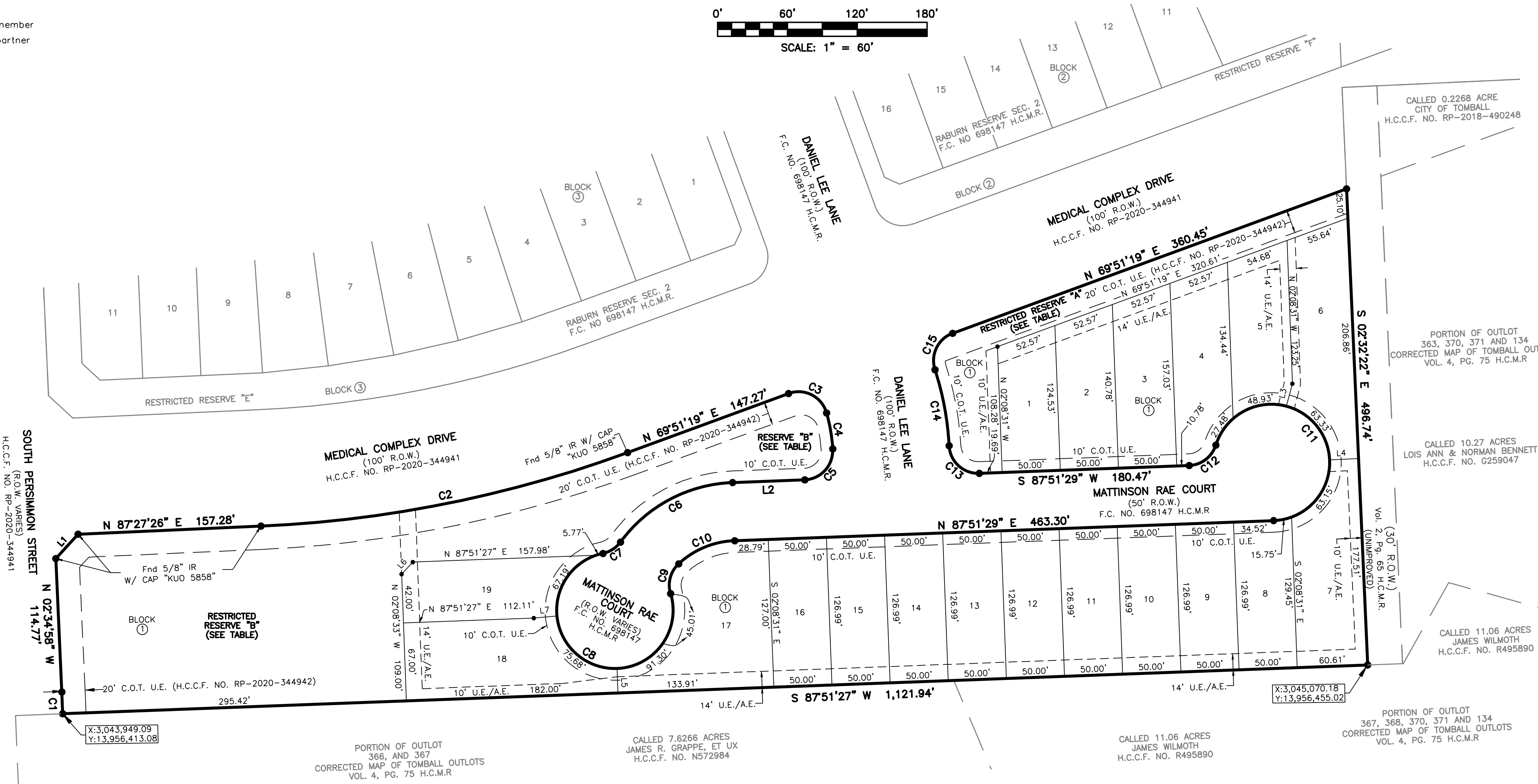
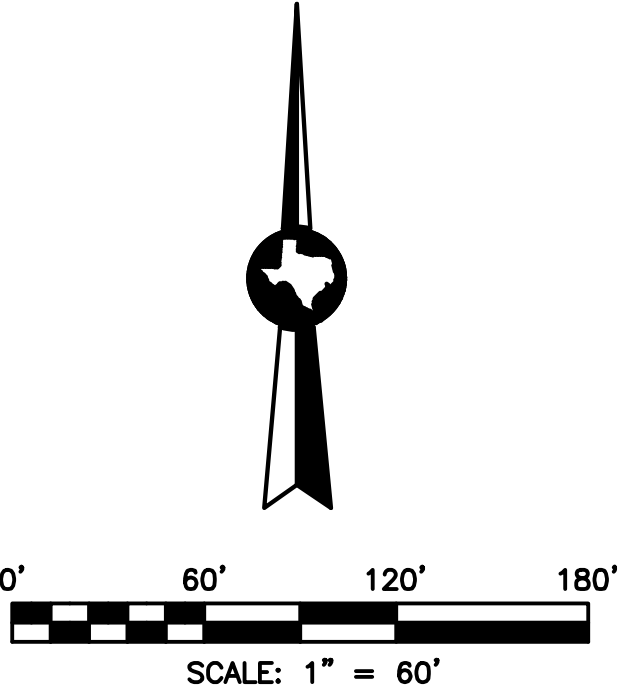
I, Teneshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2022, at _____ o'clock _____ M., and duly recorded on _____, 2022, at _____ o'clock _____ M., and at Film Code Number _____ of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

Teneshia Hudspeth
County Clerk
Of Harris County, Texas

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2040.00'	18.71'	18.71'	S 02°19'12" E	0°31'32"
C2	1050.00'	322.53'	321.31'	S 78°39'22" W	1°36'03"
C3	25.00'	41.18'	36.68'	S 62°57'19" E	94°22'44"
C4	150.00'	31.39'	31.33'	N 09°46'17" W	11°59'20"
C5	25.00'	39.98'	35.86'	S 42°02'26" W	91°38'08"
C6	125.00'	112.82'	109.03'	N 62°00'07" E	51°42'43"
C7	25.00'	18.34'	17.93'	N 57°09'41" E	42°01'50"
C8	50.00'	239.94'	67.59'	S 59°17'47" E	274°56'46"
C9	25.00'	27.93'	26.50'	S 15°13'58" W	64°00'15"
C10	75.00'	53.18'	52.07'	S 67°32'47" W	40°37'23"
C11	50.00'	218.64'	81.64'	S 37°24'06" E	250°32'19"
C12	25.00'	30.77'	28.87'	N 52°35'37" E	70°31'44"
C13	25.00'	38.95'	35.13'	N 47°30'49" W	89°15'25"
C14	250.00'	66.63'	66.43'	S 10°31'14" E	15°16'14"
C15	25.00'	38.40'	34.74'	N 25°50'59" E	88°00'40"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 42°26'14" E	28.33'
L2	S 87°51'29" W	62.10'
L3	N 14°53'39" E	20.00'
L4	N 87°27'58" E	24.86'
L5	S 02°08'33" E	21.01'
L6	N 42°51'29" E	14.14'
L7	N 84°34'54" E	20.00'



NOTES:

- AC indicates Acre
A.E. indicates Aerial Easement
C.O.T. indicates City of Tomball
ESMT. indicates Easement
F.C. No. indicates Film Code Number
FND. indicates Found
H.C.C.F. No. indicates Harris County Clerk's File Number
H.C.D.R. indicates Harris County Deed Records
H.C.M.R. indicates Harris County Map Records
H.L.&P. indicates Houston Lighting and Power
IR indicates Iron Rod
N.T.S. indicates not to scale
R.O.W. indicates Right-Of-Way
SQ. FT. indicates Square Feet
U.E. indicates Utility Easement
VOL. indicates Volume
- All side lot lines are either perpendicular or radial to street frontage unless otherwise noted.
- All easements extend equidistant from either side of the property and lot lines unless otherwise noted.
- The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor 0.99994488821.
- Bearings shown hereon refer to the Texas State Plane Coordinate System of 1983, South Central Zone, as determined by GPS measurements.
- The square footage totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this plat. It does not include the tolerances that may be present due to the positional accuracy of the boundary monumentation.
- Absent written authorization by the affected utilities, all utility and aerial easements must be kept unobstructed from any non-utility improvements or obstructions by the property owner. Any unauthorized improvements or obstructions may be removed by any public utility at the property owner's expense. While wooden posts and paneled wooden fences along the perimeter and back to back easements and alongside rear lots lines are permitted, they too may be removed by public utilities at the property owner's expense should they be an obstruction. Public Utilities may put said wooden posts and paneled wooden fences back up, but generally will not replace with new fencing.
- All lot corners are Set 5/8" iron rods with cap stamped "E.H.R.A. 713-784-4500" unless otherwise noted.
- All known oil/gas or pipeline easements (listed in City Planning Letter from Charter Title Company issued June 26, 2022) with ownership through the subdivision have been shown.
- All known oil/gas wells (as shown on the Texas Railroad Commission GIS website) with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- According to FEMA Firm Panel No. 48201C0230L (Effective Date 06/18/2017), this property is in unshaded Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.

LOT AREA TABLE

Block	Lot	Width	Sq. Feet
1	1	50.00'	5,820.34
1	2	50.00'	6,632.77
1	3	50.00'	7,445.20
1	4	65.63'	7,682.91
1	5	52.19'	6,928.61
1	6	82.85'	9,750.34
1	7	87.75'	9,426.97
1	8	50.03'	6,362.15
1	9	50.00'	6,349.62
1	10	50.00'	6,349.64
1	11	50.00'	6,349.65
1	12	50.00'	6,349.67
1	13	50.00'	6,349.69
1	14	50.00'	6,349.71
1	15	50.00'	6,349.73
1	16	50.00'	6,349.75
1	17	78.99'	11,866.96
1	18	96.12'	10,442.10
1	19	55.34'	7,257.75

* LOT WIDTH MEASURED AT THE FRONT BUILDING SETBACK LINE.

RABURN RESERVE SEC. 2 AMENDING PLAT NO. 1

BEING A PARTIAL REPLAT OF
"RABURN RESERVE SEC. 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:

REASON FOR AMENDING PLAT:
TO RELOCATE UTILITY EASEMENTS

19 LOTS, 1 BLOCK, 2 RESERVES

OWNER

HT RABURN RESERVE DEVELOPMENT, LP,
A TEXAS LIMITED PARTNERSHIP
609 MAIN STREET, SUITE 2400
HOUSTON, TEXAS 77002

JULY, 2022



10011 MEADOWGLEN LN
HOUSTON, TEXAS 77042
713-784-4500
WWW.EHRAINCO.COM
TBPE No. F-726
TBPLS No. 10092300

CITY OF TOMBALL

Plat Name: Four Corners Graham Plat Type: Replat

Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: August 8, 2022

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development recommends approval of this plat with contingencies.

1. Dimensionally "tie" all easements to nearest property boundaries. All easements currently illustrated on this plat must be accompanied by sufficient dimensional data so that the limits of such easements may accurately be replicated (on paper and on the ground) without having to measure or trace from the plat itself.
2. Remove reference to building lines. Setbacks will be determined by zoning district(s).
3. Identify planned permanent monuments, for all new lot corners.
4. Illustrate/identify 18.5' x 149' parking easement illustrated on original Four Corners Subdivision plat.
5. Remove Vice Chairman Signature Block

STATE OF TEXAS
COUNTY OF HARRIS

We, BK Graham, Ltd, a Texas limited partnership, acting by and through Reatta Building and Development Corporation, a Texas corporation, its Sole General Partner, acting by and through Kenneth Katz, Vice President, and Jason Baker, President, acting by and through BK 2920, Ltd, a Texas limited partnership, acting by and through Reatta Building and Development Corporation, a Texas corporation, its Sole General Partner, acting by and through Kenneth Katz, Vice President, and Jason Baker, President Owners, hereinafter referred to as Owners of the 11,7529 acre tract described in the above and foregoing map of FOUR CORNERS GRAHAM, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions, and notations on said plat and hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, BK Graham, Ltd, a Texas limited partnership, acting by and through Reatta Building and Development Corporation, a Texas corporation, has caused these presents to be signed by Kenneth Katz, Vice President, and Jason Baker, President, thereunto authorized, this the ____ day of _____, 20____

BK Graham, Ltd, a Texas limited partnership

By: Reatta Building and Development Corporation, a Texas corporation

By: _____
Kenneth Katz
Vice President

By: _____
Jason Baker
President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Kenneth Katz, Vice President, and Jason Baker, President of Reatta Building and Development Corporation, a Texas corporation, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 20____

Notary Public in and for the
State of Texas

My Commission Expires: _____

IN TESTIMONY WHEREOF, BK 2920, Ltd, a Texas limited partnership, acting by and through Reatta Building and Development Corporation, a Texas corporation, has caused these presents to be signed by Kenneth Katz, Vice President, and Jason Baker, President, thereunto authorized, this the ____ day of _____, 20____

BK 2920, Ltd, a Texas limited partnership

By: Reatta Building and Development Corporation, a Texas corporation

By: _____
Kenneth Katz
Vice President

By: _____
Jason Baker
President

STATE OF TEXAS
COUNTY OF HARRIS

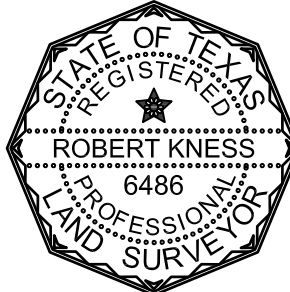
BEFORE ME, the undersigned authority, on this day personally appeared Kenneth Katz, Vice President, and Jason Baker, President of Reatta Building and Development Corporation, a Texas corporation, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 20____

Notary Public in and for the
State of Texas

My Commission Expires: _____

I, ROBERT KNESS, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.



ROBERT KNESS
Registered Professional Land Surveyor
Texas Registration No. 6486

By: _____
Barbara Teague
Chairman

By: _____
Darell Roquemore
Vice Chairman

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of FOUR CORNERS GRAHAM in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this the ____ day of _____, 20____

I, Tenneshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on ____ day of _____, 20____, at ____ o'clock ____ M., and duly recorded on ____ day of _____, 20____, at ____ o'clock ____ M., and at Film Code Number ____ of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

Tenneshia Hudspeth
County Clerk
Of Harris County, Texas

By: _____
Deputy

F.M. HIGHWAY 2920
120' R.O.W.
VOL. 1420, PG. 64, H.C.D.R.

X: 3,033,096.3167 (GRID)
Y: 13,958,949.9610 (GRID)

22' H.L.&P. EASEMENT
H.C.C.F. NO. K235478
VOL. 855, PG. 496, H.C.D.R.
VOL. 4119, PG. 368, H.C.D.R.

RESTRICTED RESERVE "A"
TOMBALL PLAZA
F.C. NO. 562208, H.C.M.R.

LOT "B"
FOUR CORNERS
SUBDIVISION
F.C. NO. 638123
H.C.M.R.

①
LOT 2
10.3358 AC. / 450,226 SQ. FT.

24' C.O.T.W.L.E.
F.C. NO. 638123, H.C.M.R.

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' AERIAL EASEMENT
H.C.C.F. NO. K235478

11.5' AERIAL EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' AERIAL EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' AERIAL EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

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10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' AERIAL EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' AERIAL EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' AERIAL EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

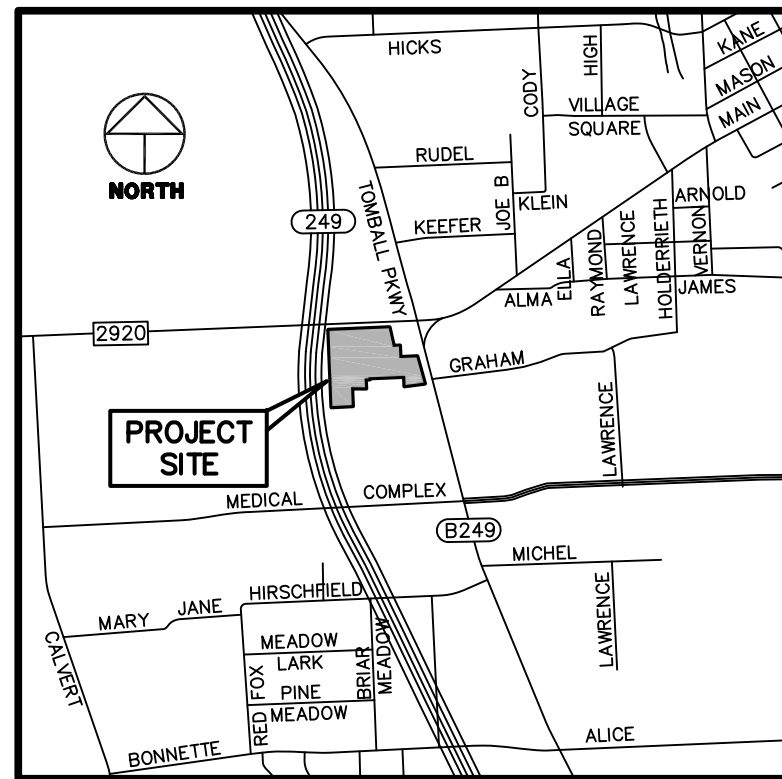
10' AERIAL EASEMENT
H.C.C.F. NO. K235478

10' H.L.&P. EASEMENT
H.C.C.F. NO. K235478

10' AERIAL EASEMENT
H.C.C.F. NO. K235478

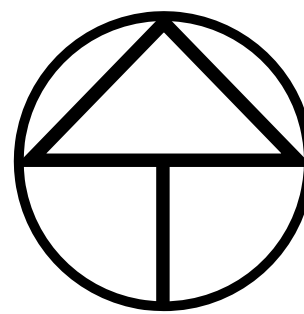
ABBREVIATIONS

FND - FOUND
H.C.C.F. - HARRIS COUNTY CLERK FILE
H.C.D.R. - HARRIS COUNTY DEED RECORDS
H.C.M.R. - HARRIS COUNTY MAP RECORDS
IP - IRON PIPE
IR - IRON ROD
NO. - NUMBER
PG. - PAGE
R.O.W. - RIGHT-OF-WAY
SQ. FT. - SQUARE FEET
VOL. - VOLUME
ESMT. - EASEMENT
C.O.T.U.E. - CITY OF TOMBALL UTILITY EASEMENT
U.E. - UTILITY EASEMENT
H.O.A.E. - HOME OWNER'S ASSOCIATION EASEMENT



CITY OF TOMBALL, HARRIS COUNTY, TEXAS

VICINITY MAP
SCALE: 1" = 2000'



NORTH

GRAPHIC SCALE: 1" = 60'

60 0 60 120 180 Feet

GENERAL NOTES

- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER, ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 4833906756, REVISED/DATED AUGUST 18, 2014, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.999944847.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- ALL OIL/GAS WELLS (PLUGGED, ABANDONED, AND/OR ACTIVE) WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS BUILDING SETBACKS ADJACENT TO OIL/GAS PIPELINES, BUILDING LINES, THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF THE CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF THE CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVED AND VALID COVENANTS OR RESTRICTIONS.
- A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED BY THIS PLAT CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.
- SUBJECT TO CONSENT TO ENCROACHMENT OF IMPROVEMENTS INTO 10' WIDE UTILITY EASEMENT UNDER HARRIS COUNTY CLERK'S FILE NO. K681285.
- SUBJECT TO A SIGN EASEMENT TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. L788160. (NO LOCATION GIVEN)
- SUBJECT TO RECIPROCAL ACCESS EASEMENT AGREEMENT RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. RP--2022--180338.
- SUBJECT TO THE TERMS, CONDITIONS, AND STIPULATIONS CONTAINED IN THOSE CERTAIN INSTRUMENTS RECORDED UNDER H.C.C.F. NOS. K477877, K477878, K477879, K485791, L768160, L768164, 2013068077, AND RP--2016--363192.

FOUR CORNERS GRAHAM

A SUBDIVISION OF 11,7529 AC. / 511,956 SQ. FT.

BEING A REPLAT OF LOT 4 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

1 BLOCK 2 LOTS 1 RESERVE

AUGUST 2022

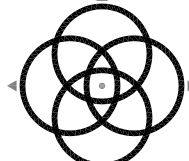
RESON FOR REPLAT: TO CREATE 2 (TWO) LOTS AND 1 (ONE) RESERVE

Owner

BK Graham, Ltd,
a Texas limited partnership
3700 Buffalo Speedway, Suite 400
Houston, Texas 77098

BK 2920, Ltd,
a Texas limited partnership
3700 Buffalo Speedway, Suite 400
Houston, Texas 77098

Surveyor



WINDROSE
LAND SURVEYING & PLATTING

11111 RICHMOND AVE., SUITE 150 | HOUSTON, TX 77082 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	0°38'14"	5,669.58'	63.06'	N 14°41'47" W	63.06'
C2	8°03'56"	96.41'	13.57'	S 72°40'29" W	13.56'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 83°18'18" W	216.28'
L2	S 76°42'27" W	109.94'
L3	N 01°43'19" W	133.28'
L4	N 87°45'10" E	144.05'
L5	S 01°41'42" E	97.53'
L6	S 01°41'42" E	11.80'
L7	S 88°18'18" W	41.50'
L8	S 01°41'42" E	92.27'
L9	N 88°18'18" E	64.17'
L10	S 87°45'10" W	114.19'
L11	N 15°30'44" W	81.78'
L12	S 68°38'31" W	51.94'

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 8, 2022 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 15, 2022 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

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.

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 Tomball from Single Family Residential (SF-6) to Old Town & Mixed Use (OT&MU). The property is located 201 Holderrieth Boulevard, within the City of Tomball, Harris County, Texas.

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.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@tomballtx.gov.

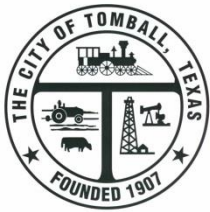
CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **5th** day of **August 2022** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith
City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P22-213

APPLICANT/OWNER: Yuna Holdings, LLC

LOCATION: 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.

PROPOSAL: A Rezoning 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.

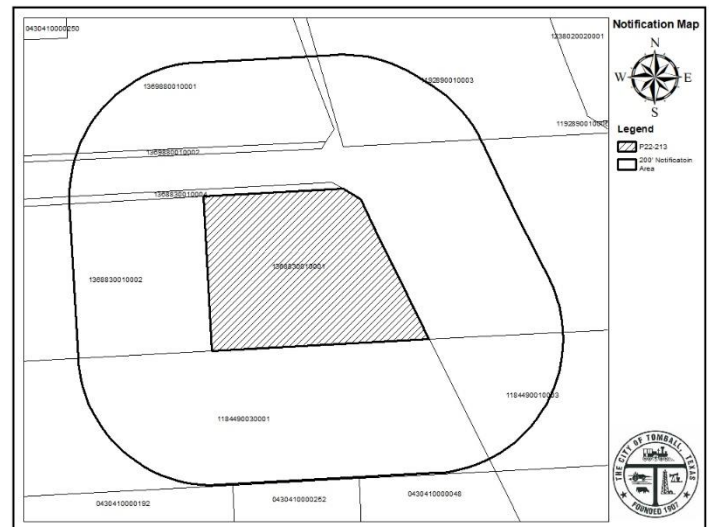
CONTACT: Jared Smith, City Planner

PHONE: (281) 290-1491

E-MAIL: jasmith@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

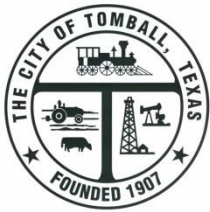


**Planning & Zoning Commission
Public Hearing:
Monday, August 8, 2022 @ 6:00 PM**

**City Council Public Hearing:
*Monday, August 15, 2022 @ 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Jared Smith
501 James Street
Tomball, TX 77375

Name: _____

(please print)

Address: _____

Signature: _____

Date: _____

_____ I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-213. (Please state reasons below)**

_____ I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-213. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, August 8, 2022 @ 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, August 15, 2022 @ 6:00 PM

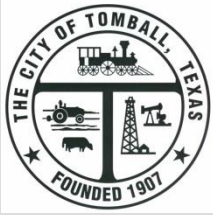
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to jasmith@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Jared Smith @ 281-290-1491.



Community Development Department

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Rezoning Case: P22-213

Property Owner(s): Yuna Holdings, LLC

Applicant(s): Yuna Holdings, LLC

Legal Description: Lot 1, Block 1 of JTS Subdivision

Location: Southwest corner of the intersection of Medical Complex Drive and the State Highway 249 frontage road. (Exhibit “A”)

Area: 1.44 acres

Comp Plan Designation: Corridor Commercial (Exhibit “B”)

Present Zoning and Use: General Retail (GR) (Exhibit “C”) / Vacant (Exhibit “D”)

Request: Rezone to the Commercial District

Adjacent Zoning & Land Uses:

- North:** General Retail/Vacant
- South:** General Retail/Vacant
- West:** General Retail with Conditional Use Permit/Hotel
- East:** State Highway 249

BACKGROUND

The subject property was annexed in 1997 (Ordinance#1997-01) and remained vacant since that time. The property has been located within a General Retail zoning district since 2008 when the City of Tomball adopted zoning. According to information provided by the applicant, the zone change request is to allow the subject property to be developed as a pawn shop with an indoor gun range.

ANALYSIS

The subject property is approximately 1.44 acres, located at the southwest corner of the intersection of Medical Complex Drive and State Highway 249. Properties north and south of the subject site are within General Retail zoning districts and are presently vacant. The property west of the subject site is also located within General Retail zoning and is occupied by a hotel (Residence Inn). East of the subject property is State Highway 249.

Comprehensive Plan Recommendation:

The Future Land Use Map within the Comprehensive Plan designates the subject property as “Corridor Commercial.” According to the Comprehensive Plan, the Corridor Commercial land use category is intended for predominantly nonresidential uses along high-traffic, regionally serving thoroughfares. This land use category typically is comprised of varying lot sizes and intensities predominately serving the automobile.

The Comprehensive Plan identifies regional commercial, personal service offices, multi-family, retail, entertainment, dining, hotels, and brew pub/distilleries to be appropriate land uses within the Corridor Commercial land use.

According to the Comprehensive Plan, Office, General Retail, Commercial, Mixed Use, Multi-Family, and Planned Developments are considered appropriate zoning districts within the Corridor Commercial land use category.

In making decisions regarding the neighborhood commercial land use category the following items should be considered: “Development should gain primary access from an arterial street. Pedestrian enhancements should be a focus with comfort and safety taking priority. New development should include improved standards for building form and architecture, buffering, landscaping, and signage.”

Staff Review Comments:

The request to rezone the subject property to Commercial is in accordance with the Corridor Commercial land use identified on the Future Land Use Map. According to the Comprehensive Plan this land use category is intended for nonresidential uses along high-traffic, regionally serving thoroughfares. Further, the City of Tomball Code of Ordinance states that convenient access to major thoroughfares is a primary consideration for Commercial zoning districts. The subject site is located at the intersection of Medical Complex Drive (minor arterial) and State Highway 249 (expressway). Commercial land uses are often located at intersections such as this because they provide convenient access and exposure to higher volumes of traffic.

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 July 25, 2022. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

STAFF RECOMMENDATION:

Based on the findings outlined in the analysis section of this staff report, the City staff recommends approval of Zoning Case P22-213.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan Map
- C. Zoning Map
- D. Site Photo(s)
- E. Zoning District Permitted Use Chart Comparison
- F. Rezoning Application

Exhibit "A"
Aerial Map

Item F.2

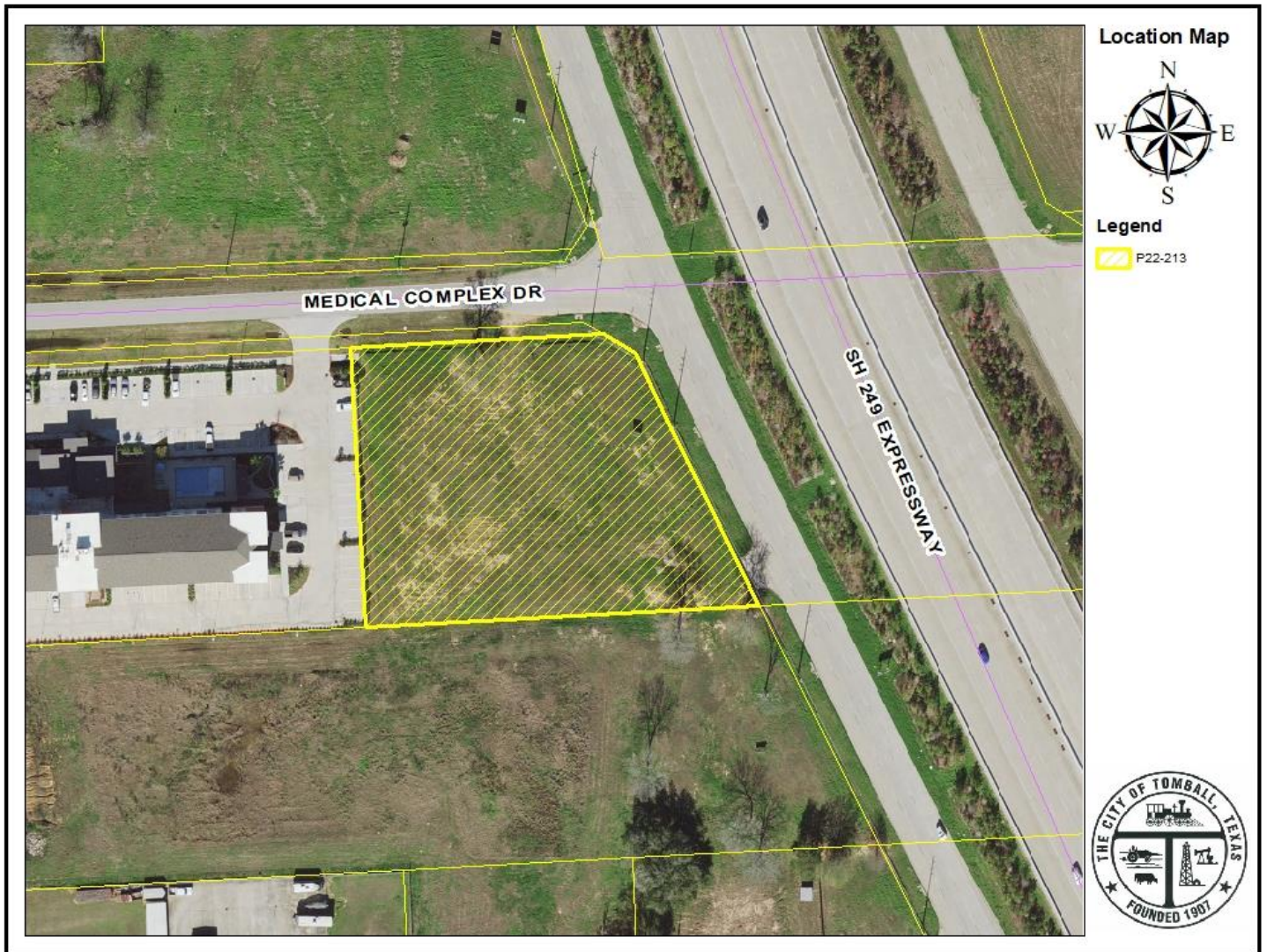


Exhibit "B"
Future Land Use Map

Item F.2

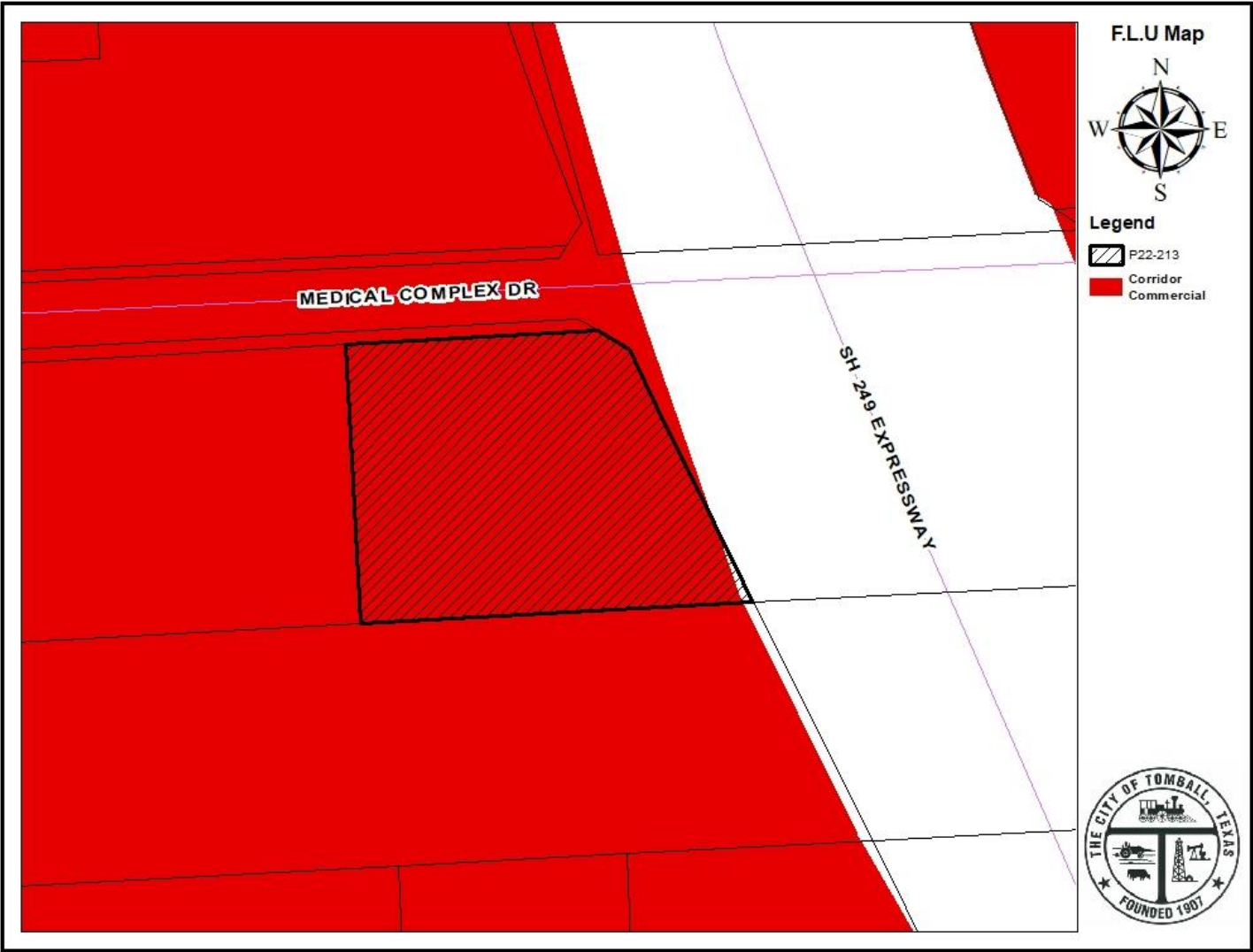
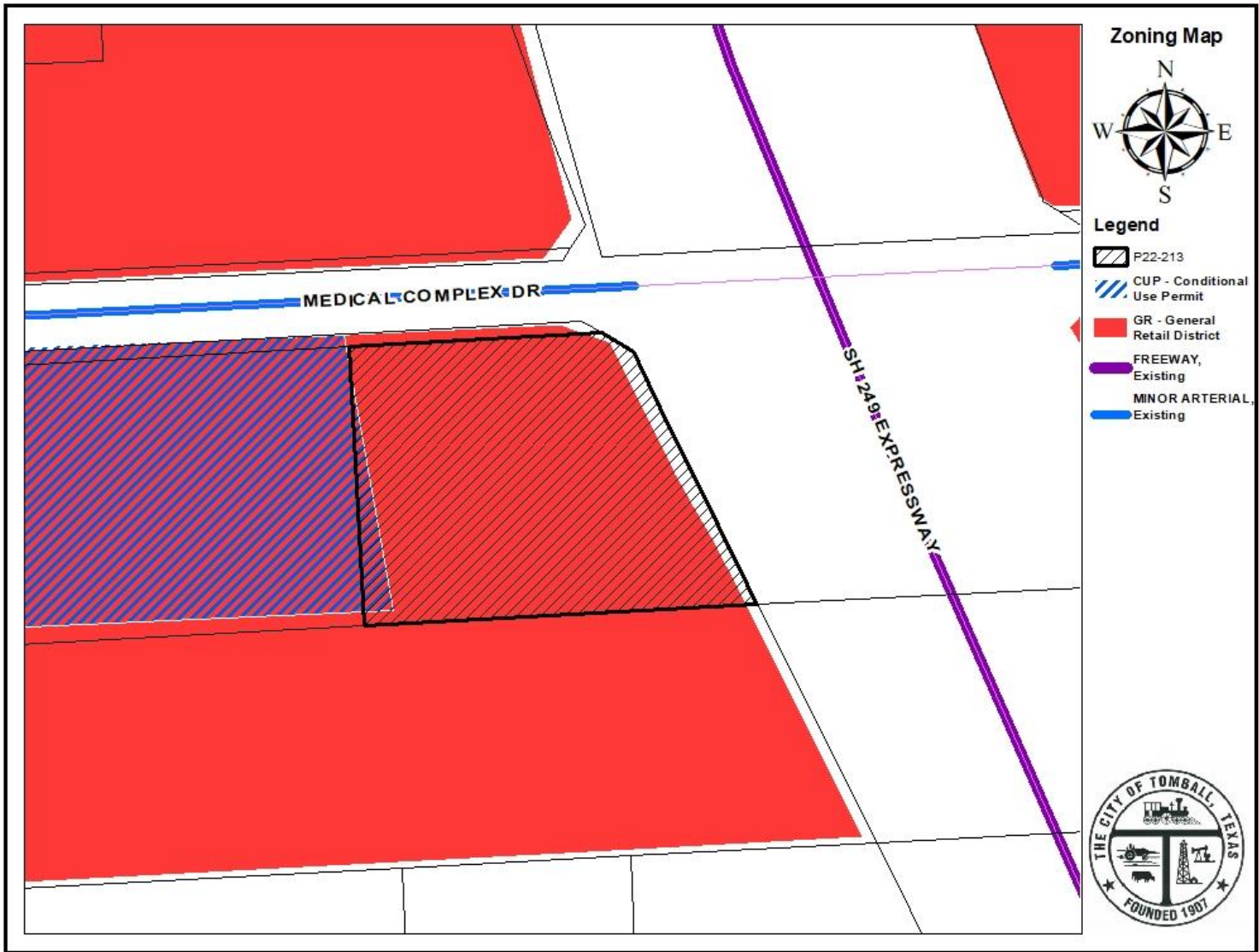


Exhibit "C"
Zoning Map

Item F.2



**Exhibit “D”
Site Photo**



Exhibit “E” **Zoning District Permitted Use Chart Comparison**

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Agriculture			
Bulk Grain and/or feed storage		C	1 space per 1,000 square feet
Farm (ranch, garden, crops, livestock, or orchard) ‡	P	P	None
Feed and grain store/farm supply store ‡	C	P	1 space per 500 square feet
Flour and other grain mills			1 space per 1,000 square feet
Livestock, wholesale/auction			None
Livestock sales/auction			None
Stable, commercial			1 space per 1,000 square feet
Stables (private, principal or accessory use) ‡			None
Residential			
Accessory building/structure (business or industry) ‡	P	P	None
Accessory building/structure (residential) ‡			None
Accessory dwelling			None
Garage/accessory dwelling ‡			None
Caretaker's, guard's residence ‡	P	P	1 space per caretaker/guard
Dwelling, four-family (quadraplex) (defined under Multiple-family dwelling) ‡			2 spaces per dwelling
Dwelling, HUD code- manufactured home ‡			2 spaces per dwelling
Dwelling, industrialized home ‡			2 spaces per dwelling
Dwelling, multiple-family ‡			2 spaces per dwelling
Dwelling, single-family attached ‡			2 spaces per dwelling
Dwelling—Single-family detached ‡			2 spaces per dwelling
Dwelling, two-family, duplex or duplex townhome ‡			2 spaces per dwelling
Dwelling, zero-lot line/patio home ‡			2 spaces per dwelling
Home occupation ‡	P	P	None
Residential use ‡	C	C	2 spaces per dwelling
Private street subdivision	C	C	None
Office			
Clinic, emergency care	P	P	1 space per 150 square feet
Clinic, medical and/or dental	P	P	1 space per 300 square feet
Credit agency	P	P	1 space per 300 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Bank, savings and loan, or credit union (no motor bank services)	P	P	1 space per 300 square feet
Bank, savings and loan, or credit union (with motor bank services)	P	P	1 space per 300 square feet
Office, professional and general business ‡	P	P	1 space per 300 square feet
Office, parole-probation	P	P	1 space per 300 square feet
Office showroom/warehouse ‡	C	P	1 space per 300 square feet
Security monitoring company (no outside storage)	P	P	1 space per 300 square feet
Telemarketing agency	C	C	1 space per 250 square feet
Telephone exchange/switching station ‡	P	P	1 space per 500 square feet
Temporary real estate field office	P	P	4 spaces
Model home (including sales office)	P	C	2 spaces per model
Personal and Business			
Ambulance service	C	P	1 space per 500 square feet
Automobile driving school (including defensive driving)	P	P	1 space per classroom seat
Barber/beauty shop (no related school/college)	P	P	1 space per 200 square feet
Bed and breakfast inn ‡	P	P	2 spaces plus one per guest room
Check cashing service	C	C	1 space per 100 square feet
Dance hall/dancing facility ‡	C	C	1 space per 100 square feet
Dance/drama/music schools (performing arts, martial arts)	P	P	1 space per 100 square feet
Fortunetelling and similar activities ‡			1 space per 300 square feet
Funeral home ‡	C	P	See Section 50-112
Greenhouse (non-retail/hobby)			None
Health club (indoor)	P	P	1 space per 300 square feet
Health club (outdoor)	P	P	1 space per 300 square feet
Hotel‡	P	P	See Section 50-112
Motel‡		C	See Section 50-112
Laundromat/washateria/self-service ‡	P	P	1 space per 200 square feet
Laundry/dry cleaning (retail only, drop off/pick up) ‡	P	P	1 space per 200 square feet
Loan service (payday/auto title)	C	C	1 space per 100 square feet
Mailing service (private)	P	P	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Pharmacy (retail only)	P	P	1 space per 200 square feet
Reception venue	P	P	1 space: 4 seats
Recreational vehicle park			
Rehabilitation care facility (halfway house) ‡	P	P	Greater of 1 per three beds or 1.5 spaces per dwelling
Rehabilitation care institution (business) ‡	P	P	Greater of 1 per three beds or 1.5 spaces per dwelling
Seamstress, dressmaker or tailor (retail only)	P	P	1 space per 200 square feet
Sexually oriented business			
Tattoo or body piercing studio ‡		C	1 space per 200 square feet
Wedding chapel	P	P	1 space per four seats
Retail			
Antique shop (no outside sales or storage) ‡	P	P	1 space per 500 square feet
Antique shop (with outside storage)	C	P	1 space per 500 square feet
Apparel shop	P	P	1 space per 200 square feet
Art gallery/museum/dealer ‡	P	P	1 space per 500 square feet
Artist or photography studio	P	P	1 space per 500 square feet
Bakery, retail (eating establishment, no drive-through) ‡	P	P	1 space per 200 square feet
Bakery, retail (with drive-through)	P	P	1 space per 200 square feet
Bakery (wholesale) ‡		P	1 space per 500 square feet
Bird and pet shops (retail only)	P	P	1 space per 200 square feet
Book/stationery shop (retail only) ‡	P	P	1 space per 200 square feet
Brewpub	P	P	1 space per 1,000 square feet for the brewing of beer, ale, etc. plus 1 space per 100 square feet for associated eating or drinking establishments.
Building material sales/lumber yard ‡	C	P	1 space per 1,000 square feet
Carpenter shop	C	P	1 space per 500 square feet
Catering service	P	P	1 space per 500 square feet
Consignment shop	C	P	1 space per 300 square feet
Convenience store (with or without gasoline sales) ‡	P	P	See Section 50-112

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Copy shop ‡	P	P	1 space per 200 square feet
Drinking establishment	P	P	
Drug store (retail only)	P	P	1 space per 200 square feet
Eating establishment (with drive-in service) ‡	C	P	Whichever is greater: 1 per 100 square feet; 1 per 3 seats based on max seating capacity or; 1 per 12 spaces
Eating establishment (with no drive through service) ‡	P	P	
Eating establishment (with drive-through service) ‡	C	P	
Electronic goods (retail only)	P	P	1 space per 200 square feet
Florist shop (retail only) ‡	P	P	1 space per 200 square feet
Food or grocery store	P	P	1 space per 500 square feet
Furniture and appliance store (retail only) ‡	P	P	1 space per 500 square feet
Furniture store (new and used) ‡	P	P	1 space per 200 square feet
General retail stores (no outside storage)	P	P	1 space per 200 square feet
Gift or card shop (retail only)	P	P	1 space per 200 square feet
Hardware store	P	P	1 space per 400 square feet
Hobby and crafts store (retail only)	P	P	1 space per 200 square feet
Home improvement center	P	P	1 space per 400 square feet plus one per 1,000 square feet of warehouse area
Jewelry store	P	P	1 space per 200 square feet
Market, open air, flea		C	1 space per 200 square feet
Meat and fish market (retail only)	P	P	1 space per 200 square feet
Mobile Food Court ‡	C	C	Whichever is greater: 1 per 100 square feet of seating area or 2 per mobile food vendor
Motion picture studios, commercial films	C	P	1 space per 300 square feet
Motion picture theater (indoors)	P	P	See Section 50-112
Nursery ‡	P	P	1 space per 1,000 square feet of sales area
Garden shop ‡	P	P	1 space per 200 square feet
Painting and refinishing shop	C	P	1 space per 500 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Auto paint shop	C	P	1 space per 200 square feet
Auto parts sale (new or rebuilt; no outside storage, no outside display, no repair)	P	P	1 space per 200 square feet
Auto parts sale (new or rebuilt; with outside storage or display)	C	P	1 space per 200 square feet
Auto rental	P	P	1 space per 200 square feet
Auto repair (major) ‡	C	P	1 space per 200 square feet
Auto repair (minor) ‡	P	P	1 space per 200 square feet
Auto storage or auto auction ‡		C	1 space per 1,000 square feet
Auto tire sales (indoor)	P	P	1 space per 200 square feet
Auto wrecker service		P	1 space per 200 square feet
Automobile assembly			1 space per 1,000 square feet
Automobile parts manufacturing		C	1 space per 1,000 square feet
Automobile wash (full service/detail shop) ‡	P	P	3 spaces per washing capacity of module
Automobile wash (self-service) ‡	C	P	3 spaces per washing capacity of module
Bike sales and/or repair	P	C	1 space per 500 square feet
Bus or truck storage		P	1 space per 1,000 square feet
Gasoline station	P	P	See Section 50-112
Motor freight transportation, storage, and terminal		P	See Section 50-112
Motorcycle sales/dealer w/outdoor sales, storage, and display ‡	P	P	See Section 50-112
Motorcycle sales/dealer w/no outdoor sales, storage, and display	P	P	See Section 50-112
Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡	P	P	None
Personal watercraft sales (new/repair) w/outdoor sales, storage, and display	P	P	See Section 50-112
Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display	P	P	See Section 50-112
Railroad team tracks, unloading docks, and spurs		P	None
Railroad yards, round house or shop		C	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Auto paint shop	C	P	1 space per 200 square feet
Auto parts sale (new or rebuilt; no outside storage, no outside display, no repair)	P	P	1 space per 200 square feet
Auto parts sale (new or rebuilt; with outside storage or display)	C	P	1 space per 200 square feet
Auto rental	P	P	1 space per 200 square feet
Auto repair (major) ‡	C	P	1 space per 200 square feet
Auto repair (minor) ‡	P	P	1 space per 200 square feet
Auto storage or auto auction ‡		C	1 space per 1,000 square feet
Auto tire sales (indoor)	P	P	1 space per 200 square feet
Auto wrecker service		P	1 space per 200 square feet
Automobile assembly			1 space per 1,000 square feet
Automobile parts manufacturing		C	1 space per 1,000 square feet
Automobile wash (full service/detail shop) ‡	P	P	3 spaces per washing capacity of module
Automobile wash (self-service) ‡	C	P	3 spaces per washing capacity of module
Bike sales and/or repair	P	C	1 space per 500 square feet
Bus or truck storage		P	1 space per 1,000 square feet
Gasoline station	P	P	See Section 50-112
Motor freight transportation, storage, and terminal		P	See Section 50-112
Motorcycle sales/dealer w/outdoor sales, storage, and display ‡	P	P	See Section 50-112
Motorcycle sales/dealer w/no outdoor sales, storage, and display	P	P	See Section 50-112
Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡	P	P	None
Personal watercraft sales (new/repair) w/outdoor sales, storage, and display	P	P	See Section 50-112
Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display	P	P	See Section 50-112
Railroad team tracks, unloading docks, and spurs		P	None
Railroad yards, round house or shop		C	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Taxi/limousine service	C	P	1 space per 1.5 automobiles in service
Tire sales (indoors, no outside storage) ‡		P	1 space per 1,000 square feet
Tire sales (outdoors, with outside storage) ‡		C	1 space per 1,000 square feet
Transfer station (refuse/pick-up) ‡		C	1 space per 500 square feet
Transit terminal ‡		P	See Section 50-112
Truck and bus leasing ‡		P	1 space per 1,000 square feet
Truck sales and services (heavy trucks) ‡		P	1 space per 1,000 square feet
Truck stop ‡		C	1 space per 1,000 square feet
Truck terminal ‡		P	See Section 50-112
Amusement and Recreation			
Amusement, commercial (indoor) ‡	C	P	1 space per 100 square feet
Amusement, commercial (outdoor) ‡	C	P	10 spaces plus 1 per 500 square feet over 5,000 square feet of building and recreation area
Amusement, commercial, temporary, (e.g., carnival, haunted house). (Note: Allowed by building official for up to 10 days) ‡		C	Determined by P & Z
Amusement devices/arcade (4 or more devices, indoors only) ‡	C	P	1 space per game table plus one per amusement device
Billiard/pool Facility (4 or more tables)	C	P	1 space per 200 square feet
Bingo facility	C	P	1 space per 200 square feet
Bowling alley (air conditioned and soundproofed)	P	P	4 spaces per lane
Dinner theatre	P	P	1 space per three seats or bench seating space
Drive-in theater		C	1 space per speaker
Golf driving range	C	P	See Section 50-112
Golf course (private) ‡	C	C	6 spaces per hole
Golf course (publicly owned) ‡	P	P	6 spaces per hole
Playfield or stadium (private)	C	P	1 space per three seats
Recreational vehicle park/campground ‡		C	1.5 per RV pad
Skating rink	P	P	1 space per 200 square feet, plus 1 per 3 seats based on max capacity
Swimming pool, private (use by membership) ‡	P	P	1 space for each 100 square feet of gross water surface and deck area

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Swimming pool, commercial ‡	P	P	1 space per 100 square feet of gross water surface and deck area
Tennis court (private/not lighted)	P	P	2 spaces per court
Tennis court (private/lighted)	C	C	2 spaces per court
Institutional/Governmental			
Adult day care (business)			
Antenna (commercial)			
Antenna (noncommercial)			
Armed services recruiting center	P	P	1 space per 300 square feet
Assisted living facility (continuing care retirement community) ‡	P	P	1.5 spaces per dwelling unit plus any additional space for accessory uses
Auction house	C	P	1 space per 100 square feet
Broadcast station (with tower)			
Broadcast towers (commercial)			
Cellular communications tower/PCS			
Cemetery and/or mausoleum ‡	C	C	1 space per 5,000 square feet of land
Child day care center (business) ‡	P	P	1 space per three children
Church/temple/place of worship ‡	P	P	1 space per four seats in sanctuary
Civic center (municipal) ‡	P	P	10 spaces plus 1 per 300 square feet above 2,000 square feet
Civic club	P	P	See Section 50-112
Community center (public)	P	P	See Section 50-112
Community home ‡			1 space per 300 square feet
Community or social buildings ‡	P	P	1 space per 300 square feet
Country club (private) ‡	C	C	10 spaces plus 1 per 300 square feet above 2,000 square feet
Earth satellite dish (private, less than 3 feet in diameter)			
Electric power plant		C	1 space per 1,000 square feet
Electrical substation ‡	C	C	1 space per 1,000 square feet
Exhibition hall ‡	C	P	1 space per 100 square feet
Fair ground or rodeo ‡		C	1 space per 1,000 square feet of land area
Family home (child care in place of residence) ‡	P	P	1 space per 10 children plus 1 space per teacher

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Fraternal organization ‡	P	P	10 spaces plus 1 per 300 square feet above 2,000 square feet
Fraternity or sorority house ‡	C	C	2 spaces per bedroom
Governmental building or use (county, state or federal) ‡	P	P	1 space per 300 square feet
Heliport ‡	C	C	3 spaces
Helistop	C	C	3 spaces
Hospital ‡	P	P	1 space per bed
Household care facility ‡			1 space per 6 clients
Household care institution	P	P	1 space per 6 clients
Institution for alcoholic, narcotic, or psychiatric patients ‡	C	C	1 space per 200 square feet
Institution of religious, educational or philanthropic nature	P	P	1 space per 200 square feet
Municipal facility or use ‡	P	P	1 space per 300 square feet
Museum	P	P	See Section 50-112
Park and/or playground (private) ‡	P	P	
Park and/or playground (public, municipal) ‡	P	P	
Penal or correctional institutions		P	1 space per 500 square feet
Post office (governmental)	P	P	10 plus 1 per 200 square feet
Non-city public assembly (auditorium, gymnasium, stadiums, meeting halls, etc.)	P	P	1 space per 4 seats
Radio, television and communications towers			
Rectory/parsonage	P	P	5 spaces, plus 1 per bedroom
Retirement housing for the elderly ‡			
Riding academy	C	C	1 space per five stalls
Sanitary landfill (private)			1 space per ten acres
School, business (e.g., barber/beauty/cosmetology)	P	P	1 space per three students, based on design
School, college or university	P	P	10 per classroom plus 2 per office
School, commercial trade (vocational) ‡	P	P	1 space per student
School, public or denominational ‡	P	P	See Section 50-112
School, other than public or denominational ‡	P	P	
Sheltered care facility ‡	C	C	1 space per three beds or 1.5 per dwelling
Sign, all types (defined within the referenced section) ‡			

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Skilled nursing facility $\frac{1}{2}$	C	P	See Section 50-112
Studio for radio and/or television (no towers) $\frac{1}{2}$	P	P	1 space per 200 square feet
Commercial and Wholesale Trade			
Animal kennel (outdoor pens)		C	1 space per 500 square feet
Appliance repair	P	P	1 space per 500 square feet
Book binding		P	1 space per 500 square feet
Carpet and rug cleaning plant	C	P	1 space per 1,000 square feet
Cattle, swine, or poultry feedlot (CAFO)			1 space per 5,000 square feet of land
Cleaning plant (commercial laundry) $\frac{1}{2}$	C	P	1 space per 1,000 square feet
Communication equipment sales/service (installation and/or repair, no outdoor sales or storage or towers/antennae)	P	P	1 space per 1,000 square feet
Construction contractor with storage yard		P	1 space per 1,000 square feet of land
Contractor's office/sales, no outside storage including vehicles	P	P	1 space per 1,000 square feet of land
Contractor's temporary on-site construction office (only with permit from building official)	P	P	None
Distribution center $\frac{1}{2}$		P	1 space per 1,000 square feet
Electric repair, (domestic equipment and autos)	P	P	1 space per 1,000 square feet
Electronic assembly		P	1 space per 1,000 square feet
Electro-plating/ electro-typing		P	1 space per 1,000 square feet
Exterminator service/company (no outdoor sales or storage)	P	P	1 space per 300 square feet
Fix-it shops, small engine, saw filing, mower sharpening	C	P	1 space per 500 square feet
Fur/hide tanning and finishing			1 space per 1,000 square feet
Heating and air conditioning sales/services	C	P	1 space per 1,000 square feet
Iron works (ornamental)		C	1 space per 1,000 square feet
Lawnmower repair and/or sales	C	P	1 space per 500 square feet
Loading or storage tracks		P	None
Locksmith	P	P	1 space per 500 square feet
Machine shop		P	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Maintenance and repair service for buildings/janitorial	C	P	1 space per 500 square feet
Manufactured home display or sales (new or used) ‡		C	1 space per 1,000 square feet
Mattress, making and renovating		P	1 space per 1,000 square feet
Milk depot, wholesale		P	1 space per 1,000 square feet
Mini-warehouse/self storage ‡	C	P	See Section 50-112
Mortuary	C	P	See Section 50-112
Moving and storage company		P	1 space per 1,000 square feet
News printing		P	1 space per 1,000 square feet
Outdoor sales as a primary use ‡	C	P	1 space per 5,000 square feet of land area
Pawn shop ‡		P	1 space per 200 square feet
Pet and animal grooming shop (no outside kennels) ‡	P	P	1 space per 200 square feet
Plumbing shop	C	P	1 space per 200 square feet
Printing equipment, supplies and repairs	C	P	1 space per 500 square feet
Propane sales filling (retail)	C	P	1 space per 200 square feet
Publishing and printing company	C	P	1 space per 500 square feet
Quick lube/oil change/minor inspection	P	P	1 space per 200 square feet
Salvage storage yard ‡			5 per acre
Scientific and industrial research laboratories (hazardous) ‡		C	1 space per 300 square feet
Scientific and industrial research laboratories (nonhazardous) ‡	C	P	1 space per 300 square feet
Scrap metal storage yard			5 space per acre
Security systems installation company	C	P	1 space per 300 square feet
Sheet metal shop		P	1 space per 1,000 square feet
Storage of cement, sands and gravel		C	1 space per 5,000 square feet of storage area
Storage of used lumber and building materials		C	1 space per 5,000 square feet of storage area
Taxicab storage and repair		P	1 space per 500 square feet
Taxidermist	C	P	1 space per 500 square feet
Tool and machinery rental (indoor storage only) ‡	P	P	1 space per 200 square feet
Tool and machinery rental (with outdoor storage) ‡	C	P	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Vacuum cleaner sales and repair ‡	P	P	1 space per 200 square feet
Veterinarian clinic (indoor kennels) ‡	P	P	1 space per 500 square feet
Veterinarian clinic (outdoor kennels or pens) ‡		C	1 space per 500 square feet
Warehouse (defined under storage or wholesale warehouse) ‡	C	P	1 space per 1,000 square feet
Welding shop	C	P	1 space per 1,000 square feet
Wholesale trade, nondurable goods	C	P	1 space per 1,000 square feet
Woodworking shops	C	P	1 space per 1,000 square feet
Wrecking materials yard ‡			1 space per 1,000 square feet
Light and Heavy Manufacturing/Industrial			
Acid manufacture			1 space per 1,000 square feet
Adhesives and sealants manufacture		C	1 space per 1,000 square feet
Aircraft parts manufacture			1 space per 1,000 square feet
Airplane repair and manufacturing			1 space per 1,000 square feet
Animal processing and slaughter		C	1 space per 1,000 square feet
Any manufacture or industrial process not listed and not prohibited by law		C	1 space per 1,000 square feet
Artificial flower manufacture	C	P	1 space per 1,000 square feet
Asphalt paving and roofing material manufacture			1 space per 1,000 square feet
Awning manufacture, cloth, metal and wood		P	1 space per 1,000 square feet
Bag manufacturing		P	1 space per 1,000 square feet
Battery manufacture			1 space per 1,000 square feet
Bleaching/chorine powder manufacture			2 spaces per 1,000 square feet
Boiler manufacture and repair			1 space per 1,000 square feet
Bottling works		P	1 space per 1,000 square feet
Broom manufacture		P	1 space per 1,000 square feet
Candy and other confectionary products manufacture	C	P	1 space per 1,000 square feet
Canning and preserving factory		C	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Canvas and related products manufacture		P	1 space per 1,000 square feet
Casein manufacture			1 space per 1,000 square feet
Celluloid and similar cellulose manufacture			1 space per 1,000 square feet
Cement manufacture			1 space per 1,000 square feet
Ceramic products manufacture	C	P	1 space per 500 square feet
Chalk manufacture			1 space per 1,000 square feet
Chemicals (agricultural) manufacture			1 space per 1,000 square feet
Chemicals (industrial) manufacture			1 space per 1,000 square feet
Clothing manufacture		P	1 space per 500 square feet
Coffee roasting		C	
Coffin manufacture		C	1 space per 1,000 square feet
Cold storage plants/locker		P	1 space per 1,000 square feet
Concrete or asphalt mixing/batching plant (permanent) ‡			1 space per 5,000 square feet of land
Concrete or asphalt mixing/batching plant (temporary) ‡	C	P	1 space per 5,000 square feet of land
Crematory			1 space per 1,000 square feet
Culvert manufacture			1 space per 1,000 square feet
Cutlery, handtools and general hardware manufacture		C	1 space per 1,000 square feet
Dairy products manufacture		C	1 space per 1,000 square feet
Distillation of liquors, spirits, etc. (brewery)			1 space per 1,000 square feet
Dye manufacture			1 space per 1,000 square feet
Dyeing plant		C	1 space per 1,000 square feet
Electric lamp manufacture		C	1 space per 1,000 square feet
Elevator manufacture			1 space per 1,000 square feet
Enameling and painting		C	1 space per 1,000 square feet
Engraving plant		P	1 space per 1,000 square feet
Envelope manufacture		P	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Farm/garden machinery and equipment manufacture		C	1 space per 1,000 square feet
Fats and oils (animal) manufacture			1 space per 1,000 square feet
Feed manufacture		C	1 space per 500 square feet
Felt manufacture			1 space per 1,000 square feet
Food processing ‡		C	1 space per 1,000 square feet
Footwear manufacture		C	1 space per 500 square feet
Foundry, all types			1 space per 1,000 square feet
Furnace manufacture			1 space per 1,000 square feet
Fixtures manufacture		C	1 space per 1,000 square feet
Furniture manufacture		C	1 space per 1,000 square feet
Gases (industrial) manufacture			1 space per 1,000 square feet
Glucose manufacture			1 space per 1,000 square feet
Hair products factory (other than human)			1 space per 1,000 square feet
Heavy machinery sales and storage ‡		C	1 space per 1,000 square feet
Ice cream/ice manufacture		P	1 space per 1,000 square feet
Kerosene manufacture or storage			1 space per 1,000 square feet
Laboratory equipment manufacturing ‡			1 space per 1,000 square feet
Leather products manufacture		C	1 space per 1,000 square feet
Lumber mill/yard			1 space per 1,000 square feet
Machinery manufacture		C	1 space per 1,000 square feet
Marble working and finishing		C	1 space per 1,000 square feet
Meat packing plant			1 space per 1,000 square feet
Metal cans and shipping containers manufacture		C	1 space per 1,000 square feet
Metal products, stamping and manufacture		C	1 space per 1,000 square feet
Mirror resilvering		C	1 space per 200 square feet
Office equipment manufacture		P	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Oil compounding and barreling			1 space per 1,000 square feet
Oilcloth manufacture			1 space per 1,000 square feet
Orthopedic, prosthetic, surgical appliances and supplies manufacture		P	1 space per 1,000 square feet
Paint manufacture and/or mixing		C	1 space per 1,000 square feet
Paper and paper pulp manufacture			1 space per 1,000 square feet
Paper products and paper box manufacture		P	1 space per 1,000 square feet
Pecan processing		C	1 space per 1,000 square feet
Petroleum and petroleum products refining			1 space per 1,000 square feet
Petroleum distribution/storage ‡		C	1 space per 1,000 square feet
Plastic products, molding, casting and shaping		P	1 space per 1,000 square feet
Poultry hatchery			1 space per 1,000 square feet
Poultry slaughtering and processing			1 space per 1,000 square feet
Printing ink manufacture			1 space per 1,000 square feet
Reduction of fats, ores, metals, garbage, offal, etc.; rendering plant			1 space per 1,000 square feet
Rock quarries, sand, gravel and earth excavations or extractions			1 space per acre
Rug and carpet manufacture		C	1 space per 1,000 square feet
Sand, gravel, or stone storage (including sales) ‡		C	1 space per 1.5 employees, plus five per acre
Shellac and varnish manufacture			1 space per 1,000 square feet
Sign manufacturing (no outside storage)		C	1 space per 1,000 square feet
Sign manufacturing (with outside storage)		C	1 space per 1,000 square feet
Snuff manufacture			1 space per 1,000 square feet
Soap, detergents, cleaning preparations manufacture			1 space per 1,000 square feet
Starch manufacture			1 space per 1,000 square feet
Steel works, blast furnaces and rolling mills			1 space per 1,000 square feet
Stone cutting or crushing			1 space per 5,000 square feet of land area

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Stone, clay, glass and concrete Products (other than handicrafts) manufacture			1 space per 1,000 square feet
Textile products manufacture		C	1 space per 1,000 square feet
Tire retreading and recapping		C	1 space per 1,000 square feet
Truck manufacture			1 space per 1,000 square feet
Waste paper products manufacture			1 space per 1,000 square feet
Water distillation		P	1 space per 1,000 square feet
White lead manufacture			1 space per 1,000 square feet
Wood container manufacture		C	1 space per 1,000 square feet
Wood distillation (manufacture of tar, charcoal, turpentine and similar			1 space per 1,000 square feet
Wood preserving manufacture and treatment			1 space per 1,000 square feet
Wood products manufacture		C	1 space per 1,000 square feet

; Ord. No. 2012-18, § 2, 7-2-2012; Ord. No. 2013-23, § 2, 2-2-2013; Ord. No. 2013-19, § 2, 11-4-2013)

Exhibit "E"

Rezoning Application



RECEIVED (KC)
06/23/2022

Revised: 4/13/2020
P&Z #22-213

APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION SUBMITTAL: 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.

Applicant

Name: YUNA HOLDINGS, LLC DBA TOMBALL PAWN Title: GENERAL MANAGER
Mailing Address: 14011 FM 2920 RD City: TOMBALL State: TX
Zip: 77377 Contact: JEFF YUNA
Phone: (281) 351-2662 Email: JEFFYUNA@GMAIL.COM

Owner

Name: YUNA HOLDINGS, LLC Title: GENERAL MANAGER
Mailing Address: 14011 FM 2920 RD City: TOMBALL State: TX
Zip: 77377 Contact: JEFF YUNA
Phone: (281) 351-2662 Email: JEFFYUNA@GMAIL.COM

Engineer/Surveyor (if applicable)

Name: N/A Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____ Contact: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: RELOCATION OF TOMBALL PAWN & ADDITION OF INDOOR SHOOTING RANGE

Physical Location of Property: SW CORNER OF 249 & MEDICAL COMPLEX

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

Legal Description of Property: 1.448 ACRES (63,077 SQUARE FEET) LOT 1, BLOCK 1, JTS SUBDIVISION JM HOOPER SUREY, A-375, HARRIS COUNTY, TEXAS
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: RETAIL

Current Use of Property: VACANT

Proposed Zoning District: COMMERCIAL

Proposed Use of Property: PAWN SHOP & INDOOR SHOOTING RANGE

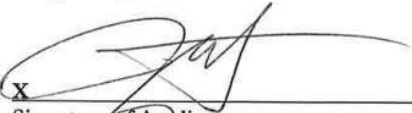



HCAD Identification Number: 1368830010001 **Acreage:** 1.448

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

Revised: 4/13/2020

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
X		
	Signature of Owner	Date

Revised: 4/13/2020

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.

- ☒ Completed application form
- ☒ *Copy of Recorded/Final Plat
- ☐ Check for \$400.00 + \$10.00 per acre (Non-Refundable)
- ☒ 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.

June 9, 2022

City of Tomball
501 James St
Tomball, Texas 77375

RE: APPLICATION FOR REZONING

To Whom It May Concern:

Tomball Pawn has done business at its current location since 1983. Yuna Holdings, LLC is the owner of the subject property of this application and the owner of Tomball Pawn. We are wanting to relocate our store to the property and add an indoor gun range.


The property is currently zoned retail. Per City Ordinance Pawn Shops must be in commercial zones. Likewise, though gun ranges are not explicitly mentioned in the zone ordinances, other "entertainment" venues require commercial zoning.

Additionally, the City has already granted a variance to the Residence Inn by Marriott. This property is adjacent to the subject property and shares the west boarder of the same.

We respectfully request review and approval of the attached Application for Re-zoning. In doing so Tomball Pawn will be able to grow thus adding additional sales tax revenues to the City.

Thank you for your time and consideration in this matter.

Sincerely,




Jeffrey M. Yuna
General Manager



Yuna Holdings, LLC companies
14011 FM 2920 Rd
Tomball, TX 77377
Cell: 713.726.6000



TAX CERTIFICATE


MIKE WELLS
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
 101 FREIGHT AVE., SUITE 140
 HOUSTON, TEXAS 77066

Assessed To:
 JTS DEVELOPMENT LTD
 MERCURY AIR GROUP
 388 WORLD HOUSTON PKWY STE B
 HOUSTON, TX 77032-2475

Legal Description:
 TRS 1B & 9F-1
 ABST 375 J M HOOPER

Parcel Address: 9 MEDICAL COMPLEX DR
Legal Acres: 6.440

Account Number: 043-641-000-0205
Certificate No: 1301171
Certificate Fee: \$2.00

Paid Date: 06/24/2015
Issue Date: 06/24/2015
Operator ID: CVAJ0652

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE FOR REVISIONS BY THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED BY US AND INCLUDING THE YEAR 2014, ALL TAXES ARE PAID IN FULL.

Exemptions:
 2014 Value: 705,193
 2014 Levy: \$2,400.78
 2014 Levy Release: \$0.00
 Prior Year Levy Balance: \$0.00
 Total Levy Due: \$0.00
 P&H + Amenity Fee: \$0.00
 Total Amount Due: \$0.00

Certified Owner:
 JTS DEVELOPMENT LTD
 MERCURY AIR GROUP
 388 WORLD HOUSTON PKWY STE B
 HOUSTON, TX 77032-2475

Certified Tax Liabilities:
 4) Harris County
 4) Harris County Flood Control Dist
 4) Port of Houston Authority
 4) Harris County Hospital District
 4) Harris County Dept. of Education
 4) Lone Star College System
 6) City of Houston
 67) Emergency Services (Dist. #10 & 11)

Reference (City) No.: 675231
Issued By: MIKE WELLS
 HARRIS COUNTY TAX ASSESSOR-COLLECTOR

OFFICE OF
 STAN STANLEY
 COUNTY CLERK, HARRIS COUNTY, TEXAS
 MAP RECORDS OF COUNTY CLERK
 FILM CODE 675231
 JTS SUBDIVISION FINAL PLAT
 THIS IS PAGE 2 OF 2 PAGES
 SCANNER Content ID4400

Adopted: 10/1/2014

TAX CERTIFICATE FOR ACCOUNT: 0436410000205
 AD NUMBER: 0436410000205
 OF NUMBER: 1301171
 CERTIFICATE NO: 1301171
 COLLECTING AGENCY:
 Brian Ludwig
 PO Box 275
 Tomball, TX 77377-0275

DATE: 6/1/2015
 FEE: \$10.00
 PROPERTY DESCRIPTION:
 TRS 1B & 9F-1
 ABST 375 J M HOOPER

0.000000 MEDICAL COMPLEX OR
 6.44 - ACRES

REQUESTED BY:
 CAC SURVEYING, INC
 7424 FM 1488 STE A
 MAGNOLIA, TX 77354


PROPERTY OWNER:
 JTS DEVELOPMENT LTD
 MERCURY AIR GROUP
 388 WORLD HOUSTON PKWY STE B
 HOUSTON, TX 77032-2475

THIS IS TO CERTIFY THAT THE AD VALOREM RECORDS OF THE TOMBALL I.S.D. TAX ASSESSOR-COLLECTOR REFLECT THE TAX INTEREST, AND OTHER STATUTORY FEES THAT HAVE BEEN ASSESSED AND ARE NOW DUE TO THE TAXING ENTITIES AND FOR THE YEARS SET OUT BELOW FOR THE DESCRIBED PROPERTY HEREIN. THE TAX ASSESSOR-COLLECTOR MAKES NO CERTIFICATION AS TO THE AMOUNT OF TAX, PENALTY, INTEREST, OR OTHER FEES ASSESSED BY OR DUE ANY TAXING ENTITY FOR THE YEAR OR YEARS FOR WHICH THE TAX ASSESSOR-COLLECTOR DID NOT HAVE THE STATUTORY DUTY TO COLLECT OR KEEP RECORDS OF SUCH COLLECTION. ADDITIONAL TAXES MAY BECOME DUE ON THE DESCRIBED PROPERTY, WHICH ARE NOT REFLECTED HEREIN, IF THE SAID DESCRIBED PROPERTY HAS OR IS RECEIVING ANY SPECIAL STATUTORY VALUATIONS THAT MAY TRIGGER TAX ROLLBACK PROVISIONS. THIS CERTIFICATE APPLIES TO ADVALOREM TAXES ONLY AND DOES NOT APPLY TO ANY SPECIAL ASSESSMENT LEVELS.

CURRENT VALUES		DEF. UNSETTLED:	
LAND INCT VALUE	705,193	DEF. UNSETTLED:	0
AD. LAND VALUE	705,193	LIMITED VALUE:	0

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2014	TOMBALL I.S.D.	0.00	0.00	0.00	0.00	0.00	0.00
2014 SUB TOTAL							\$2.00

TOTAL CERTIFIED TAX DUE \$2015: \$ 0.00
 ISSUED TO: CAC SURVEYING, INC
 ACCOUNT NUMBER: 0436410000205

CERTIFIED BY: 
 TOMBALL I.S.D.

This is a statement from the Tax Collector of Tomball I.S.D., indicating that the taxes to be imposed by Tomball Independent School District for the 2015 tax year have not been calculated as of the above date.

METES AND BOUNDS DESCRIPTION
1.4480 ACRES (63,077 SQUARE FEET)
LOT 1, BLOCK 1, JTS SUBDIVISION
J. M. HOOPER SURVEY, A-375
HARRIS COUNTY, TEXAS

All of that certain tract of land being 1.4480 acres (323,001 square feet) being Lot 1, Block 1 of the JTS Subdivision as recorded in Film Code No. 675230, Harris County Map Records (H.C.M.R.) Harris County, Texas, said 1.4480 acre tract being more particularly described by metes and bounds as follows: (bearings are based the Texas State Plane Coordinate System South Central Zone No. 4204)

BEGINNING at a found 5/8 inch iron rod with cap lying on the South right-of-way line of Medical Complex Drive (80 feet wide) and being the Northeast corner of Lot 2, Block 1 of said JTS Subdivision, same being the Northwest corner of said Lot 1, Block 1 of JTS Subdivision and a Northwesterly corner of the herein described tract;

THENCE North $87^{\circ}12'54''$ East, along said South R.O.W. line, in common with the North line of said Lot 1 and a Northerly line of the herein described tract a distance of 207.29 feet to a found 1/2 inch iron rod being the Northwesterly cut-back corner of said South R.O.W. line and the Westerly R.O.W. line of State Highway 249 (350 feet wide) and being a Northeasterly corner of said Lot 1 and of the herein described tract;

THENCE South $58^{\circ}28'55''$ East, along said R.O.W. cut-back line, in common with the Northeasterly line of said Lot 1 and of the herein described tract a distance of 31.80 feet to a found 1/2 inch iron rod being a Westerly R.O.W. corner of said 249, a Northeasterly corner of said Lot 1 and of the herein described tract and the beginning of a non-tangent curve to the left;

THENCE along said 249 R.O.W., in common with a Northeasterly line of said Lot 1 and of the herein described tract and along said curve to the left having a radius of 3,289.04 feet, an arc length of 121.24 feet, a chord bearing of South $25^{\circ}19'17''$ East and a chord distance of 121.24 feet to a found 1/2 inch iron rod being an Easterly corner of said Lot 1 and of the herein described tract and marking the beginning of a reverse curve to the right;

THENCE continuing along said 249 R.O.W., in common with a Easterly line of said Lot 1 and of the herein described tract and along said curve to the right having a radius of 3,449.04 feet, an arc length of 74.96 feet, a chord bearing of South $26^{\circ}22'22''$ East and a chord distance of 74.96 feet to a found 1/2 inch iron rod being an Easterly corner of said Lot 1 and of the herein described tract;

THENCE South $26^{\circ}20'01''$ East, continuing along said R.O.W. line, in common with an Easterly line of said Lot 1 and of the herein described tract a distance of 33.74 feet to a found 1/2 inch iron rod being an Easterly corner of said Lot 1 and of the herein described tract;

THENCE South $15^{\circ}31'47''$ West, continuing along said R.O.W. line, in common with an Easterly line of said Lot 1 and of the herein described tract a distance of 1.24 feet to a found 1/2 inch iron rod being an Southeast corner of said Lot 1, the Northeast corner of Lot 1, Block 2 of Replat of McCoys Building Supply-Tomball as recorded in F.C. No. 662041, H.C.M.R., same being an Easterly corner of the herein described tract;

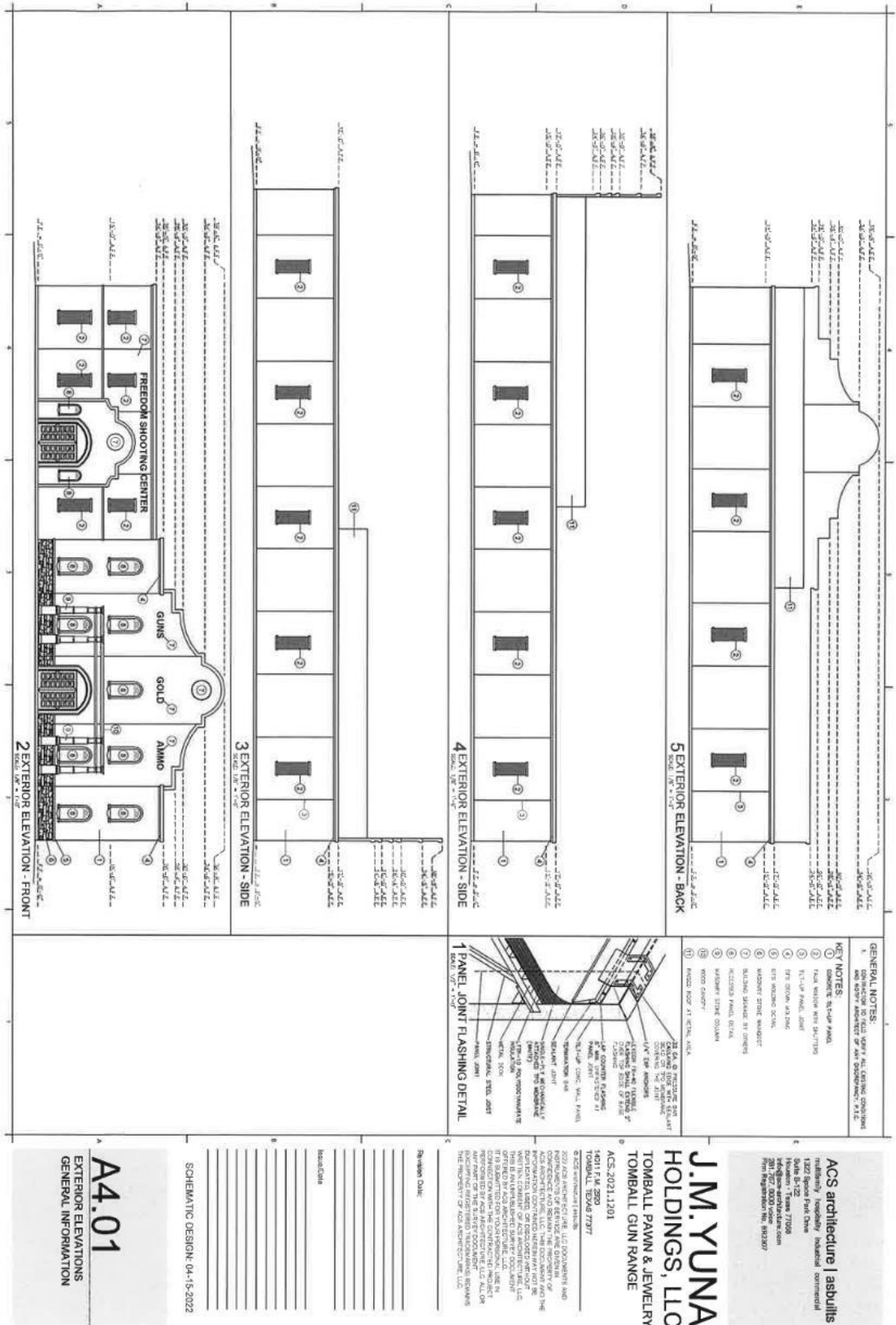
THENCE South $87^{\circ}14'45''$ West, leaving said said R.O.W. line and along the North line of said McCoys, in common with the South line of said Lot 1 and of the herein described tract a distance of 323.77 feet to a found 1/2 inch iron rod with cap being the Southeast corner of Lot 2 of said JTS and the Southwest corner of said Lot 1 and of the herein described tract;

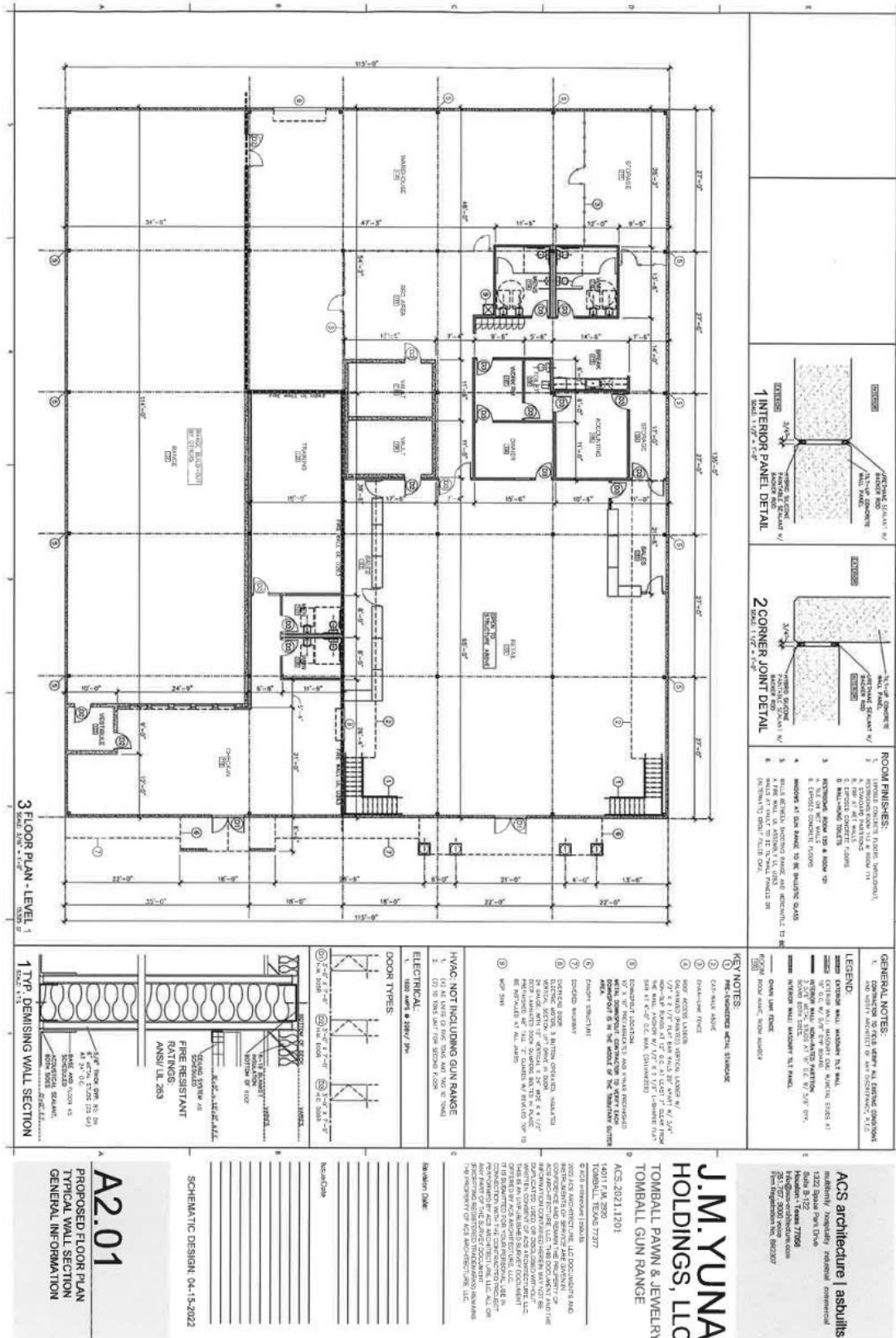
THENCE North $02^{\circ}47'06''$ West, leaving the North line of said Replat and along the East line of said Lot 2, in common with the West line of said Lot 1 and the Westerly line of the herein described tract a distance of 230.56 feet to the **POINT OF BEGINNING** and containing 1.4480 acres (63,077 square feet) of land.

This description is based on the Land Title Survey made by Chris J. Broussard, RPLS 6107 on July 23, 2021.

Chris J. Broussard R.P.L.S. #6107 Broussard Land Surveying, LLC
17527 Hawkin Lane Tomball TX 77377 Job Number: BLS-0079







HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
1368830010001

Tax Year: 2021



Owner and Property Information										
Owner Name & Mailing Address:				Legal Description:						
JTS DEVELOPMENT LTD C/O JEFF STALLONES 12323 PINEY BEND DR TOMBALL TX 77375-7853				LT 1 BLK1 JTS 0 MEDICAL COMPLEX DR TOMBALL TX 77377						
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Market Area	Map Facet	Key Map ^{1/2}
C2 -- Real, Vacant Commercial	8003 -- Land Neighborhood Section 3		0	63,075 SF	0	0	9925.02	400 -- ISD 26 - Tomball ISD	4770A	288K

Value Status Information

Value Status	Notice Date	Shared CAD
Noticed	04/02/2021	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2020 Rate	2021 Rate
None	026	TOMBALL ISD		Name Change: 09/10/2021	1.290000	1.250000
	040	HARRIS COUNTY		Name Change: 09/10/2021	0.391160	
	041	HARRIS CO FLOOD CNTRL		Name Change: 09/10/2021	0.031420	
	042	PORT OF HOUSTON AUTHY		Name Change: 09/10/2021	0.009910	
	043	HARRIS CO HOSP DIST		Name Change: 09/10/2021	0.166710	
	044	HARRIS CO EDUC DEPT		Name Change: 09/10/2021	0.004993	
	045	LONE STAR COLLEGE SYS		Name Change: 09/10/2021	0.107800	0.107800
	083	CITY OF TOMBALL		Name Change: 09/10/2021	0.337862	0.333339
	679	HC EMERG SERV DIST 8		Name Change: 09/10/2021	0.097000	0.094245

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Valuations

Value as of January 1, 2020			Value as of January 1, 2021		
	Market	Appraised		Market	Appraised
Land	504,600		Land	756,900	
Improvement	0		Improvement	0	
Total	504,600	504,600	Total	756,900	756,900

Land

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	8003 -- Land Neighborhood Section 3	4300	SF	63,075	1.00	1.00	1.20	--	1.20	10.00	12.00	756,900.00

Building

Vacant (No Building Data)

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 8, 2022 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 15, 2022 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

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.

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 Tomball from Single Family Residential (SF-6) to Old Town & Mixed Use (OT&MU). The property is located 201 Holderrieth Boulevard, within the City of Tomball, Harris County, Texas.

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.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@tomballtx.gov.

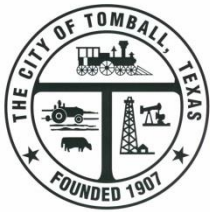
CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **5th** day of **August 2022** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith
City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Notice of Public Hearing

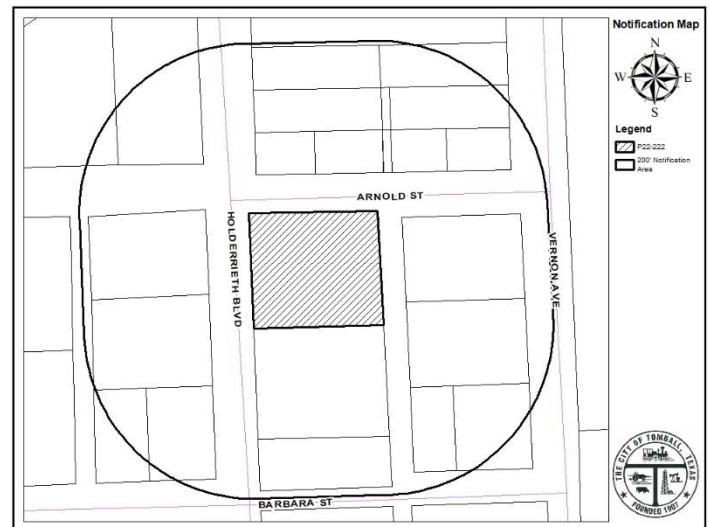
YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P22-222

APPLICANT/OWNER: DeLisa Kik

LOCATION: The property is located 201 Holderrieth Boulevard, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Rezoning 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 Tomball from Single Family Residential (SF-6) to Old Town & Mixed Use (OT&MU).



CONTACT: Jared Smith, City Planner

PHONE: (281) 290-1491

E-MAIL: jasmith@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

Planning & Zoning Commission

Public Hearing:

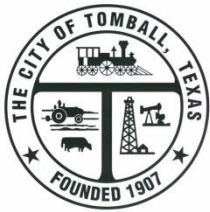
Monday, August 8, 2022 @ 6:00 PM

City Council Public Hearing:

***Monday, August 15, 2022 @ 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Jared Smith
501 James Street
Tomball, TX 77375

Name: _____

(please print)

Address: _____

Signature: _____

Date: _____

_____ I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-222. (Please state reasons below)**

_____ I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-222. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, August 8, 2022 @ 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, August 15, 2022 @ 6:00 PM

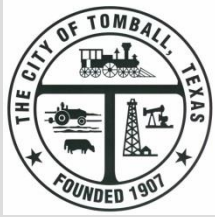
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to jasmith@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Jared Smith @ 281-290-1491.



Community Development Department

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Rezoning Case: P22-222

Property Owner(s): DeLisa Kik

Applicant(s): DeLisa Kik

Legal Description: Lots 11, 12, and the north ½ of Lot 10 in Block 2 of Main Street Tomball

Location: 201 Holderrieth Boulevard (Exhibit “A”)

Area: 0.40 acres

Comp Plan Designation: Neighborhood Commercial (Exhibit “B”)

Present Zoning: Single-Family 6 District (Exhibit “C”)

Request: Rezone from the Single-Family 6 District to the Old Town & Mixed-Use District

Adjacent Zoning & Land Uses:

North: Single-Family 6 District/Single-family residence(s)

South: Single-Family 6 District/Single-family residence

West: Old Town & Mixed Use/Single-family residence

East: Single-Family 6 District/Single-family residence

BACKGROUND

The subject property has been located within the city limits of Tomball since 1938. The Harris County Appraisal District suggests that the single-family residence located on the subject property was built in 1956. The property has been located within a Single Family Residential 6 zoning district since 2008 when the City of Tomball adopted zoning. According to information provided by the applicant, the reason for this zone change request is to promote a wider range of land uses to increase the marketability of the property as they intend to sell the property in the near future.

ANALYSIS

The subject property is approximately 0.40 acres, located in the 200 block on the east side of Holderrieth Boulevard. Properties north, east, and south of the subject site are within the Single Family Residential 6 zoning district and these properties are currently occupied by single-family residences. West of the subject property, west of Holderrieth Boulevard, are existing single-family residences located within the Old Town & Mixed Use zoning district.

Comprehensive Plan Recommendation: The Future Land Use Plan within the Comprehensive Plan designates the subject property as “Neighborhood Commercial”. According to the Comprehensive Plan, the Neighborhood Commercial land use category is intended for commercial uses that are developed with the appropriate context, scale, and design to complement residential development. These areas are intended to be accessible by both vehicles and pedestrians.

The Comprehensive Plan identifies restaurants, retail, professional services, clinics, and offices within the Neighborhood Commercial land use.

According to the Comprehensive Plan, Office, General Retail and Planned Developments are considered appropriate zoning districts within the Neighborhood Commercial land use.

In making decisions regarding the neighborhood commercial land use category the following items should be considered: “Neighborhood commercial development should be located adjacent to an intersection of a collector street or greater function classification. Neighborhood commercial could be appropriate as a stand-alone development or as part of mixed-use planned unit development.”

Staff Review Comments:

Although the request to rezone to Old Town & Mixed Use (OT & MU) is not in direct conformance with the Neighborhood Commercial Future Land Use category. Rezoning to Old Town & Mixed Use will achieve the intent of this land use category. According to Section 50-79 (*Old Town and Mixed-Use District*), the nature of the Old Town & Mixed Use District “is a mixture of retail, commercial and other non-residential uses, along with single-family homes and multiple-family uses. The City’s Comprehensive Plan endorses the continuation of the mixture of uses in these areas.” Additionally, this area “is intended to provide a zoning mechanism for a variety of uses in the original town site and those areas that have a diverse mixture of uses.” This zone change will promote the goal of encouraging development with a mixture of uses in a walkable environment. According to the Comprehensive Plan “locating community facilities, services, and limited commercial services within and near existing neighborhoods has the potential to create mutually-beneficial synergies and higher quality of life.” This request also serves to achieve the community livability goal of encouraging the expansion of Old Town so that it continues to grow as the City grows. Given the proximity to existing commercial land uses and Tomball Intermediate School, this requested zone change will further encourage the mixture of land uses within the immediate area and will not be contrary to the Comprehensive Plan or the Future Land Use Plan. Furthermore, the character of development promoted by Old Town & Mixed Use zoning is intended to be compatible with nearby single-family residential land uses.

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 July 25, 2022. 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 P22-222.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan Map
- C. Zoning Map
- D. Site Photo
- E. Zone Change Permitted Use Comparison Chart
- F. Rezoning Application

Exhibit "A"
Aerial Location map

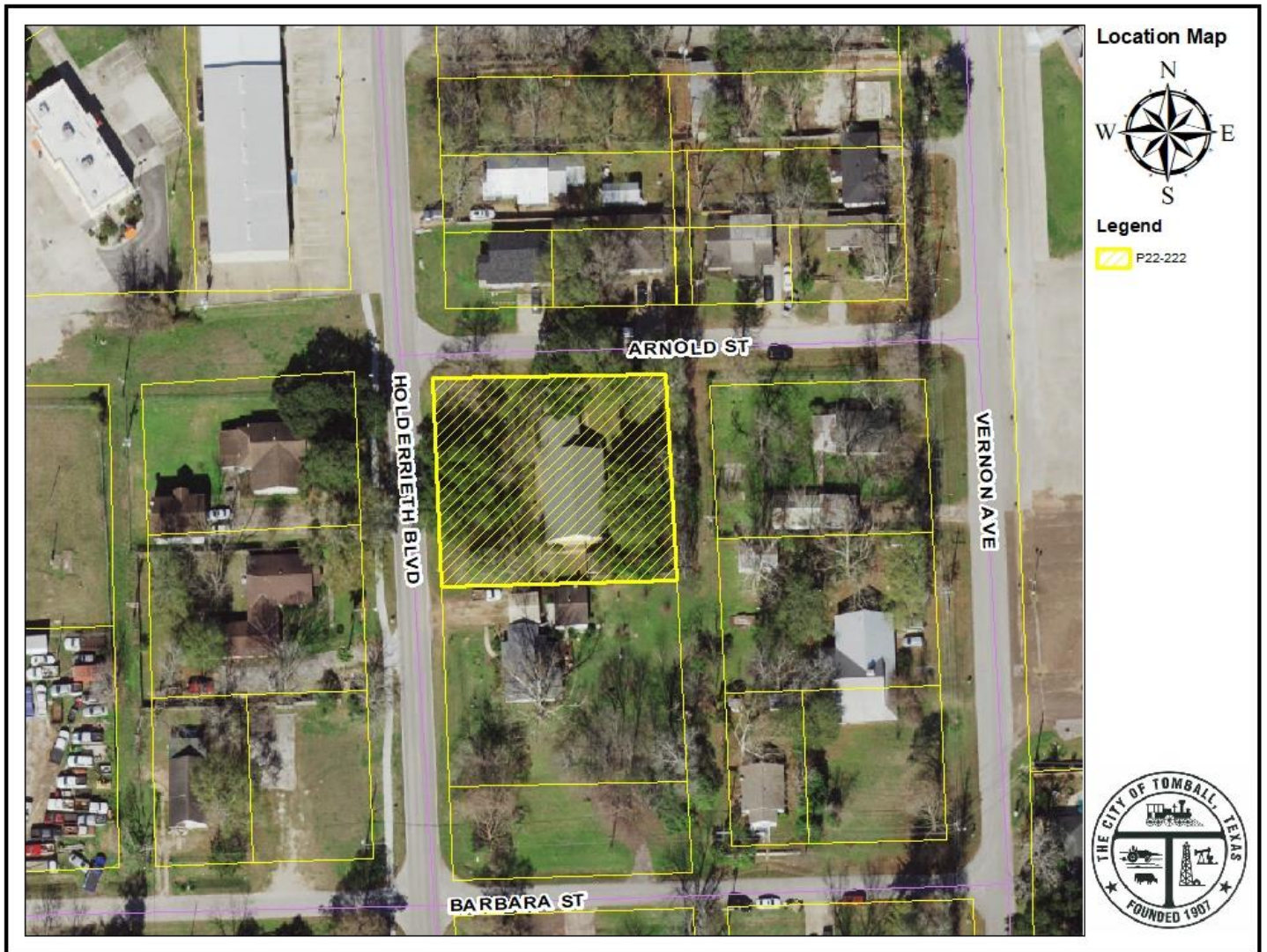


Exhibit "B" Future Land Use Plan Map

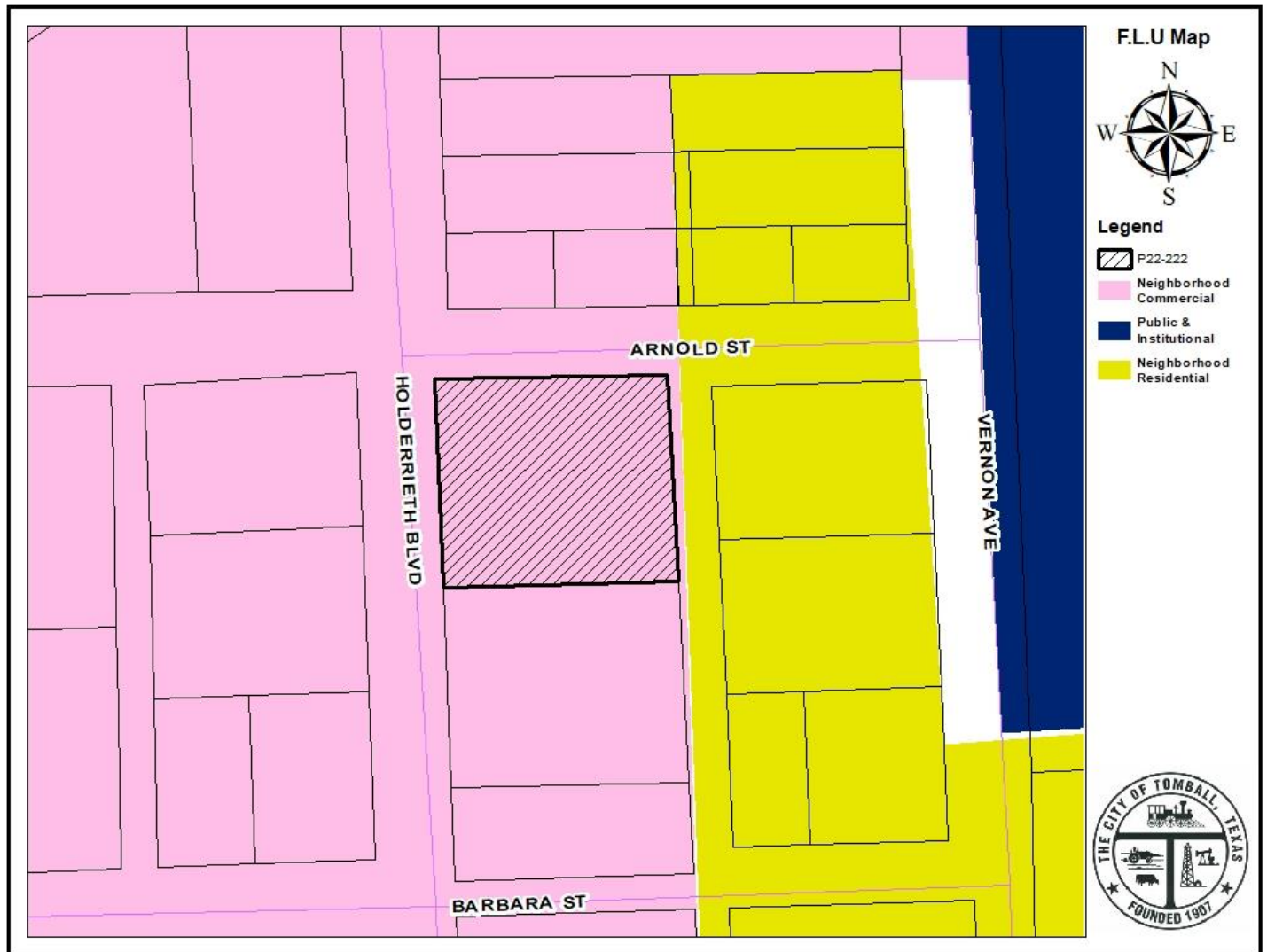


Exhibit "C"
Zoning Map

Item F.3



Exhibit "D"
Site Photo

Item F.3



Exhibit “E”

Zone Change Permitted Use Comparison Chart

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&MU	
Agriculture			
Bulk Grain and/or feed storage			1 space per 1,000 square feet
Farm (ranch, garden, crops, livestock, or orchard) ‡	P	P	None
Feed and grain store/farm supply store ‡		C	1 space per 500 square feet
Flour and other grain mills			1 space per 1,000 square feet
Livestock, wholesale/auction			None
Livestock sales/auction			None
Stable, commercial			1 space per 1,000 square feet
Stables (private, principal or accessory use) ‡	C		None
Residential			
Accessory building/structure (business or industry) ‡		P	None
Accessory building/structure (residential) ‡	P	P	None
Accessory dwelling	C	P	None
Garage/accessory dwelling ‡	C	P	None
Caretaker's, guard's residence ‡		P	1 space per caretaker/guard
Dwelling, four-family (quadraplex) (defined under Multiple-family dwelling) ‡		P	2 spaces per dwelling
Dwelling, HUD code- manufactured home ‡		C	2 spaces per dwelling
Dwelling, industrialized home ‡	P	C	2 spaces per dwelling
Dwelling, multiple-family ‡		P	2 spaces per dwelling
Dwelling, single-family attached ‡		P	2 spaces per dwelling
Dwelling—Single-family detached ‡	P	P	2 spaces per dwelling
Dwelling, two-family, duplex or duplex townhome ‡		P	2 spaces per dwelling
Dwelling, zero-lot line/patio home ‡		P	2 spaces per dwelling
Home occupation ‡	P	P	None
Residential use ‡	P	P	2 spaces per dwelling
Private street subdivision	P	P	None
Office			
Clinic, emergency care		C	1 space per 150 square feet
Clinic, medical and/or dental		P	1 space per 300 square feet
Credit agency		P	1 space per 300 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Bank, savings and loan, or credit union (no motor bank services)		P	1 space per 300 square feet
Bank, savings and loan, or credit union (with motor bank services)		P	1 space per 300 square feet
Office, professional and general business ‡		P	1 space per 300 square feet
Office, parole-probation		C	1 space per 300 square feet
Office showroom/warehouse ‡		P	1 space per 300 square feet
Security monitoring company (no outside storage)		P	1 space per 300 square feet
Telemarketing agency		C	1 space per 250 square feet
Telephone exchange/switching station ‡		C	1 space per 500 square feet
Temporary real estate field office	P	P	4 spaces
Model home (including sales office)	P	P	2 spaces per model
Personal and Business			
Ambulance service		C	1 space per 500 square feet
Automobile driving school (including defensive driving)		P	1 space per classroom seat
Barber/beauty shop (no related school/college)		P	1 space per 200 square feet
Bed and breakfast inn ‡	C	P	2 spaces plus one per guest room
Check cashing service			1 space per 100 square feet
Dance hall/dancing facility ‡		P	1 space per 100 square feet
Dance/drama/music schools (performing arts, martial arts)	C	P	1 space per 100 square feet
Fortunetelling and similar activities ‡			1 space per 300 square feet
Funeral home ‡		C	See Section 50-112
Greenhouse (non-retail/hobby)	P	P	None
Health club (indoor)		P	1 space per 300 square feet
Health club (outdoor)		P	1 space per 300 square feet
Hotel‡		C	See Section 50-112
Motel‡		C	See Section 50-112
Laundromat/washateria/self-service ‡		P	1 space per 200 square feet
Laundry/dry cleaning (retail only, drop off/pick up) ‡		P	1 space per 200 square feet
Loan service (payday/auto title)			1 space per 100 square feet
Mailing service (private)		P	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Pharmacy (retail only)		P	1 space per 200 square feet
Reception venue		P	1 space: 4 seats
Recreational vehicle park			
Rehabilitation care facility (halfway house) ‡	C	C	Greater of 1 per three beds or 1.5 spaces per dwelling
Rehabilitation care institution (business) ‡	C	P	Greater of 1 per three beds or 1.5 spaces per dwelling
Seamstress, dressmaker or tailor (retail only)		P	1 space per 200 square feet
Sexually oriented business			
Tattoo or body piercing studio ‡			1 space per 200 square feet
Wedding chapel		P	1 space per four seats
Retail			
Antique shop (no outside sales or storage) ‡		P	1 space per 500 square feet
Antique shop (with outside storage)		P	1 space per 500 square feet
Apparel shop		P	1 space per 200 square feet
Art gallery/museum/dealer ‡		P	1 space per 500 square feet
Artist or photography studio		P	1 space per 500 square feet
Bakery, retail (eating establishment, no drive-through) ‡		P	1 space per 200 square feet
Bakery, retail (with drive-through)		P	1 space per 200 square feet
Bakery (wholesale) ‡		P	1 space per 500 square feet
Bird and pet shops (retail only)		P	1 space per 200 square feet
Book/stationery shop (retail only) ‡		P	1 space per 200 square feet
Brewpub		P	1 space per 1,000 square feet for the brewing of beer, ale, etc. plus 1 space per 100 square feet for associated eating or drinking establishments.
Building material sales/lumber yard ‡		P	1 space per 1,000 square feet
Carpenter shop		P	1 space per 500 square feet
Catering service		P	1 space per 500 square feet
Consignment shop		P	1 space per 300 square feet
Convenience store (with or without gasoline sales) ‡		C	See Section 50-112

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Copy shop ‡		P	1 space per 200 square feet
Drinking establishment		P	
Drug store (retail only)		P	1 space per 200 square feet
Eating establishment (with drive-in service) ‡		P	Whichever is greater: 1 per 100 square feet; 1 per 3 seats based on max seating capacity or; 1 per 12 spaces
Eating establishment (with no drive through service) ‡		P	
Eating establishment (with drive- through service) ‡		P	
Electronic goods (retail only)		P	1 space per 200 square feet
Florist shop (retail only) ‡		P	1 space per 200 square feet
Food or grocery store		P	1 space per 500 square feet
Furniture and appliance store (retail only) ‡		P	1 space per 500 square feet
Furniture store (new and used) ‡		P	1 space per 200 square feet
General retail stores (no outside storage)		P	1 space per 200 square feet
Gift or card shop (retail only)		P	1 space per 200 square feet
Hardware store		P	1 space per 400 square feet
Hobby and crafts store (retail only)		P	1 space per 200 square feet
Home improvement center		P	1 space per 400 square feet plus one per 1,000 square feet of warehouse area
Jewelry store		P	1 space per 200 square feet
Market, open air, flea		P	1 space per 200 square feet
Meat and fish market (retail only)		P	1 space per 200 square feet
Mobile Food Court ‡		C	Whichever is greater: 1 per 100 square feet of seating area or 2 per mobile food vendor
Motion picture studios, commercial films		P	1 space per 300 square feet
Motion picture theater (indoors)		P	See Section 50-112
Nursery ‡		P	1 space per 1,000 square feet of sales area
Garden shop ‡		P	1 space per 200 square feet
Painting and refinishing shop		P	1 space per 500 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Piano and musical instruments (retail only)		P	1 space per 200 square feet
Shoe repair shop (retail only)		P	1 space per 200 square feet
Sign shop (small scale, such as a storefront; includes sign and banner making for retail sale only; no outside storage)		P	1 space per 300 square feet
Stone monuments and gravestones, engraving and retail sales only		C	1 space per 500 square feet
Trophy engraving		P	1 space per 300 square feet
Upholstery shop (nonauto)		P	1 space per 200 square feet
Used merchandise		P	1 space per 200 square feet
Video rental/sales		P	1 space per 200 square feet
Transportation and Auto Services			
Airport or landing field ‡			1 space per 500 square feet
All-terrain vehicle (go-carts) dealer/sales (w/outdoor sales, storage, and display)			1 space per 300 square feet
All-terrain vehicle (go-carts) dealer/sales (w/no outdoor sales, storage, and display)		C	1 space per 300 square feet
Auto accessories (retail sales only)		P	1 space per 200 square feet
Auto body repair/painting		P	1 space per 200 square feet
Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/outdoor sales, storage, and display) ‡			See Section 50-112
Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/no outdoor sales, storage, and display)		C	See Section 50-112
Auto dealer, primarily used auto sales w/outdoor sales, storage, and display ‡			See Section 50-112
Auto dealer, primarily used auto sales w/no outdoor sales, storage, and display		C	See Section 50-112
Auto glass repair/tinting		P	1 space per 200 square feet
Auto interior shop/upholstery		P	1 space per 200 square feet
Auto muffler shop		P	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Auto paint shop		P	1 space per 200 square feet
Auto parts sale (new or rebuilt; no outside storage, no outside display, no repair)		P	1 space per 200 square feet
Auto parts sale (new or rebuilt; with outside storage or display)			1 space per 200 square feet
Auto rental		C	1 space per 200 square feet
Auto repair (major) ‡		C	1 space per 200 square feet
Auto repair (minor) ‡		P	1 space per 200 square feet
Auto storage or auto auction ‡			1 space per 1,000 square feet
Auto tire sales (indoor)		P	1 space per 200 square feet
Auto wrecker service		C	1 space per 200 square feet
Automobile assembly		C	1 space per 1,000 square feet
Automobile parts manufacturing		C	1 space per 1,000 square feet
Automobile wash (full service/detail shop) ‡		P	3 spaces per washing capacity of module
Automobile wash (self-service) ‡		P	3 spaces per washing capacity of module
Bike sales and/or repair		P	1 space per 500 square feet
Bus or truck storage			1 space per 1,000 square feet
Gasoline station			See Section 50-112
Motor freight transportation, storage, and terminal		C	See Section 50-112
Motorcycle sales/dealer w/outdoor sales, storage, and display ‡			See Section 50-112
Motorcycle sales/dealer w/no outdoor sales, storage, and display		C	See Section 50-112
Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡	C	C	None
Personal watercraft sales (new/repair) w/outdoor sales, storage, and display			See Section 50-112
Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display		C	See Section 50-112
Railroad team tracks, unloading docks, and spurs		C	None
Railroad yards, round house or shop		C	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Taxi/limousine service		C	1 space per 1.5 automobiles in service
Tire sales (indoors, no outside storage) ‡		P	1 space per 1,000 square feet
Tire sales (outdoors, with outside storage) ‡			1 space per 1,000 square feet
Transfer station (refuse/pick-up) ‡			1 space per 500 square feet
Transit terminal ‡			See Section 50-112
Truck and bus leasing ‡		C	1 space per 1,000 square feet
Truck sales and services (heavy trucks) ‡			1 space per 1,000 square feet
Truck stop ‡		C	1 space per 1,000 square feet
Truck terminal ‡		C	See Section 50-112
Amusement and Recreation			
Amusement, commercial (indoor) ‡		C	1 space per 100 square feet
Amusement, commercial (outdoor) ‡		C	10 spaces plus 1 per 500 square feet over 5,000 square feet of building and recreation area
Amusement, commercial, temporary, (e.g., carnival, haunted house). (Note: Allowed by building official for up to 10 days) ‡		C	Determined by P & Z
Amusement devices/arcade (4 or more devices, indoors only) ‡		C	1 space per game table plus one per amusement device
Billiard/pool Facility (4 or more tables)		C	1 space per 200 square feet
Bingo facility		P	1 space per 200 square feet
Bowling alley (air conditioned and soundproofed)		C	4 spaces per lane
Dinner theatre		P	1 space per three seats or bench seating space
Drive-in theater		C	1 space per speaker
Golf driving range		C	See Section 50-112
Golf course (private) ‡	C	C	6 spaces per hole
Golf course (publicly owned) ‡	P	P	6 spaces per hole
Playfield or stadium (private)		P	1 space per three seats
Recreational vehicle park/campground ‡		C	1.5 per RV pad
Skating rink		P	1 space per 200 square feet, plus 1 per 3 seats based on max capacity
Swimming pool, private (use by membership) ‡	P	P	1 space for each 100 square feet of gross water surface and deck area

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Swimming pool, commercial ‡		P	1 space per 100 square feet of gross water surface and deck area
Tennis court (private/not lighted)	P	P	2 spaces per court
Tennis court (private/lighted)	C	C	2 spaces per court
Institutional/Governmental			
Adult day care (business)			
Antenna (commercial)			
Antenna (noncommercial)			
Armed services recruiting center		P	1 space per 300 square feet
Assisted living facility (continuing care retirement community) ‡		P	1.5 spaces per dwelling unit plus any additional space for accessory uses
Auction house		C	1 space per 100 square feet
Broadcast station (with tower)			
Broadcast towers (commercial)			
Cellular communications tower/PCS			
Cemetery and/or mausoleum ‡	C	C	1 space per 5,000 square feet of land
Child day care center (business) ‡		P	1 space per three children
Church/temple/place of worship ‡	P	P	1 space per four seats in sanctuary
Civic center (municipal) ‡	P	P	10 spaces plus 1 per 300 square feet above 2,000 square feet
Civic club		P	See Section 50-112
Community center (public)	C	P	See Section 50-112
Community home ‡	P	P	1 space per 300 square feet
Community or social buildings ‡	C	P	1 space per 300 square feet
Country club (private) ‡	C	P	10 spaces plus 1 per 300 square feet above 2,000 square feet
Earth satellite dish (private, less than 3 feet in diameter)			
Electric power plant		C	1 space per 1,000 square feet
Electrical substation ‡	C	C	1 space per 1,000 square feet
Exhibition hall ‡		C	1 space per 100 square feet
Fair ground or rodeo ‡		C	1 space per 1,000 square feet of land area
Family home (child care in place of residence) ‡	P	P	1 space per 10 children plus 1 space per teacher

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&MU	
Fraternal organization ‡		P	10 spaces plus 1 per 300 square feet above 2,000 square feet
Fraternity or sorority house ‡		C	2 spaces per bedroom
Governmental building or use (county, state or federal) ‡	C	P	1 space per 300 square feet
Heliport ‡		C	3 spaces
Helistop		C	3 spaces
Hospital ‡		P	1 space per bed
Household care facility ‡	P	P	1 space per 6 clients
Household care institution			1 space per 6 clients
Institution for alcoholic, narcotic, or psychiatric patients ‡		C	1 space per 200 square feet
Institution of religious, educational or philanthropic nature	C	P	1 space per 200 square feet
Municipal facility or use ‡	P	P	1 space per 300 square feet
Museum	C	P	See Section 50-112
Park and/or playground (private) ‡	P	P	
Park and/or playground (public, municipal) ‡	P	P	
Penal or correctional institutions		C	1 space per 500 square feet
Post office (governmental)	P	P	10 plus 1 per 200 square feet
Non-city public assembly (auditorium, gymnasium, stadiums, meeting halls, etc.)		C	1 space per 4 seats
Radio, television and communications towers			
Rectory/parsonage	P	P	5 spaces, plus 1 per bedroom
Retirement housing for the elderly ‡			
Riding academy	C	C	1 space per five stalls
Sanitary landfill (private)			1 space per ten acres
School, business (e.g., barber/beauty/cosmetology)		P	1 space per three students, based on design
School, college or university	C	P	10 per classroom plus 2 per office
School, commercial trade (vocational) ‡		P	1 space per student
School, public or denominational ‡	P	P	See Section 50-112
School, other than public or denominational ‡		P	
Sheltered care facility ‡		C	1 space per three beds or 1.5 per dwelling
Sign, all types (defined within the referenced section) ‡			

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Skilled nursing facility \pm		C	See Section 50-112
Studio for radio and/or television (no towers) \pm		P	1 space per 200 square feet
Commercial and Wholesale Trade			
Animal kennel (outdoor pens)			1 space per 500 square feet
Appliance repair		P	1 space per 500 square feet
Book binding		P	1 space per 500 square feet
Carpet and rug cleaning plant		C	1 space per 1,000 square feet
Cattle, swine, or poultry feedlot (CAFO)			1 space per 5,000 square feet of land
Cleaning plant (commercial laundry) \pm		C	1 space per 1,000 square feet
Communication equipment sales/service (installation and/or repair, no outdoor sales or storage or towers/antennae)		P	1 space per 1,000 square feet
Construction contractor with storage yard			1 space per 1,000 square feet of land
Contractor's office/sales, no outside storage including vehicles		P	1 space per 1,000 square feet of land
Contractor's temporary on-site construction office (only with permit from building official)	P	P	None
Distribution center \pm		C	1 space per 1,000 square feet
Electric repair, (domestic equipment and autos)		P	1 space per 1,000 square feet
Electronic assembly		C	1 space per 1,000 square feet
Electro-plating/electro-typing		C	1 space per 1,000 square feet
Exterminator service/company (no outdoor sales or storage)		P	1 space per 300 square feet
Fix-it shops, small engine, saw filing, mower sharpening		C	1 space per 500 square feet
Fur/hide tanning and finishing			1 space per 1,000 square feet
Heating and air conditioning sales/services		C	1 space per 1,000 square feet
Iron works (ornamental)			1 space per 1,000 square feet
Lawnmower repair and/or sales		C	1 space per 500 square feet
Loading or storage tracks		C	None
Locksmith		C	1 space per 500 square feet
Machine shop		C	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Maintenance and repair service for buildings/janitorial		C	1 space per 500 square feet
Manufactured home display or sales (new or used) ‡		C	1 space per 1,000 square feet
Mattress, making and renovating		C	1 space per 1,000 square feet
Milk depot, wholesale			1 space per 1,000 square feet
Mini-warehouse/self storage ‡		C	See Section 50-112
Mortuary		C	See Section 50-112
Moving and storage company		C	1 space per 1,000 square feet
News printing		C	1 space per 1,000 square feet
Outdoor sales as a primary use ‡			1 space per 5,000 square feet of land area
Pawn shop ‡		C	1 space per 200 square feet
Pet and animal grooming shop (no outside kennels) ‡		P	1 space per 200 square feet
Plumbing shop		C	1 space per 200 square feet
Printing equipment, supplies and repairs		C	1 space per 500 square feet
Propane sales filling (retail)		C	1 space per 200 square feet
Publishing and printing company		P	1 space per 500 square feet
Quick lube/oil change/minor inspection		P	1 space per 200 square feet
Salvage storage yard ‡			5 per acre
Scientific and industrial research laboratories (hazardous) ‡			1 space per 300 square feet
Scientific and industrial research laboratories (nonhazardous) ‡		P	1 space per 300 square feet
Scrap metal storage yard			5 space per acre
Security systems installation company		C	1 space per 300 square feet
Sheet metal shop			1 space per 1,000 square feet
Storage of cement, sands and gravel			1 space per 5,000 square feet of storage area
Storage of used lumber and building materials			1 space per 5,000 square feet of storage area
Taxicab storage and repair			1 space per 500 square feet
Taxidermist			1 space per 500 square feet
Tool and machinery rental (indoor storage only) ‡		P	1 space per 200 square feet
Tool and machinery rental (with outdoor storage) ‡		C	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Vacuum cleaner sales and repair ‡		P	1 space per 200 square feet
Veterinarian clinic (indoor kennels) ‡		P	1 space per 500 square feet
Veterinarian clinic (outdoor kennels or pens) ‡			1 space per 500 square feet
Warehouse (defined under storage or wholesale warehouse) ‡		C	1 space per 1,000 square feet
Welding shop		C	1 space per 1,000 square feet
Wholesale trade, nondurable goods		C	1 space per 1,000 square feet
Woodworking shops		C	1 space per 1,000 square feet
Wrecking materials yard ‡			1 space per 1,000 square feet
and Heavy Manufacturing/Industrial			
Acid manufacture			1 space per 1,000 square feet
Adhesives and sealants manufacture			1 space per 1,000 square feet
Aircraft parts manufacture			1 space per 1,000 square feet
Airplane repair and manufacturing			1 space per 1,000 square feet
Animal processing and slaughter			1 space per 1,000 square feet
Any manufacture or industrial process not listed and not prohibited by law			1 space per 1,000 square feet
Artificial flower manufacture			1 space per 1,000 square feet
Asphalt paving and roofing material manufacture			1 space per 1,000 square feet
Awning manufacture, cloth, metal and wood			1 space per 1,000 square feet
Bag manufacturing			1 space per 1,000 square feet
Battery manufacture			1 space per 1,000 square feet
Bleaching/chorine powder manufacture			2 spaces per 1,000 square feet
Boiler manufacture and repair			1 space per 1,000 square feet
Bottling works			1 space per 1,000 square feet
Broom manufacture			1 space per 1,000 square feet
Candy and other confectionary products manufacture			1 space per 1,000 square feet
Canning and preserving factory			1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Canvas and related products manufacture			1 space per 1,000 square feet
Casein manufacture			1 space per 1,000 square feet
Celluloid and similar cellulose manufacture			1 space per 1,000 square feet
Cement manufacture			1 space per 1,000 square feet
Ceramic products manufacture			1 space per 500 square feet
Chalk manufacture			1 space per 1,000 square feet
Chemicals (agricultural) manufacture			1 space per 1,000 square feet
Chemicals (industrial) manufacture			1 space per 1,000 square feet
Clothing manufacture			1 space per 500 square feet
Coffee roasting			
Coffin manufacture			1 space per 1,000 square feet
Cold storage plants/locker			1 space per 1,000 square feet
Concrete or asphalt mixing/batching plant (permanent) ‡			1 space per 5,000 square feet of land
Concrete or asphalt mixing/batching plant (temporary) ‡			1 space per 5,000 square feet of land
Crematory			1 space per 1,000 square feet
Culvert manufacture			1 space per 1,000 square feet
Cutlery, handtools and general hardware manufacture			1 space per 1,000 square feet
Dairy products manufacture			1 space per 1,000 square feet
Distillation of liquors, spirits, etc. (brewery)			1 space per 1,000 square feet
Dye manufacture			1 space per 1,000 square feet
Dyeing plant			1 space per 1,000 square feet
Electric lamp manufacture			1 space per 1,000 square feet
Elevator manufacture			1 space per 1,000 square feet
Enameling and painting			1 space per 1,000 square feet
Engraving plant			1 space per 1,000 square feet
Envelope manufacture			1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&ML	
Farm/garden machinery and equipment manufacture			1 space per 1,000 square feet
Fats and oils (animal) manufacture			1 space per 1,000 square feet
Feed manufacture			1 space per 500 square feet
Felt manufacture			1 space per 1,000 square feet
Food processing ‡			1 space per 1,000 square feet
Footwear manufacture			1 space per 500 square feet
Foundry, all types			1 space per 1,000 square feet
Furnace manufacture			1 space per 1,000 square feet
Fixtures manufacture			1 space per 1,000 square feet
Furniture manufacture			1 space per 1,000 square feet
Gases (industrial) manufacture			1 space per 1,000 square feet
Glucose manufacture			1 space per 1,000 square feet
Hair products factory (other than human)			1 space per 1,000 square feet
Heavy machinery sales and storage ‡			1 space per 1,000 square feet
Ice cream/ice manufacture			1 space per 1,000 square feet
Kerosene manufacture or storage			1 space per 1,000 square feet
Laboratory equipment manufacturing ‡			1 space per 1,000 square feet
Leather products manufacture			1 space per 1,000 square feet
Lumber mill/yard			1 space per 1,000 square feet
Machinery manufacture			1 space per 1,000 square feet
Marble working and finishing			1 space per 1,000 square feet
Meat packing plant			1 space per 1,000 square feet
Metal cans and shipping containers manufacture			1 space per 1,000 square feet
Metal products, stamping and manufacture			1 space per 1,000 square feet
Mirror resilvering			1 space per 200 square feet
Office equipment manufacture			1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&MU	
Oil compounding and barreling			1 space per 1,000 square feet
Oilcloth manufacture			1 space per 1,000 square feet
Orthopedic, prosthetic, surgical appliances and supplies manufacture			1 space per 1,000 square feet
Paint manufacture and/or mixing			1 space per 1,000 square feet
Paper and paper pulp manufacture			1 space per 1,000 square feet
Paper products and paper box manufacture			1 space per 1,000 square feet
Pecan processing			1 space per 1,000 square feet
Petroleum and petroleum products refining			1 space per 1,000 square feet
Petroleum distribution/storage ‡			1 space per 1,000 square feet
Plastic products, molding, casting and shaping			1 space per 1,000 square feet
Poultry hatchery			1 space per 1,000 square feet
Poultry slaughtering and processing			1 space per 1,000 square feet
Printing ink manufacture			1 space per 1,000 square feet
Reduction of fats, ores, metals, garbage, offal, etc.; rendering plant			1 space per 1,000 square feet
Rock quarries, sand, gravel and earth excavations or extractions			1 space per acre
Rug and carpet manufacture			1 space per 1,000 square feet
Sand, gravel, or stone storage (including sales) ‡			1 space per 1.5 employees, plus five per acre
Shellac and varnish manufacture			1 space per 1,000 square feet
Sign manufacturing (no outside storage)			1 space per 1,000 square feet
Sign manufacturing (with outside storage)			1 space per 1,000 square feet
Snuff manufacture			1 space per 1,000 square feet
Soap, detergents, cleaning preparations manufacture			1 space per 1,000 square feet
Starch manufacture			1 space per 1,000 square feet
Steel works, blast furnaces and rolling mills			1 space per 1,000 square feet
Stone cutting or crushing			1 space per 5,000 square feet of land area

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	SF-6	OT&MU	
Stone, clay, glass and concrete Products (other than handicrafts) manufacture			1 space per 1,000 square feet
Textile products manufacture			1 space per 1,000 square feet
Tire retreading and recapping			1 space per 1,000 square feet
Truck manufacture			1 space per 1,000 square feet
Waste paper products manufacture			1 space per 1,000 square feet
Water distillation			1 space per 1,000 square feet
White lead manufacture			1 space per 1,000 square feet
Wood container manufacture			1 space per 1,000 square feet
Wood distillation (manufacture of tar, charcoal, turpentine and similar			1 space per 1,000 square feet
Wood preserving manufacture and treatment			1 space per 1,000 square feet
Wood products manufacture			1 space per 1,000 square feet

; Ord. No. 2012-18, § 2, 7-2-2012; Ord. No. 2013-23, § 2, 2-2-2013; Ord. No. 2013-19, § 2, 11-4-2013)

Exhibit "F"

Rezoning Application



RECEIVED (KC)
06/28/2022

Revised: 4/13/2020

APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION SUBMITTAL: 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.

Applicant

Name: DeLisa Kik Title: Ms.
Mailing Address: 312 Roy Ct W City: Keller State: Texas
Zip: 76248 Contact: _____
Phone: (801) 309-8298 Email: dlsak@aol.com

Owner

Name: DeLisa Kik Title: Ms.
Mailing Address: 312 Roy Ct W City: Keller State: Texas
Zip: 76248 Contact: _____
Phone: (801) 309-8298 Email: dlsak@aol.com

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: Zoning change

Physical Location of Property: 201 Holderrieth Blvd
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: LTS 11 12 & N 1/2 of LT 10 BLK 2 MAIN STREET TOMBALL
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF 6

Current Use of Property: Single Family Residence

Proposed Zoning District: OT & MU

Proposed Use of Property: Planning to sell property

HCAD Identification Number: 0670990020010 Acreage: 0.4

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

Revised: 4/13/2020

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 Dutson Lake 06/27/2022
Signature of Applicant Date

X Dutson Lake 06/27/2022
Signature of Owner Date

Revised: 4/13/2020

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.

- ☐ Completed application form
- ☐ *Copy of Recorded/Final Plat
- ☐ Check for \$400.00 + \$10.00 per acre (Non-Refundable)
- ☐ 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.

Revised: 4/13/2020

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 (200) 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.

From: D <dlsak@aol.com>
Sent: Friday, July 15, 2022 3:22 PM
To: Jared Smith
Subject: Re: 201 Holderrieth Blvd.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I did send it, but can't seem to find it. So here it is.

I would like to change the zoning of 201 Holderrieth Blvd. in order to make the house more marketable. I don't have to plans to do anything with the house at this time other than sell it. Since the area is surrounded by old town mixed use, it will be keeping up with the way the neighborhood is progressing.

Thank you,
DeLisa Kik

No. 189453

Em. Holderrieth

76

Dedication & Map

State of Texas, County of Harris. That I, Wm. Holderrith, owner of the property subdivided in this map of Main Street Addition; do hereby make subdivision of said property according to the lines, lots and streets thereon shown, and designate said subdivision as Main Street Addition, and being located in the Jos. House League, in Harris County, Texas, and I do hereby dedicate to the public use all the streets & alleys shown thereon forever. Witness my hand in Tomball, Harris County, Texas, this 26 day of Oct. A.D., 1956.

Wm. Holderrieth

State of Texas, County of Harris. Before me, the undersigned authority, on this day personally appeared Wm. Holdererith, known to me to be the person whose name is subscribed to the foregoing instrument of writing, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of Office at Tomball, Harris County, Texas, this 26 day of Oct., A.D. 1938.

Geo. T. Southwell, Notary Public

in and for Harris County, Texas. (Seal)

State of Texas, County of Harris. Before me, the undersigned authority, on this day personally appeared A. C. Stinson, who, under oath, said that he knows the location of the Main Street Addition subdivision and that said Main Street Addition as hereon delineated is beyond the five mile limit of the City of Houston and does not come under the jurisdiction of the City Planning Commission.

A. C. Stinson

Subscribed and sworn to before me, the undersigned authority,
on this 26 day of October A.D. 1938.

W. A. Bauer, Notary Public

in and for Harris County, Texas. (Seal)

State of Texas, County of Harris. This is to certify that I, A.C. Stinson, County Surveyor, have surveyed and platted the above subdivision, and all street and block corners are properly marked with iron pipes and this plat is a true and correct copy of that survey and plat made by me. The southeast corner of this subdivision is located 384.5' North and 1236.7' West of the southeast corner of the Jos. House League as generally recognized.

A.C. Stimson, County Surveyor

Approved: Hugo W. H. Zapp, Co. Engr.

This is to certify that Wm. Holderrrieth, the subdivider, has complied with all conditions necessary, as provided by law, in subdividing this property.

Roy Hofheinz, County Judge. (Seal)

R. H. Spencer, Commissioner Precinct No. 1.

Beatrice Massey, Commissioner Precinct No. 2.

Wm. Tautenhahn, Commissioner Precinct No. 3.

Tom A. Graham, Commissioner Precinct No. 4.

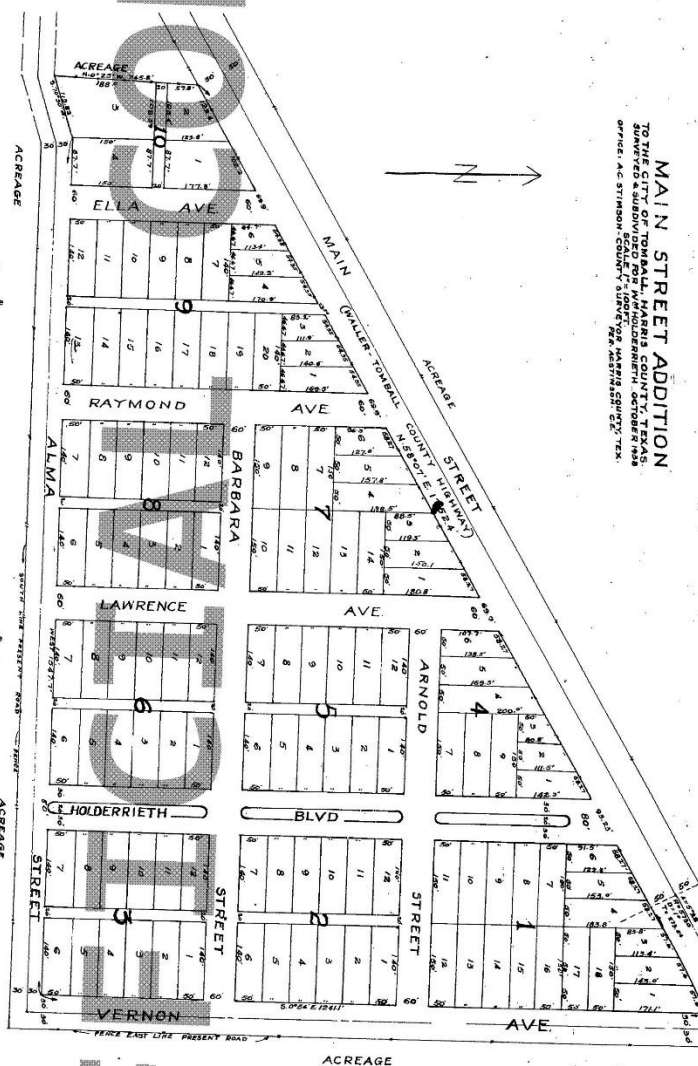
Filed for record Dec. 22, 1938 at 9.25 o'clock A.M.

Recorded Dec. 27, 1938 at 9:15 o'clock A. M.

Henry M. Dudley, Clerk

County Court, Harris County, Texas.

By Marguerite Bohlen Deputy



**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 8, 2022 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 15, 2022 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

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.

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 Tomball from Single Family Residential (SF-6) to Old Town & Mixed Use (OT&MU). The property is located 201 Holderrieth Boulevard, within the City of Tomball, Harris County, Texas.

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.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@tomballtx.gov.

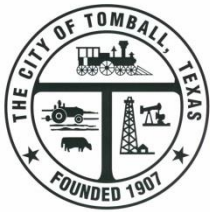
CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **5th** day of **August 2022** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith
City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Notice of Public Hearing

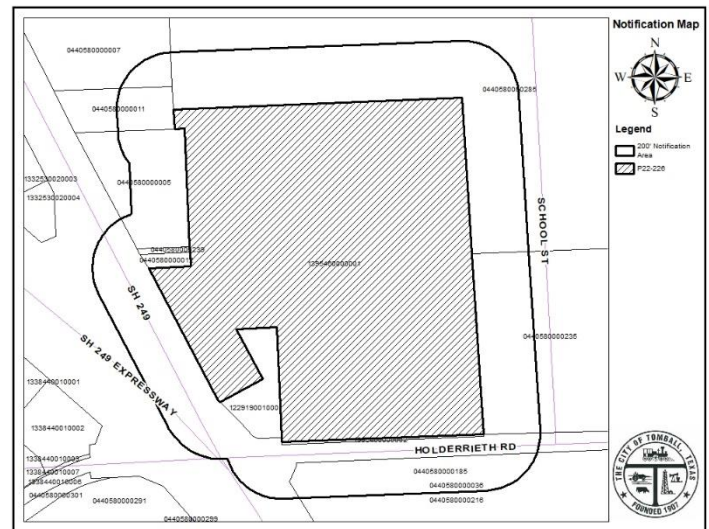
YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P22-226

APPLICANT/OWNER: Maple Group, LTD
represented by Cross Engineering

LOCATION: 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.

PROPOSAL: A Rezoning 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).



CONTACT: Jared Smith, City Planner

PHONE: (281) 290-1491

E-MAIL: jasmith@tomballtx.gov

Planning & Zoning Commission

Public Hearing:

Monday, August 8, 2022 @ 6:00 PM

City Council Public Hearing:

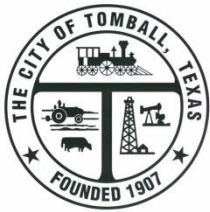
***Monday, August 15, 2022 @ 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Jared Smith
501 James Street
Tomball, TX 77375

Name: _____

(please print)

Address: _____

Signature: _____

Date: _____

_____ I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-226. (Please state reasons below)**

_____ I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-226. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, August 8, 2022 @ 6:00 PM

City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, August 15, 2022 @ 6:00 PM

City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to jasmith@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Jared Smith @ 281-290-1491.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Jared Smith
501 James Street
Tomball, TX 77375

Name:

Stuart A. Rathe

(please print)

Address:

917 Franklin St., Ste. 550

Houston, Tx 77002

Signature:

Stuart A. Rathe

Date:

July 27, 2022

X

I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-226**. (Please state reasons below)

I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P22-226**. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, August 8, 2022 @ 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, August 15, 2022 @ 6:00 PM

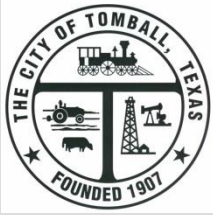
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to jasmith@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Jared Smith @ 281-290-1491.



Community Development Department

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Rezoning Case: P22-226

Property Owner(s): Maple Group, LTD

Applicant(s): Cross Engineering

Legal Description: Reserve "A", in Maple Group

Location: Northeast corner of the intersection of Holderrieth Road and the State Highway 249 frontage road. (Exhibit "A")

Area: 25.87 acres

Comp Plan Designation: Corridor Commercial (Exhibit "B")

Present Zoning and Use: Planned Development (PD# 8) (Exhibit "C") / Vacant (Exhibit "D")

Request: Rezone to the Commercial District

Adjacent Zoning & Land Uses:

- North:** Planned Development (PD #14)/Single-Family Residential Subdivision
- South:** N/A (ETJ)/Vacant Land
- West:** Commercial (C) & Planned Development (PD #8)/Retail, Office, and Martial Arts
- East:** Commercial (C) & Planned Development (PD #14)/Single-Family Residential Subdivision & Vacant Land

BACKGROUND

The subject property has been within the city limits since 1960 (Ordinance#1960-01) and has remained vacant since that time. The property was rezoned from Commercial to Planned Development District #8 in 2014 (Ordinance #2014-39). This planned development was intended to promote a mixed-use development that would include multi-family apartments along with commercial land uses along the State Highway 249 frontage road and Holderrieth Road. Although this planned development was adopted by ordinance the site has remained undeveloped. The applicant is requesting to rezone the property back to its original Commercial zoning classification to allow the construction of a large retail store on the subject property.

ANALYSIS

The subject property is approximately 25.87 acres, located at the northeast corner of the intersection of Holderrieth Road and State Highway 249. Property north and northeast of the subject site is located within Planned Development District #14. In June of 2022, the City of Tomball Planning & Zoning Commission approved the Final Plat of Wood Leaf Reserve, Section 2, a subdivision comprised of single-family detached homes within this segment of Planned Development #14. East of the subject property is vacant land that is within a Commercial zoning district. West of the subject site are properties that are located within Commercial zoning and are occupied by retail and office land uses. Southeast of the site is a property that is within Planned Development #8, which is occupied by buildings that predate this Planned Development; the site is occupied by a martial arts facility. South of the subject property on the south side of Holderrieth Road is vacant land that is outside the limits of the City of Tomball.

Comprehensive Plan Recommendation:

The Future Land Use Map within the Comprehensive Plan designates the subject property as “Corridor Commercial.” According to the Comprehensive Plan, this Corridor Commercial land use category is intended for predominantly nonresidential uses along high-traffic, regionally serving thoroughfares. This land use category typically is comprised of varying lot sizes and intensities predominately serving the automobile. While these areas will likely always be auto-oriented, there is opportunity to improve bicycle/pedestrian accommodations.

The Comprehensive Plan identifies regional commercial, personal service offices, multi-family, retail, entertainment, dining, hotels, and brew pub/distilleries to be appropriate land uses within the Corridor Commercial land use.

According to the Comprehensive Plan, Office, General Retail, Commercial, Mixed Use, Multi-Family, and Planned Developments are considered appropriate zoning districts within the Corridor Commercial land use category.

In making decisions regarding the neighborhood commercial land use category the following items should be considered: “Development should gain primary access from an arterial street. Pedestrian enhancements should be a focus with comfort and safety taking priority. New development should include improved standards for building form and architecture, buffering, landscaping, and signage.”

Staff Review Comments:

The request to rezone the subject property to Commercial is in accordance with the Corridor Commercial land use identified on the Future Land Use Map. According to the Comprehensive Plan this land use category is intended for nonresidential uses along high-traffic, regionally serving thoroughfares. Further, the City of Tomball Code of Ordinance states that convenient access to major thoroughfares is a primary consideration for Commercial zoning districts. The subject site is located at the intersection of Medical Complex Drive (minor arterial) and State Highway 249 (expressway). Commercial land uses are often located at intersections such as this because they provide convenient access and exposure to higher volumes of traffic. Lastly, this change in zoning may promote the Comprehensive Plans goal of promoting development that creates complimentary relationships between differing land uses. According to the Comprehensive Plan, locating commercial services within and near existing and proposed neighborhoods has the potential to be mutually beneficial.

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 July 25, 2022. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

STAFF RECOMMENDATION:

Based on the findings outlined in the analysis section of this staff report, the City staff recommends approval of Zoning Case P22-226.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan Map
- C. Zoning Map
- D. Site Photo
- E. Zoning District Permitted Use Comparison Chart
- F. Planned Development District #8 Ordinance
- G. Rezoning Application

Exhibit "A" Aerial Location Map

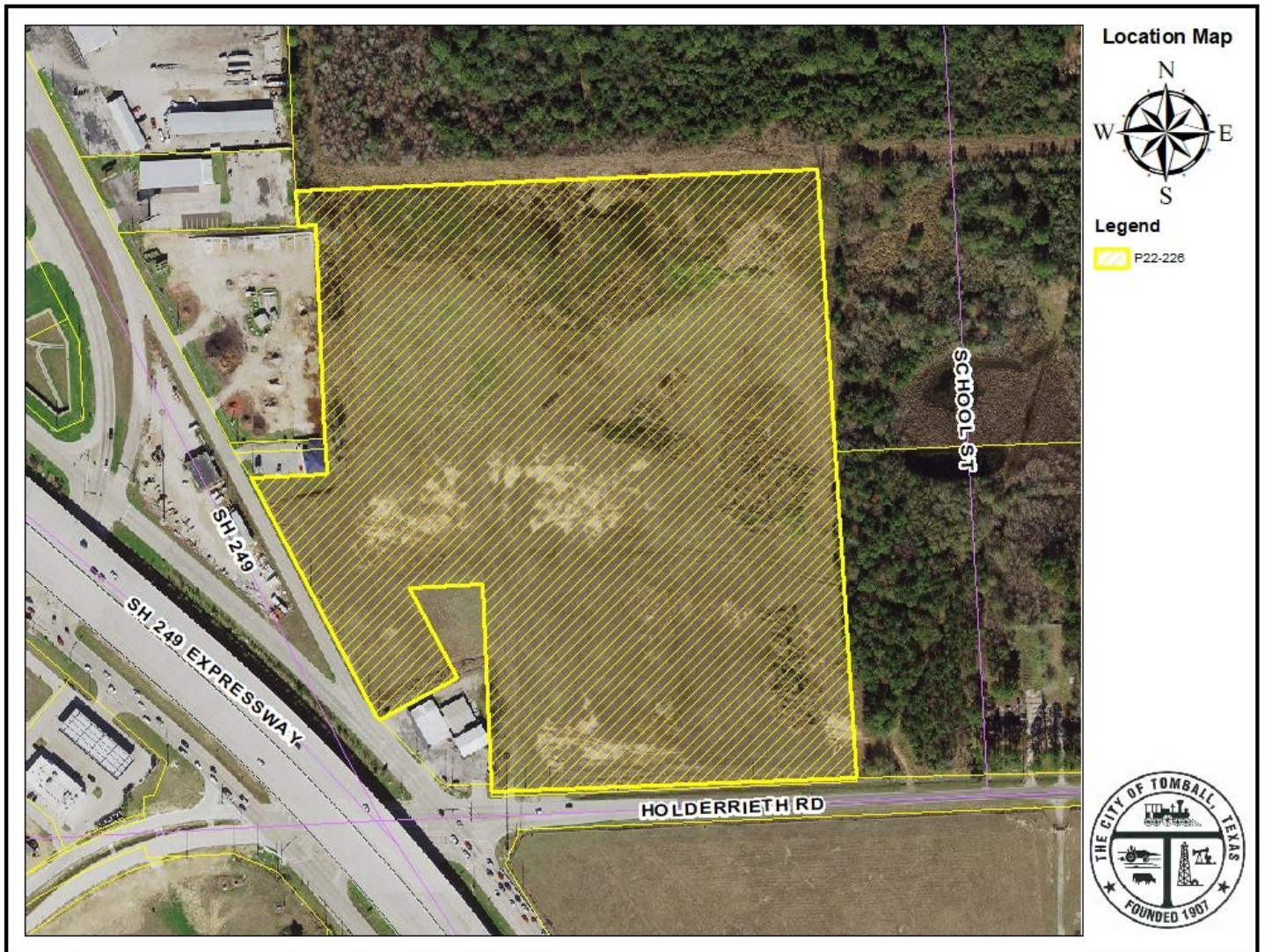


Exhibit "B" Future Land Use Plan Map

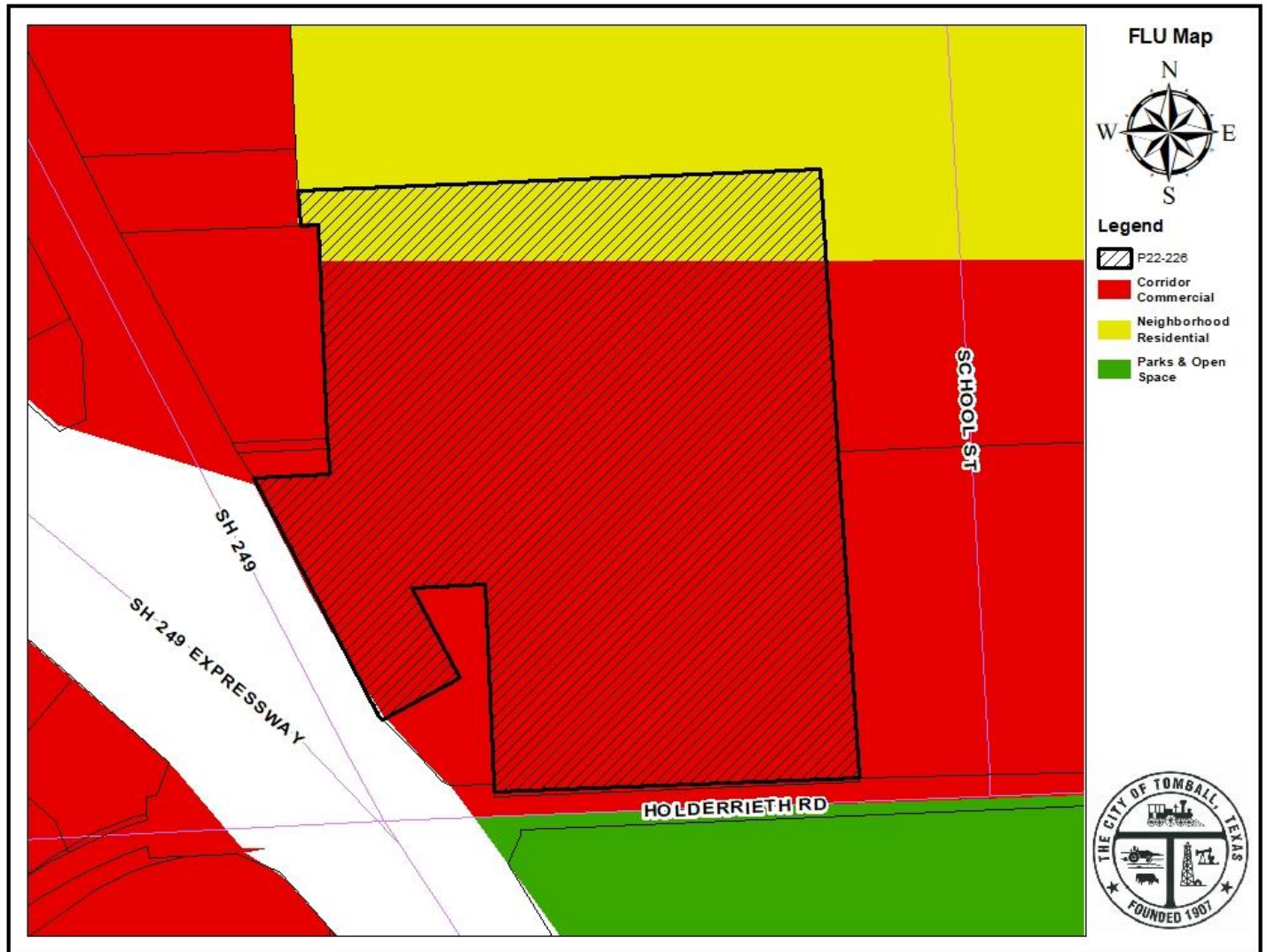
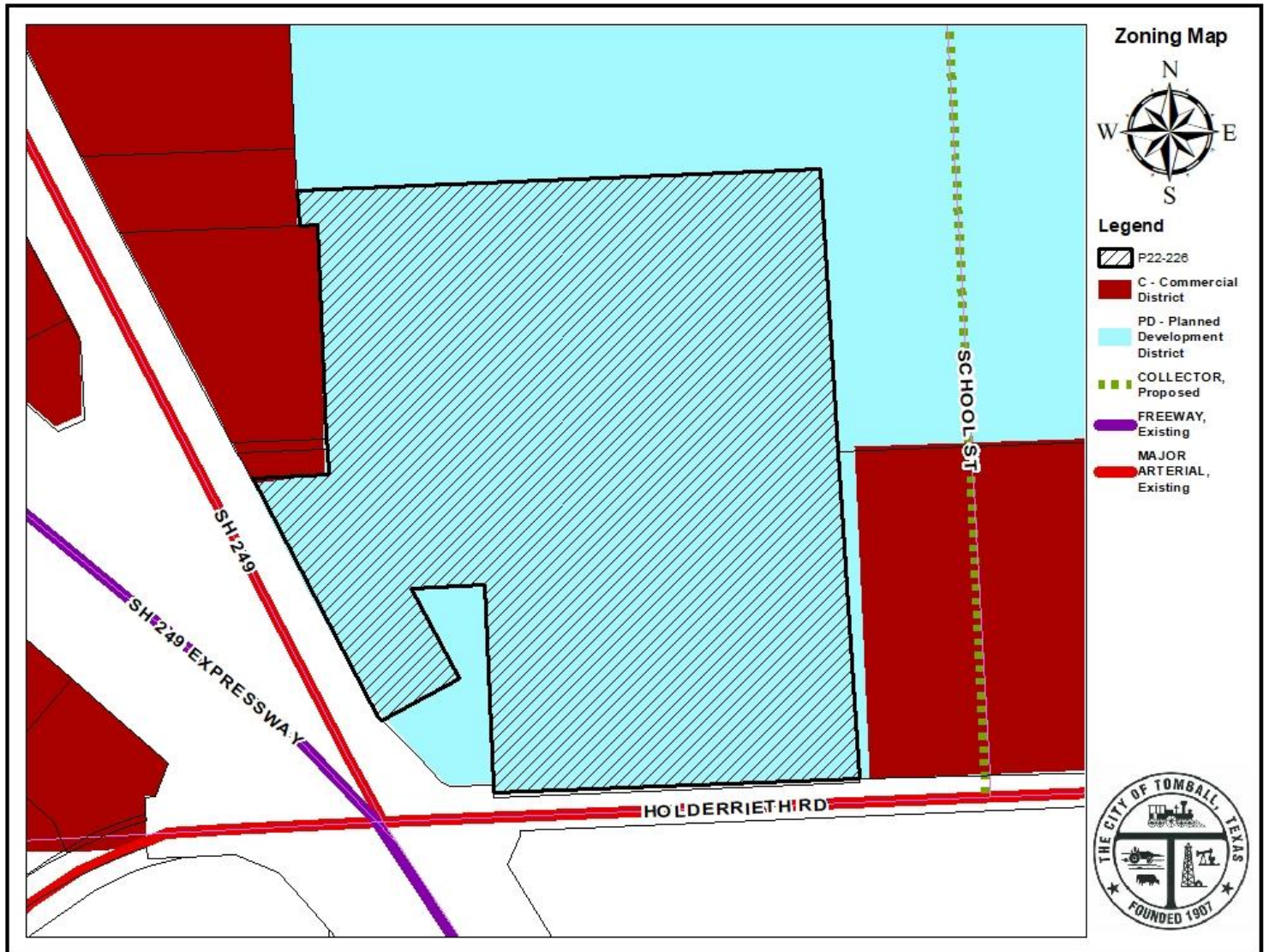


Exhibit "C" Zoning Map



**Exhibit “D”
Site Photo(s)**



Exhibit “E”

Zoning District Permitted Use Comparison Chart

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Agriculture			
Bulk Grain and/or feed storage		C	1 space per 1,000 square feet
Farm (ranch, garden, crops, livestock, or orchard) ‡	P	P	None
Feed and grain store/farm supply store ‡	C	P	1 space per 500 square feet
Flour and other grain mills			1 space per 1,000 square feet
Livestock, wholesale/auction			None
Livestock sales/auction			None
Stable, commercial			1 space per 1,000 square feet
Stables (private, principal or accessory use) ‡			None
Residential			
Accessory building/structure (business or industry) ‡	P	P	None
Accessory building/structure (residential) ‡			None
Accessory dwelling			None
Garage/accessory dwelling ‡			None
Caretaker's, guard's residence ‡	P	P	1 space per caretaker/guard
Dwelling, four-family (quadrplex) (defined under Multiple-family dwelling) ‡			2 spaces per dwelling
Dwelling, HUD code-manufactured home ‡			2 spaces per dwelling
Dwelling, industrialized home ‡			2 spaces per dwelling
Dwelling, multiple-family ‡			2 spaces per dwelling
Dwelling, single-family attached ‡			2 spaces per dwelling
Dwelling—Single-family detached ‡			2 spaces per dwelling
Dwelling, two-family, duplex or duplex townhome ‡			2 spaces per dwelling
Dwelling, zero-lot line/patio home ‡			2 spaces per dwelling
Home occupation ‡	P	P	None
Residential use ‡	C	C	2 spaces per dwelling
Private street subdivision	C	C	None
Office			
Clinic, emergency care	P	P	1 space per 150 square feet
Clinic, medical and/or dental	P	P	1 space per 300 square feet
Credit agency	P	P	1 space per 300 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Bank, savings and loan, or credit union (no motor bank services)	P	P	1 space per 300 square feet
Bank, savings and loan, or credit union (with motor bank services)	P	P	1 space per 300 square feet
Office, professional and general business ‡	P	P	1 space per 300 square feet
Office, parole-probation	P	P	1 space per 300 square feet
Office showroom/warehouse ‡	C	P	1 space per 300 square feet
Security monitoring company (no outside storage)	P	P	1 space per 300 square feet
Telemarketing agency	C	C	1 space per 250 square feet
Telephone exchange/switching station ‡	P	P	1 space per 500 square feet
Temporary real estate field office	P	P	4 spaces
Model home (including sales office)	P	C	2 spaces per model
Personal and Business			
Ambulance service	C	P	1 space per 500 square feet
Automobile driving school (including defensive driving)	P	P	1 space per classroom seat
Barber/beauty shop (no related school/college)	P	P	1 space per 200 square feet
Bed and breakfast inn ‡	P	P	2 spaces plus one per guest room
Check cashing service	C	C	1 space per 100 square feet
Dance hall/dancing facility ‡	C	C	1 space per 100 square feet
Dance/drama/music schools (performing arts, martial arts)	P	P	1 space per 100 square feet
Fortunetelling and similar activities ‡			1 space per 300 square feet
Funeral home ‡	C	P	See Section 50-112
Greenhouse (non-retail/hobby)			None
Health club (indoor)	P	P	1 space per 300 square feet
Health club (outdoor)	P	P	1 space per 300 square feet
Hotel‡	P	P	See Section 50-112
Motel‡		C	See Section 50-112
Laundromat/washateria/self-service ‡	P	P	1 space per 200 square feet
Laundry/dry cleaning (retail only, drop off/pick up) ‡	P	P	1 space per 200 square feet
Loan service (payday/auto title)	C	C	1 space per 100 square feet
Mailing service (private)	P	P	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Pharmacy (retail only)	P	P	1 space per 200 square feet
Reception venue	P	P	1 space: 4 seats
Recreational vehicle park			
Rehabilitation care facility (halfway house) ‡	P	P	Greater of 1 per three beds or 1.5 spaces per dwelling
Rehabilitation care institution (business) ‡	P	P	Greater of 1 per three beds or 1.5 spaces per dwelling
Seamstress, dressmaker or tailor (retail only)	P	P	1 space per 200 square feet
Sexually oriented business			
Tattoo or body piercing studio ‡		C	1 space per 200 square feet
Wedding chapel	P	P	1 space per four seats
Retail			
Antique shop (no outside sales or storage) ‡	P	P	1 space per 500 square feet
Antique shop (with outside storage)	C	P	1 space per 500 square feet
Apparel shop	P	P	1 space per 200 square feet
Art gallery/museum/dealer ‡	P	P	1 space per 500 square feet
Artist or photography studio	P	P	1 space per 500 square feet
Bakery, retail (eating establishment, no drive-through) ‡	P	P	1 space per 200 square feet
Bakery, retail (with drive-through)	P	P	1 space per 200 square feet
Bakery (wholesale) ‡		P	1 space per 500 square feet
Bird and pet shops (retail only)	P	P	1 space per 200 square feet
Book/stationery shop (retail only) ‡	P	P	1 space per 200 square feet
Brewpub	P	P	1 space per 1,000 square feet for the brewing of beer, ale, etc. plus 1 space per 100 square feet for associated eating or drinking establishments.
Building material sales/lumber yard ‡	C	P	1 space per 1,000 square feet
Carpenter shop	C	P	1 space per 500 square feet
Catering service	P	P	1 space per 500 square feet
Consignment shop	C	P	1 space per 300 square feet
Convenience store (with or without gasoline sales) ‡	P	P	See Section 50-112

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Copy shop ‡	P	P	1 space per 200 square feet
Drinking establishment	P	P	
Drug store (retail only)	P	P	1 space per 200 square feet
Eating establishment (with drive-in service) ‡	C	P	Whichever is greater: 1 per 100 square feet; 1 per 3 seats based on max seating capacity or; 1 per 12 spaces
Eating establishment (with no drive through service) ‡	P	P	
Eating establishment (with drive-through service) ‡	C	P	
Electronic goods (retail only)	P	P	1 space per 200 square feet
Florist shop (retail only) ‡	P	P	1 space per 200 square feet
Food or grocery store	P	P	1 space per 500 square feet
Furniture and appliance store (retail only) ‡	P	P	1 space per 500 square feet
Furniture store (new and used) ‡	P	P	1 space per 200 square feet
General retail stores (no outside storage)	P	P	1 space per 200 square feet
Gift or card shop (retail only)	P	P	1 space per 200 square feet
Hardware store	P	P	1 space per 400 square feet
Hobby and crafts store (retail only)	P	P	1 space per 200 square feet
Home improvement center	P	P	1 space per 400 square feet plus one per 1,000 square feet of warehouse area
Jewelry store	P	P	1 space per 200 square feet
Market, open air, flea		C	1 space per 200 square feet
Meat and fish market (retail only)	P	P	1 space per 200 square feet
Mobile Food Court ‡	C	C	Whichever is greater: 1 per 100 square feet of seating area or 2 per mobile food vendor
Motion picture studios, commercial films	C	P	1 space per 300 square feet
Motion picture theater (indoors)	P	P	See Section 50-112
Nursery ‡	P	P	1 space per 1,000 square feet of sales area
Garden shop ‡	P	P	1 space per 200 square feet
Painting and refinishing shop	C	P	1 space per 500 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Piano and musical instruments (retail only)	P	P	1 space per 200 square feet
Shoe repair shop (retail only)	P	P	1 space per 200 square feet
Sign shop (small scale, such as a storefront; includes sign and banner making for retail sale only; no outside storage)	P	P	1 space per 300 square feet
Stone monuments and gravestones, engraving and retail sales only	C	P	1 space per 500 square feet
Trophy engraving	P	P	1 space per 300 square feet
Upholstery shop (nonauto)	P	P	1 space per 200 square feet
Used merchandise	P	P	1 space per 200 square feet
Video rental/sales	P	P	1 space per 200 square feet
Transportation and Auto Services			
Airport or landing field ‡			1 space per 500 square feet
All-terrain vehicle (go-carts) dealer/sales (w/outdoor sales, storage, and display)	P	P	1 space per 300 square feet
All-terrain vehicle (go-carts) dealer/sales (w/no outdoor sales, storage, and display)	P	P	1 space per 300 square feet
Auto accessories (retail sales only)	P	P	1 space per 200 square feet
Auto body repair/painting	C	P	1 space per 200 square feet
Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/outdoor sales, storage, and display) ‡	P	P	See Section 50-112
Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/no outdoor sales, storage, and display)	P	P	See Section 50-112
Auto dealer, primarily used auto sales w/outdoor sales, storage, and display ‡	C	P	See Section 50-112
Auto dealer, primarily used auto sales w/no outdoor sales, storage, and display	C	P	See Section 50-112
Auto glass repair/tinting	P	P	1 space per 200 square feet
Auto interior shop/upholstery	C	P	1 space per 200 square feet
Auto muffler shop	C	P	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Auto paint shop	C	P	1 space per 200 square feet
Auto parts sale (new or rebuilt; no outside storage, no outside display, no repair)	P	P	1 space per 200 square feet
Auto parts sale (new or rebuilt; with outside storage or display)	C	P	1 space per 200 square feet
Auto rental	P	P	1 space per 200 square feet
Auto repair (major) ‡	C	P	1 space per 200 square feet
Auto repair (minor) ‡	P	P	1 space per 200 square feet
Auto storage or auto auction ‡		C	1 space per 1,000 square feet
Auto tire sales (indoor)	P	P	1 space per 200 square feet
Auto wrecker service		P	1 space per 200 square feet
Automobile assembly			1 space per 1,000 square feet
Automobile parts manufacturing		C	1 space per 1,000 square feet
Automobile wash (full service/detail shop) ‡	P	P	3 spaces per washing capacity of module
Automobile wash (self-service) ‡	C	P	3 spaces per washing capacity of module
Bike sales and/or repair	P	C	1 space per 500 square feet
Bus or truck storage		P	1 space per 1,000 square feet
Gasoline station	P	P	See Section 50-112
Motor freight transportation, storage, and terminal		P	See Section 50-112
Motorcycle sales/dealer w/outdoor sales, storage, and display ‡	P	P	See Section 50-112
Motorcycle sales/dealer w/no outdoor sales, storage, and display	P	P	See Section 50-112
Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡	P	P	None
Personal watercraft sales (new/repair) w/outdoor sales, storage, and display	P	P	See Section 50-112
Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display	P	P	See Section 50-112
Railroad team tracks, unloading docks, and spurs		P	None
Railroad yards, round house or shop		C	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Taxi/limousine service	C	P	1 space per 1.5 automobiles in service
Tire sales (indoors, no outside storage) ‡		P	1 space per 1,000 square feet
Tire sales (outdoors, with outside storage) ‡		C	1 space per 1,000 square feet
Transfer station (refuse/pick-up) ‡		C	1 space per 500 square feet
Transit terminal ‡		P	See Section 50-112
Truck and bus leasing ‡		P	1 space per 1,000 square feet
Truck sales and services (heavy trucks) ‡		P	1 space per 1,000 square feet
Truck stop ‡		C	1 space per 1,000 square feet
Truck terminal ‡		P	See Section 50-112
Amusement and Recreation			
Amusement, commercial (indoor) ‡	C	P	1 space per 100 square feet
Amusement, commercial (outdoor) ‡	C	P	10 spaces plus 1 per 500 square feet over 5,000 square feet of building and recreation area
Amusement, commercial, temporary, (e.g., carnival, haunted house). (Note: Allowed by building official for up to 10 days) ‡		C	Determined by P & Z
Amusement devices/arcade (4 or more devices, indoors only) ‡	C	P	1 space per game table plus one per amusement device
Billiard/pool Facility (4 or more tables)	C	P	1 space per 200 square feet
Bingo facility	C	P	1 space per 200 square feet
Bowling alley (air conditioned and soundproofed)	P	P	4 spaces per lane
Dinner theatre	P	P	1 space per three seats or bench seating space
Drive-in theater		C	1 space per speaker
Golf driving range	C	P	See Section 50-112
Golf course (private) ‡	C	C	6 spaces per hole
Golf course (publicly owned) ‡	P	P	6 spaces per hole
Playfield or stadium (private)	C	P	1 space per three seats
Recreational vehicle park/campground ‡		C	1.5 per RV pad
Skating rink	P	P	1 space per 200 square feet, plus 1 per 3 seats based on max capacity
Swimming pool, private (use by membership) ‡	P	P	1 space for each 100 square feet of gross water surface and deck area

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Swimming pool, commercial ‡	P	P	1 space per 100 square feet of gross water surface and deck area
Tennis court (private/not lighted)	P	P	2 spaces per court
Tennis court (private/lighted)	C	C	2 spaces per court
Institutional/Governmental			
Adult day care (business)			
Antenna (commercial)			
Antenna (noncommercial)			
Armed services recruiting center	P	P	1 space per 300 square feet
Assisted living facility (continuing care retirement community) ‡	P	P	1.5 spaces per dwelling unit plus any additional space for accessory uses
Auction house	C	P	1 space per 100 square feet
Broadcast station (with tower)			
Broadcast towers (commercial)			
Cellular communications tower/PCS			
Cemetery and/or mausoleum ‡	C	C	1 space per 5,000 square feet of land
Child day care center (business) ‡	P	P	1 space per three children
Church/temple/place of worship ‡	P	P	1 space per four seats in sanctuary
Civic center (municipal) ‡	P	P	10 spaces plus 1 per 300 square feet above 2,000 square feet
Civic club	P	P	See Section 50-112
Community center (public)	P	P	See Section 50-112
Community home ‡			1 space per 300 square feet
Community or social buildings ‡	P	P	1 space per 300 square feet
Country club (private) ‡	C	C	10 spaces plus 1 per 300 square feet above 2,000 square feet
Earth satellite dish (private, less than 3 feet in diameter)			
Electric power plant		C	1 space per 1,000 square feet
Electrical substation ‡	C	C	1 space per 1,000 square feet
Exhibition hall ‡	C	P	1 space per 100 square feet
Fair ground or rodeo ‡		C	1 space per 1,000 square feet of land area
Family home (child care in place of residence) ‡	P	P	1 space per 10 children plus 1 space per teacher

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Fraternal organization ‡	P	P	10 spaces plus 1 per 300 square feet above 2,000 square feet
Fraternity or sorority house ‡	C	C	2 spaces per bedroom
Governmental building or use (county, state or federal) ‡	P	P	1 space per 300 square feet
Heliport ‡	C	C	3 spaces
Helistop	C	C	3 spaces
Hospital ‡	P	P	1 space per bed
Household care facility ‡			1 space per 6 clients
Household care institution	P	P	1 space per 6 clients
Institution for alcoholic, narcotic, or psychiatric patients ‡	C	C	1 space per 200 square feet
Institution of religious, educational or philanthropic nature	P	P	1 space per 200 square feet
Municipal facility or use ‡	P	P	1 space per 300 square feet
Museum	P	P	See Section 50-112
Park and/or playground (private) ‡	P	P	
Park and/or playground (public, municipal) ‡	P	P	
Penal or correctional institutions		P	1 space per 500 square feet
Post office (governmental)	P	P	10 plus 1 per 200 square feet
Non-city public assembly (auditorium, gymnasium, stadiums, meeting halls, etc.)	P	P	1 space per 4 seats
Radio, television and communications towers			
Rectory/parsonage	P	P	5 spaces, plus 1 per bedroom
Retirement housing for the elderly ‡			
Riding academy	C	C	1 space per five stalls
Sanitary landfill (private)			1 space per ten acres
School, business (e.g., barber/beauty/cosmetology)	P	P	1 space per three students, based on design
School, college or university	P	P	10 per classroom plus 2 per office
School, commercial trade (vocational) ‡	P	P	1 space per student
School, public or denominational ‡	P	P	See Section 50-112
School, other than public or denominational ‡	P	P	
Sheltered care facility ‡	C	C	1 space per three beds or 1.5 per dwelling
Sign, all types (defined within the referenced section) ‡			

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Skilled nursing facility $\frac{1}{2}$	C	P	See Section 50-112
Studio for radio and/or television (no towers) $\frac{1}{2}$	P	P	1 space per 200 square feet
Commercial and Wholesale Trade			
Animal kennel (outdoor pens)		C	1 space per 500 square feet
Appliance repair	P	P	1 space per 500 square feet
Book binding		P	1 space per 500 square feet
Carpet and rug cleaning plant	C	P	1 space per 1,000 square feet
Cattle, swine, or poultry feedlot (CAFO)			1 space per 5,000 square feet of land
Cleaning plant (commercial laundry) $\frac{1}{2}$	C	P	1 space per 1,000 square feet
Communication equipment sales/service (installation and/or repair, no outdoor sales or storage or towers/antennae)	P	P	1 space per 1,000 square feet
Construction contractor with storage yard		P	1 space per 1,000 square feet of land
Contractor's office/sales, no outside storage including vehicles	P	P	1 space per 1,000 square feet of land
Contractor's temporary on-site construction office (only with permit from building official)	P	P	None
Distribution center $\frac{1}{2}$		P	1 space per 1,000 square feet
Electric repair, (domestic equipment and autos)	P	P	1 space per 1,000 square feet
Electronic assembly		P	1 space per 1,000 square feet
Electro-plating/ electro-typing		P	1 space per 1,000 square feet
Exterminator service/company (no outdoor sales or storage)	P	P	1 space per 300 square feet
Fix-it shops, small engine, saw filing, mower sharpening	C	P	1 space per 500 square feet
Fur/hide tanning and finishing			1 space per 1,000 square feet
Heating and air conditioning sales/services	C	P	1 space per 1,000 square feet
Iron works (ornamental)		C	1 space per 1,000 square feet
Lawnmower repair and/or sales	C	P	1 space per 500 square feet
Loading or storage tracks		P	None
Locksmith	P	P	1 space per 500 square feet
Machine shop		P	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Maintenance and repair service for buildings/janitorial	C	P	1 space per 500 square feet
Manufactured home display or sales (new or used) ‡		C	1 space per 1,000 square feet
Mattress, making and renovating		P	1 space per 1,000 square feet
Milk depot, wholesale		P	1 space per 1,000 square feet
Mini-warehouse/self storage ‡	C	P	See Section 50-112
Mortuary	C	P	See Section 50-112
Moving and storage company		P	1 space per 1,000 square feet
News printing		P	1 space per 1,000 square feet
Outdoor sales as a primary use ‡	C	P	1 space per 5,000 square feet of land area
Pawn shop ‡		P	1 space per 200 square feet
Pet and animal grooming shop (no outside kennels) ‡	P	P	1 space per 200 square feet
Plumbing shop	C	P	1 space per 200 square feet
Printing equipment, supplies and repairs	C	P	1 space per 500 square feet
Propane sales filling (retail)	C	P	1 space per 200 square feet
Publishing and printing company	C	P	1 space per 500 square feet
Quick lube/oil change/minor inspection	P	P	1 space per 200 square feet
Salvage storage yard ‡			5 per acre
Scientific and industrial research laboratories (hazardous) ‡		C	1 space per 300 square feet
Scientific and industrial research laboratories (nonhazardous) ‡	C	P	1 space per 300 square feet
Scrap metal storage yard			5 space per acre
Security systems installation company	C	P	1 space per 300 square feet
Sheet metal shop		P	1 space per 1,000 square feet
Storage of cement, sands and gravel		C	1 space per 5,000 square feet of storage area
Storage of used lumber and building materials		C	1 space per 5,000 square feet of storage area
Taxicab storage and repair		P	1 space per 500 square feet
Taxidermist	C	P	1 space per 500 square feet
Tool and machinery rental (indoor storage only) ‡	P	P	1 space per 200 square feet
Tool and machinery rental (with outdoor storage) ‡	C	P	1 space per 200 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Vacuum cleaner sales and repair ‡	P	P	1 space per 200 square feet
Veterinarian clinic (indoor kennels) ‡	P	P	1 space per 500 square feet
Veterinarian clinic (outdoor kennels or pens) ‡		C	1 space per 500 square feet
Warehouse (defined under storage or wholesale warehouse) ‡	C	P	1 space per 1,000 square feet
Welding shop	C	P	1 space per 1,000 square feet
Wholesale trade, nondurable goods	C	P	1 space per 1,000 square feet
Woodworking shops	C	P	1 space per 1,000 square feet
Wrecking materials yard ‡			1 space per 1,000 square feet
Light and Heavy Manufacturing/Industrial			
Acid manufacture			1 space per 1,000 square feet
Adhesives and sealants manufacture		C	1 space per 1,000 square feet
Aircraft parts manufacture			1 space per 1,000 square feet
Airplane repair and manufacturing			1 space per 1,000 square feet
Animal processing and slaughter		C	1 space per 1,000 square feet
Any manufacture or industrial process not listed and not prohibited by law		C	1 space per 1,000 square feet
Artificial flower manufacture	C	P	1 space per 1,000 square feet
Asphalt paving and roofing material manufacture			1 space per 1,000 square feet
Awning manufacture, cloth, metal and wood		P	1 space per 1,000 square feet
Bag manufacturing		P	1 space per 1,000 square feet
Battery manufacture			1 space per 1,000 square feet
Bleaching/chorine powder manufacture			2 spaces per 1,000 square feet
Boiler manufacture and repair			1 space per 1,000 square feet
Bottling works		P	1 space per 1,000 square feet
Broom manufacture		P	1 space per 1,000 square feet
Candy and other confectionary products manufacture	C	P	1 space per 1,000 square feet
Canning and preserving factory		C	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Canvas and related products manufacture		P	1 space per 1,000 square feet
Casein manufacture			1 space per 1,000 square feet
Celluloid and similar cellulose manufacture			1 space per 1,000 square feet
Cement manufacture			1 space per 1,000 square feet
Ceramic products manufacture	C	P	1 space per 500 square feet
Chalk manufacture			1 space per 1,000 square feet
Chemicals (agricultural) manufacture			1 space per 1,000 square feet
Chemicals (industrial) manufacture			1 space per 1,000 square feet
Clothing manufacture		P	1 space per 500 square feet
Coffee roasting		C	
Coffin manufacture		C	1 space per 1,000 square feet
Cold storage plants/locker		P	1 space per 1,000 square feet
Concrete or asphalt mixing/batching plant (permanent) ‡			1 space per 5,000 square feet of land
Concrete or asphalt mixing/batching plant (temporary) ‡	C	P	1 space per 5,000 square feet of land
Crematory			1 space per 1,000 square feet
Culvert manufacture			1 space per 1,000 square feet
Cutlery, handtools and general hardware manufacture		C	1 space per 1,000 square feet
Dairy products manufacture		C	1 space per 1,000 square feet
Distillation of liquors, spirits, etc. (brewery)			1 space per 1,000 square feet
Dye manufacture			1 space per 1,000 square feet
Dyeing plant		C	1 space per 1,000 square feet
Electric lamp manufacture		C	1 space per 1,000 square feet
Elevator manufacture			1 space per 1,000 square feet
Enameling and painting		C	1 space per 1,000 square feet
Engraving plant		P	1 space per 1,000 square feet
Envelope manufacture		P	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Farm/garden machinery and equipment manufacture		C	1 space per 1,000 square feet
Fats and oils (animal) manufacture			1 space per 1,000 square feet
Feed manufacture		C	1 space per 500 square feet
Felt manufacture			1 space per 1,000 square feet
Food processing ‡		C	1 space per 1,000 square feet
Footwear manufacture		C	1 space per 500 square feet
Foundry, all types			1 space per 1,000 square feet
Furnace manufacture			1 space per 1,000 square feet
Fixtures manufacture		C	1 space per 1,000 square feet
Furniture manufacture		C	1 space per 1,000 square feet
Gases (industrial) manufacture			1 space per 1,000 square feet
Glucose manufacture			1 space per 1,000 square feet
Hair products factory (other than human)			1 space per 1,000 square feet
Heavy machinery sales and storage ‡		C	1 space per 1,000 square feet
Ice cream/ice manufacture		P	1 space per 1,000 square feet
Kerosene manufacture or storage			1 space per 1,000 square feet
Laboratory equipment manufacturing ‡			1 space per 1,000 square feet
Leather products manufacture		C	1 space per 1,000 square feet
Lumber mill/yard			1 space per 1,000 square feet
Machinery manufacture		C	1 space per 1,000 square feet
Marble working and finishing		C	1 space per 1,000 square feet
Meat packing plant			1 space per 1,000 square feet
Metal cans and shipping containers manufacture		C	1 space per 1,000 square feet
Metal products, stamping and manufacture		C	1 space per 1,000 square feet
Mirror resilvering		C	1 space per 200 square feet
Office equipment manufacture		P	1 space per 1,000 square feet

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Oil compounding and barreling			1 space per 1,000 square feet
Oilcloth manufacture			1 space per 1,000 square feet
Orthopedic, prosthetic, surgical appliances and supplies manufacture		P	1 space per 1,000 square feet
Paint manufacture and/or mixing		C	1 space per 1,000 square feet
Paper and paper pulp manufacture			1 space per 1,000 square feet
Paper products and paper box manufacture		P	1 space per 1,000 square feet
Pecan processing		C	1 space per 1,000 square feet
Petroleum and petroleum products refining			1 space per 1,000 square feet
Petroleum distribution/storage ‡		C	1 space per 1,000 square feet
Plastic products, molding, casting and shaping		P	1 space per 1,000 square feet
Poultry hatchery			1 space per 1,000 square feet
Poultry slaughtering and processing			1 space per 1,000 square feet
Printing ink manufacture			1 space per 1,000 square feet
Reduction of fats, ores, metals, garbage, offal, etc.; rendering plant			1 space per 1,000 square feet
Rock quarries, sand, gravel and earth excavations or extractions			1 space per acre
Rug and carpet manufacture		C	1 space per 1,000 square feet
Sand, gravel, or stone storage (including sales) ‡		C	1 space per 1.5 employees, plus five per acre
Shellac and varnish manufacture			1 space per 1,000 square feet
Sign manufacturing (no outside storage)		C	1 space per 1,000 square feet
Sign manufacturing (with outside storage)		C	1 space per 1,000 square feet
Snuff manufacture			1 space per 1,000 square feet
Soap, detergents, cleaning preparations manufacture			1 space per 1,000 square feet
Starch manufacture			1 space per 1,000 square feet
Steel works, blast furnaces and rolling mills			1 space per 1,000 square feet
Stone cutting or crushing			1 space per 5,000 square feet of land area

TYPES OF LAND USES	Zoning Districts		Parking Ratio
	GR	C	
Stone, clay, glass and concrete Products (other than handicrafts) manufacture			1 space per 1,000 square feet
Textile products manufacture		C	1 space per 1,000 square feet
Tire retreading and recapping		C	1 space per 1,000 square feet
Truck manufacture			1 space per 1,000 square feet
Waste paper products manufacture			1 space per 1,000 square feet
Water distillation		P	1 space per 1,000 square feet
White lead manufacture			1 space per 1,000 square feet
Wood container manufacture		C	1 space per 1,000 square feet
Wood distillation (manufacture of tar, charcoal, turpentine and similar			1 space per 1,000 square feet
Wood preserving manufacture and treatment			1 space per 1,000 square feet
Wood products manufacture		C	1 space per 1,000 square feet

); Ord. No. 2012-18, § 2, 7-2-2012; Ord. No. 2013-23, § 2, 2-2-2013; Ord. No. 2013-19, § 2, 11-4-2013)

Exhibit "F"

Planned Development #8

ORDINANCE NO. 2014-39

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING ITS ZONING ORDINANCE, BY APPROVING A PLANNED DEVELOPMENT DISTRICT OF APPROXIMATELY 27.16 ACRES OF LAND, LEGALLY DESCRIBED AS TRACTS 2M & 4N, ABSTRACT 632, C.V. PILLOT AND RESERVE A, BLOCK 1, KENNETH LEE; WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT THE PLANNED DEVELOPMENT DISTRICT TO BE KNOWN AS PLANNED DEVELOPMENT – 8 (PD-8) DISTRICT; ADOPTING A CONCEPT PLAN AND REGULATIONS APPLICABLE TO PD-8 DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

Whereas, the property owners have requested that approximately 27.16 acres of land, legally described as Tracts 2M & 4N, Abstract 632, C.V. Pillot and Reserve A, Block 1, Kenneth Lee, generally located north of Holderrieth Road, east of State Highway 249 Business, in the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

Whereas, the property owners have presented an application to the City for a Planned Development District to allow the construction of a mixed use development; and

Whereas, the Planned Development application consists of an application for Planned Development District (Exhibit "A"); request letter (Exhibit "B"); and concept plan (Exhibit "C") attached to and made a part of this Ordinance; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

Whereas, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City's receipt of the requested rezoning; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve the requested rezoning; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

Whereas, the City Council deems it appropriate to grant the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:

Section 1. The City Council finds that the facts and matters set forth in the preamble of this Ordinance are true and correct.

Section 2. The zoning classification of the Property is hereby changed from the Commercial District to the PD-8 District subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball shall be revised and amended to show the designation of the Property as PD-8 District, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Tomball, save and except the change in zoning classification of the Property, to PD-8 District as described above.

Section 5. PD-8 shall be subject to the following additional limitations, restrictions, and covenants:

- A. Compliance with Application and Concept Plan. The granting of the PD District shall be conditioned upon the proposed improvements and land uses being located, constructed, and conducted upon the Property in substantial compliance with the application for PD District (Exhibit "A"), request letter (Exhibit "B"), and concept plan (Exhibit "C") made a part hereof for all purposes.
- B. Tracts A, B, C, & D:
 - 1. Permitted Uses: Any use permitted by right in the General Retail District
 - 2. Maximum Height:
 - i. Main Building: 3-stories, not to exceed 45-feet
 - ii. Accessory Building: 1-story, not to exceed 15-feet
 - 3. Minimum Lot Size:
 - i. Area: 6,000 square feet
 - ii. Width: 60-feet

- iii. Depth: 100-feet
- 4. Minimum Building Setback:
 - i. Front: 25-feet; 35-feet when adjacent to arterial street
 - ii. Side:
 - 1. Main Building: 5-feet; 25-feet when adjacent to property zoned for single-family residential purposes; 15-feet when adjacent to non-arterial street; 25-feet when adjacent to arterial street
 - 2. Accessory Building: 5-feet; 15-feet when adjacent to non-arterial street; 25-feet when adjacent to arterial street
 - iii. Rear:
 - 1. Main Building: 5-feet; 60-feet when adjacent to single-family, Duplex (Two-Family), patio home, or single-family attached district
 - 2. Accessory Building: 5-feet; 30-feet when adjacent to single-family, Duplex (Two-Family), patio home, or single-family attached district
- 5. Maximum Lot Coverage: 50 percent
- 6. Maximum Impervious Coverage: 80 percent
- 7. Minimum Screening, Buffering, and Fencing:
 - i. All screening, buffering, and fencing shall adhere to Section 50-115 of Tomball Code of Ordinances.
 - ii. All refuse containers shall be screened on four sides.
- 8. Minimum Off-Street Parking and Loading:
 - i. All off-street parking and loading areas shall adhere to Section 50-112 of the Tomball Code of Ordinances.
 - ii. The minimum number of off-street parking stalls and loading areas shall be per Sections 50-82 and 50-112 of the Tomball Code of Ordinances.

9. Minimum Landscaping:

- i. Landscaping shall be provided per Section 50-113 of the Tomball Code of Ordinances.

10. Additional Requirements: Articles 1; 2; Sections 50-63, 50-64, 50-65, 50-66, and 50-67; and Article 4, Tomball Code of Ordinances.

C. Tract E (Multi-Family):

1. Permitted Uses: Multiple-family dwellings and accessory structures.

2. Maximum Height:

- i. Main Building: 3-stories, not to exceed 45-feet
- ii. Accessory Building: 1-story, not to exceed 15-feet
- iii. Clubhouse: 2-stories, not to exceed 27-feet

3. Maximum Dwelling Units Per Acre: 20; 26 when all parking spaces are constructed as covered or enclosed spaces

4. Minimum Lot Size:

- i. Area: 10 acres
- ii. Width: 120-feet
- iii. Depth: 200-feet

5. Minimum Building Setback:

- i. Front: 25-feet; 35-feet when adjacent to arterial street
- ii. Side:
 - 1. Main Building: 5-feet; 50-feet when adjacent to property zoned for single-family residential purposes; 15-feet when adjacent to non-arterial street; 25-feet when adjacent to arterial street
 - 2. Accessory Building: 5-feet; 15-feet when adjacent to non-arterial street; 25-feet when adjacent to arterial street

iii. Rear:

1. Main Building: 15-feet; 50-feet when adjacent to single-family, Duplex (Two-Family), patio home, or single-family attached district
2. Accessory Building: 5-feet; 30-feet when adjacent to single-family, Duplex (Two-Family), patio home, or single-family attached district

6. Minimum Building Separation:

- i. 1-Story Building: 15-feet for buildings without openings; 20-feet for buildings with openings
- ii. 2-Story Building: 20-feet for buildings without openings; 30-feet for buildings with openings
- iii. Over 2-Story Building: 30-feet
- iv. Between Main and Accessory Buildings: 10-feet

7. Minimum Floor Area Per Dwelling Unit:

- i. Efficiency: 500 square feet
- ii. 1-Bedroom: 670 square feet
- iii. 2 or More Bedroom: 800 square feet plus 125 square feet for every bedroom over two

8. Maximum Lot Coverage: 50 percent

9. Maximum Impervious Coverage: 50 percent

10. Minimum Percent of Lot Area Dedicated to Green Space and Recreational Area: 50 percent

11. Minimum Screening, Buffering, and Fencing:

- i. All screening, buffering, and fencing shall adhere to Section 50-115 of Tomball Code of Ordinances.
- ii. A minimum 6-foot tall solid fence, wall, or opaque screening device shall be constructed on the side/rear of any multi-family dwelling complex adjacent to a single-family zoned property

- iii. All refuse containers shall be screened on four sides.

12. Minimum Off-Street Parking and Loading:

- i. All off-street parking and loading areas shall adhere to Section 50-112 of the Tomball Code of Ordinances.
- ii. 1 off-street parking stall shall be provided per bedroom

13. Minimum Landscaping:

- i. Landscaping shall be provided per Section 50-113 of the Tomball Code of Ordinances.

14. Additional Requirements:

- i. Articles 1; 2; Sections 50-63, 50-64, 50-65, 50-66, and 50-67; and Article 4, Tomball Code of Ordinances.
- ii. Walkways: A four-foot-wide paved walkway shall connect the front door of each ground floor unit to a parking area. The minimum width of any sidewalk adjacent to head-in parking spaces shall be six feet to accommodate a two-foot bumper overhang for vehicles. Sidewalks of concrete cement or other masonry construction shall be provided between the dwelling units and all community facilities provided for residents in accordance with applicable city standards and specifications. All walks shall be lighted at night with a minimum intensity of two footcandles' illumination.
- iii. Building length: Buildings shall not exceed 200 feet in length.
- iv. Oversized parking areas: Boats, campers, trailers and other recreational vehicles shall be prohibited unless oversize parking areas are provided and approved by the City. This parking area shall not be used to meet the minimum parking requirements and shall not be visible from a public street.
- v. Signage: Address numbers. All buildings containing residential units shall provide signage which clearly identifies the numbers (i.e., addresses) of the units within each building. Signage shall be visible from entrances into the complex and/or from vehicular drive aisles within the complex such that each individual unit is easy to locate by visitors, delivery persons, and/or emergency personnel.

- vi. Lighting: All parking areas shall have appropriate lighting and shall be positioned such that lights are shielded and do not adversely impact adjacent residential areas.
- vii. Gated/secured entrances: Gated/secured entrances shall be in accordance with the design standards for gated/secured entrances on private streets as adopted.
- viii. Streets or driveways: Each multifamily dwelling complex shall have driveways constructed of concrete cement or hot mixed asphalt, shall be curbed and guttered in accordance with existing requirements of the city, and shall be at least 28 feet in width throughout. All driveways shall be lighted at night with a minimum intensity of two foot-candles' illumination.

Section 6. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 8. City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Tex.Gov't. Code ch. 551.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 17TH DAY OF NOVEMBER 2014.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>NAY</u>
COUNCILMAN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 1ST DAY OF DECEMBER 2014.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>NAY</u>
COUNCILMAN QUINN	<u>AYE</u>



Gretchen Fagan, Mayor

ATTEST:



Doris Speer, City Secretary

Exhibit "G"

Rezoning Application



Revised: 4/13/2020

APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION SUBMITTAL: 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.

Applicant

Name: CROSS ENGINEERING Title: PRESIDENT
 Mailing Address: 1955 Raymond Drive City: NORTHBROOK State: IL
 Zip: 60062 Contact: STEPHEN CROSS
 Phone: (847) 4980800 Email: SCROSS@CROSSENGINEERING.NET

Owner

Name: MAPLE GROUP, LTD Title: PARTNER
 Mailing Address: 917 FRANKLIN ST City: HOUSTON State: TX
 Zip: 77002 Contact: STUART RATHE
 Phone: (713) 236 1800 Email: SRATHE@MAPLEDEVELOPMENT.COM

Engineer/Surveyor (if applicable)

Name: WINKELMANN & ASSOCIATES, INC Title: PRESIDENT
 Mailing Address: 6750 HILLCREST PLAZA DR #215 City: DALLAS State: TX
 Zip: 75230 Contact: MICHAEL CLARK
 Phone: (214) 801 7216 Fax: () Email: MCLARK@WINKELMANN.COM

Description of Proposed Project: Commercial Wholesale Warehouse/Fuel Center

Physical Location of Property: NEC HOLDERRIETH ROAD @ TOMBALL FWY
[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: SEE ATTACHED - RESERVE A MAPLE GROUP
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: PD. (B)

Current Use of Property: VACANT

Proposed Zoning District: C (COMMERCIAL)

Proposed Use of Property: WHOLESALE WAREHOUSE/FUEL CENTER



HCAID Identification Number: 683989 Acreage: 25.876

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

Revised: 4/13/2020

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		6/28/22
	Signature of Applicant	Date
X		6/28/22
	Signature of Owner	Date

Revised: 4/13/2020

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.

- ☒ Completed application form
- ☒ *Copy of Recorded/Final Plat
- ☐ Check for \$400.00 + \$10.00 per acre (Non-Refundable)
- ☒ 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.

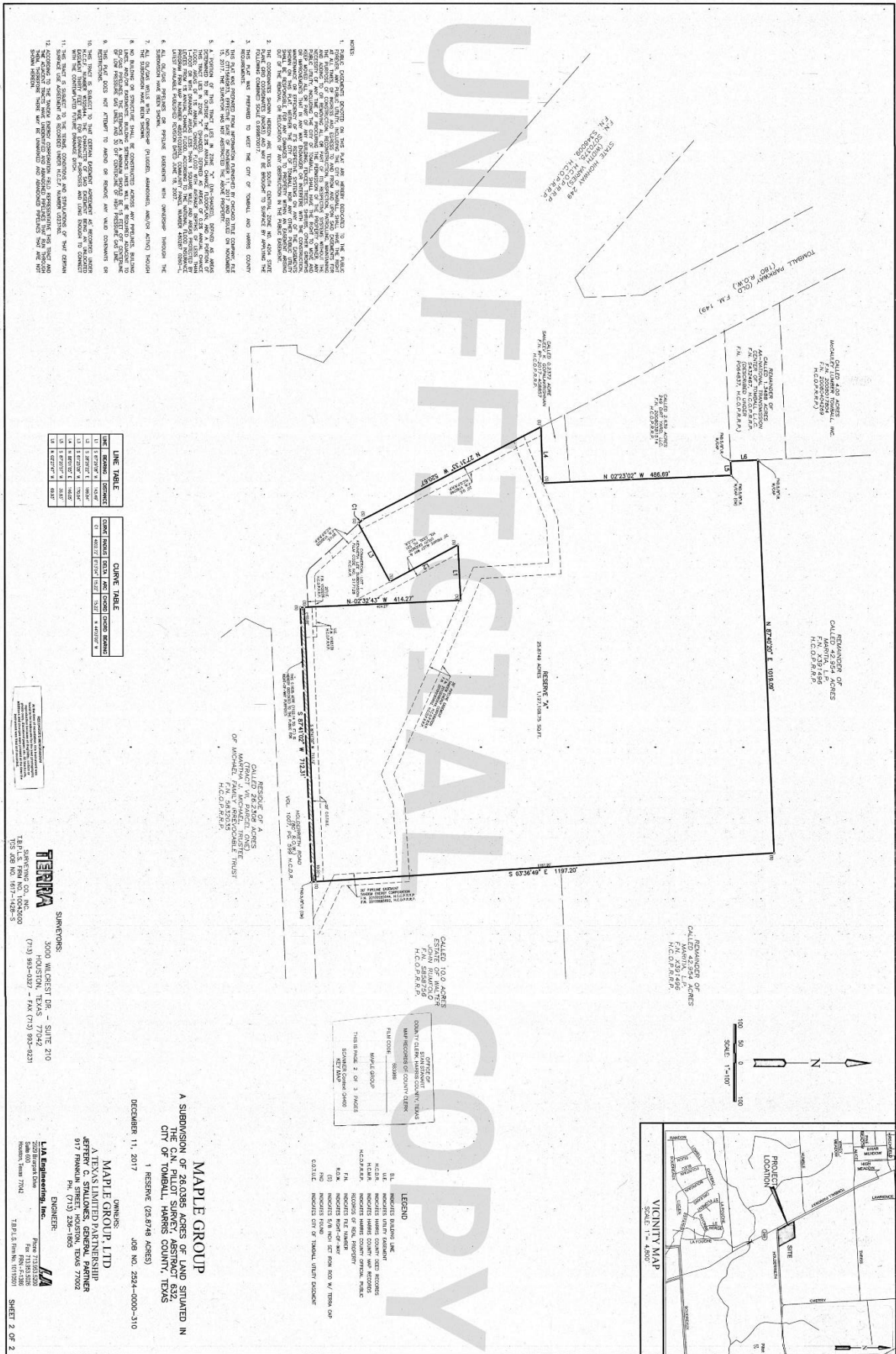
City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Revised: 4/13/2020


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 (200) 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.



TAX CERTIFICATE


ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
 1801 PRESTON, SUITE 100
 HOUSTON, TEXAS 77058

Assessed Tax: MAPLE GROUP LTD A TEXAS LTD PARTNERSHIP 917 FRANKLIN ST STE 550 HOUSTON, TX 77002-1741	Legal Description: TRS 2M & 4N ADST 632 C V PLOT
--	---

Parcel Address: 0 HOLDERBRIETH RD
Legal Acres: 25.9500

Account Number: 044-058-000-0272
Print Date: 01/24/2018
Certificate No: 1210182
Paid Date: 01/24/2018
Certificate Fee: \$10.00
Operator ID: 00000000

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 23.02 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2017. ALL TAXES ARE PAID IN FULL.

Exemptions:
 01 Homestead
 02 Over 65
 03 Disabled
 04 Senior Citizens
 05 Disabled Veterans
 06 Disabled Veterans
 07 Disabled Veterans
 08 Disabled Veterans
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Certified Tax Units:
 01 Harris County
 02 Harris County Flood Control Dist
 03 Harris County Hospital District
 04 Harris County Dept of Education
 05 Harris County College System
 06 Harris County Community College System
 07 Harris County Community College System
 08 Harris County Community College System
 09 Harris County Community College System
 10 Harris County Community College System
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2017 Value: 3,391,146
2017 Levy: 50.14176
2017 Levy Balance: 30.00
Prior Year Levy Balance: 30.00
Total Levy Due: 30.00
P&I - Attorney Fee: 30.00
Total Amount Due: 30.00

OFFICE OF
 STAN STANART
 COUNTY CLERK, HARRIS COUNTY, TEXAS
 MAP RECORDS OF COUNTY CLERK
 683990
 FILM CODE
 MAPLE GROUP
 THIS IS PAGE 8 OF 8 PAGES
 SCANNED 01/24/2018

Referenced (G) No.
 Issued By:
 ANN HARRIS BENNETT
 HARRIS COUNTY TAX ASSESSOR-COLLECTOR

53.10

TAX CERTIFICATE FOR ACCOUNT: 044058000272
 AD NUMBER: 044058000272
 OF NUMBER: 044058000272
 CERTIFICATE NO: 1210182
 COLLECTING AGENCY:
 King Williams
 PO Box 278
 Tomball TX 77377-0278

DATE: 1/24/2018
 FEE: \$10.00
 PROPERTY DESCRIPTION:
 TRS 2M & 4N ADST 632 C V PLOT
 1


0000000 HOLDERBRIETH RD
 25.95 ACRES
 PROPERTY OWNER:
 MAPLE GROUP LTD A TEXAS LTD PAR
 917 FRANKLIN ST STE 550
 HOUSTON TX 77002-1741

REQUESTED BY:
 LJA ENGINEERING
 TX

THIS IS TO CERTIFY THAT THE AD VALOREM RECORDS OF THE TOMBALL ISD TAX ASSESSOR-COLLECTOR REFLECT THE TAX, INTEREST, AND OTHER STATUTORY FEES THAT HAVE BEEN ASSESSED AND ARE NOW DUE TO THE TAXING ENTITIES AND FOR THE YEARS SET OUT BELOW FOR THE DESCRIBED PROPERTY HEREIN. THE TAX ASSESSOR-COLLECTOR MAKES NO CERTIFICATION AS TO THE ADEQUACY OF TAX, PENALTY, INTEREST, OR OTHER FEES ASSESSED BY OR DUE ANY TAXING ENTITY FOR THE YEAR OR YEARS FOR WHICH THE TAX ASSESSOR-COLLECTOR HAS NOT HAVE THE STATUTORY DUTY TO COLLECT OR KEEP RECORDS OF SUCH COLLECTION. ADDITIONAL TAXES MAY BECOME DUE ON THE DESCRIBED PROPERTY, WHICH ARE NOT REFLECTED HEREIN. IF THE SAID DESCRIBED PROPERTY HAS OR IS RECEIVING ANY SPECIAL STATUTORY VALUATIONS THAT MAY TRIGGER TAX HOLIDAY PROVISIONS, THIS CERTIFICATE APPLIES TO AD VALOREM TAXES ONLY AND DOES NOT APPLY TO ANY SPECIAL ASSESSMENT LEVIES.

CURRENT VALUES							
AMT VALUE	TAX UNIT	LEVY	PEN	INT	GRN INT	ATTY	AMOUNT DUE
3,391,146	0	0.00	0.00	0.00	0.00	0.00	0.00
3,391,146	0	0.00	0.00	0.00	0.00	0.00	0.00
2017 SUB TOTAL							80.00

TOTAL CERTIFIED TAX DUE 1/2018: \$ 0.00
 ISSUED TO: LJA ENGINEERING
 ACCOUNT NUMBER: 044058000272

CERTIFIED BY: 
 TOMBALL I.S.D.

This is a statement from the Tax Collector of Tomball I.S.D., indicating that the taxes to be imposed by Tomball Independent School District for the 2018 tax year have not been calculated as of the above date.

PROPERTY DESCRIPTION

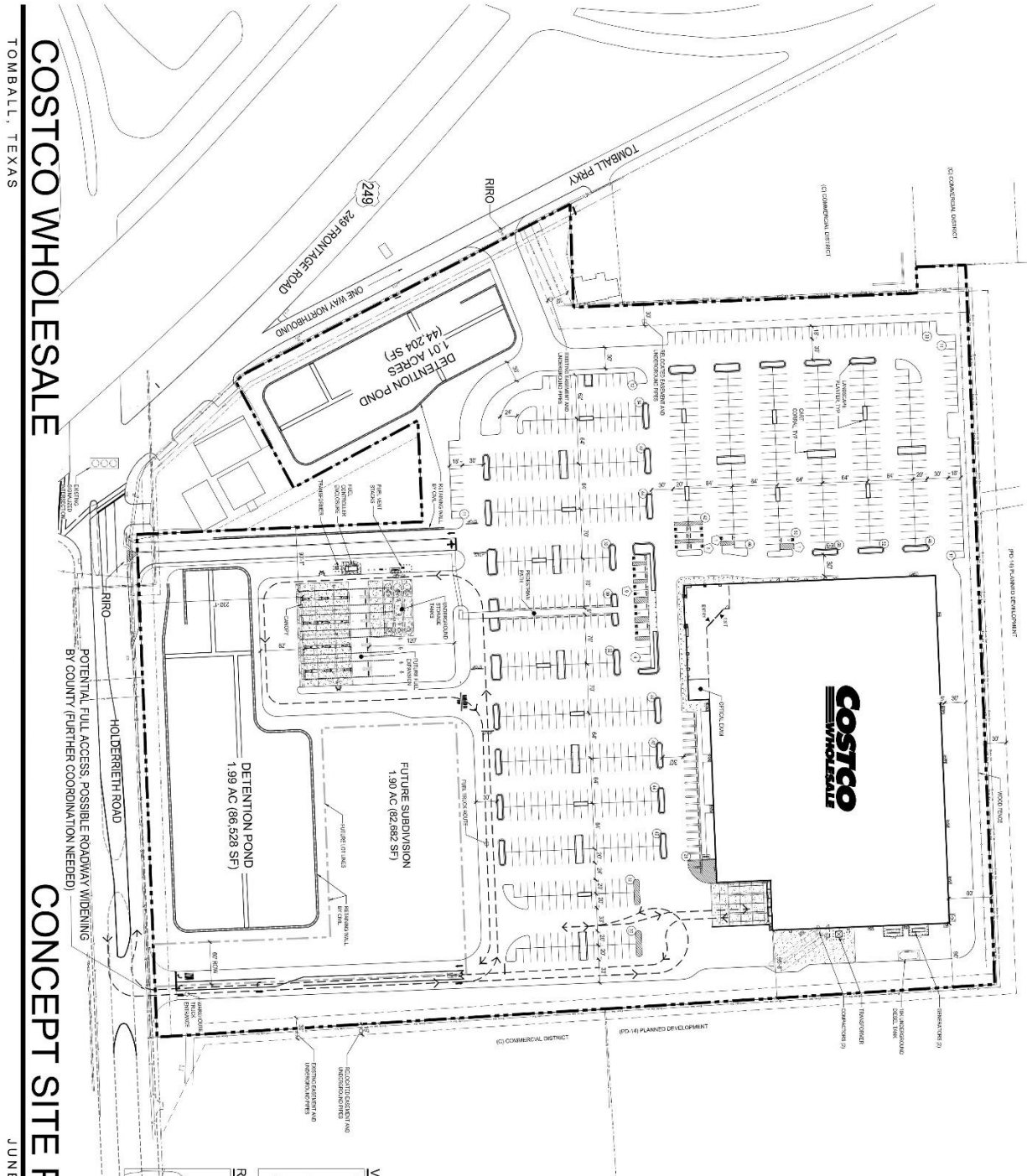
STATE OF TEXAS

COUNTY OF HARRIS

BEING all of Reserve "A" of Maple Group, an addition to the City of Tomball, Harris County, Texas, according to the plat thereof recorded in Film Code No. 683989, Map Records, Harris County, Texas.

CONTAINING 25.876 acres or 1,127,139 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 14th day of January, 2022, utilizing a G.P.S. bearing related to the Texas Coordinate System, South Central Texas Zone (4204), NAD 83, grid values from the GeoShack VRS network.



COSTCO WHOLESALE

TOMBALL, TEXAS

CONCEPT SITE PLAN

JUNE 28, 2022

PROJECT DATA

CLIENT: COSTCO WHOLESALE
969 LANE DRIVE
ISSAQUAH, WA 98027
PROJECT ADDRESS: 969 LANE DRIVE
TOMBALL, TX 77464

SITE DATA:

TOTAL COSTCO SITE AREA: 25.88 ACRES (1,127,119 SF)
INCLUDES:
WAREHOUSE SITE AREA: 20.88 ACRES (913,705 SF)
DETECTION POND: 1.99 ACRES (86,528 SF)
FUTURE SUBDIVISION: 1.90 ACRES (82,682 SF)

JURISDICTION: CITY OF TOMBALL
ZONING: COMMERCIAL
SETBACKS: FRONT: 75'
SIDE: 100'
REAR: 60'

BOUNDARIES: THIS PLAN HAS BEEN PREPARED
BY USING CIVIL ALTA SURVEY BY
WINKELMANN DATED 02/23/2022

BUILDING DATA:

TOTAL WAREHOUSE FOOTPRINT AREA: 161,119 SF
INCLUDES:
NET SALES FLOOR: 151,466 SF
NET MECHANICAL / FIRE: 2,429 SF
NET OPEN VESTIBULE: 4,894 SF
BUILDING ENVELOPE: 2,680 SF
WAREHOUSE HEIGHT: 33'-0"
TOTAL FUEL CANOPY AREA: 8,127 SF
TOTAL FUEL ENCLOSURE AREA: 192 SF
FUEL ENCLOSURE HEIGHT: 9'-0"

PARKING DATA:

TOTAL PARKING: 861 STALLS
INCLUDES:
10' WIDE STALLS: 844 STALLS
ACCESSIBLE STALLS: 17 STALLS
NUMBER OF STALLS PER 1000 SF OF BUILDING AREA: 5.35 STALLS

NOTES:
EXISTING CONDITIONS TO BE FIELD VERIFIED

VICINITY MAP



REGIONAL MAP



22-5567-01
JUNE 28, 2022
CONCEPT
SITE PLAN
DD11-04

NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 8, 2022 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 15, 2022 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

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.

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.

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).

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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.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@tomballtx.gov.

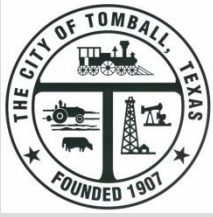
CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **5th** day of **August 2022** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith
City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Community Development Department

Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Case: P22-266

Section(s): 50-33 (*Board of Adjustments*) & 50-34 (*Amendments to Zoning Chapter and Districts, Administrative Procedures*)

Subject: Increase Notification Area for Public Hearing(s)

BACKGROUND

The City of Tomball Code of Ordinance currently requires the City to notify all owners of properties within 200-feet of properties which are subject to a zone change request or request that is to be considered by the Board of Adjustment. This proposed amendment will increase the notification area to require the City of Tomball to notify all owners of properties within 300 feet. City Council requested this amendment in efforts to reach more people in the immediate area of where public hearing requests and possible changes to our City guiding documents, giving them an opportunity for their voice to be heard.

NOTICE OF PUBLIC HEARING:

A public hearing notice was published in the Potpourri on July 27, 2022.

PROPOSED ORDINANCE AMENDMENT(s):

Code of Ordinance Section(s):

50-33:

REMOVE:

(i) Procedures

~~(3) Notice and public hearing. The board of adjustments shall hold a public hearing for consideration of the variance or special exception request no later than 60 calendar days after the date the application for action, or an appeal, is filed. Notice shall be published in the official local newspaper before the 15th calendar day prior to the public hearing. Written notice of the public hearing for a variance or exception shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within 200 feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail.~~

ADD:**(i) Procedures.**

(3) Notice and public hearing. The board of adjustments shall hold a public hearing for consideration of the variance or special exception request no later than 60 calendar days after the date the application for action, or an appeal, is filed. Notice shall be published in the official local newspaper before the 15th calendar day prior to the public hearing. Written notice of the public hearing for a variance or exception shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within **300** feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail.

50-34

REMOVE:**(c) Notice of public hearing.****~~(1) Public hearing for zoning changes involving real property.~~**

~~(c) Written notice of the public hearing before the planning and zoning commission shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within 200 feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail. If written notice as required is not sent before the tenth calendar day prior to the date of the hearing, then the hearing must be delayed until this notice requirement is met.~~

ADD:**(c) Notice of public hearing.****(1) Public hearing for zoning changes involving real property.**

(c) Written notice of the public hearing before the planning and zoning commission shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within **300** feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail. If written notice as required is not sent before the tenth calendar day prior to the date of the hearing, then the hearing must be delayed until this notice requirement is met.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022**



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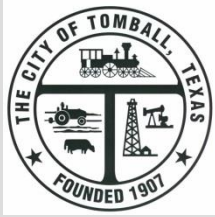
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Jared Smith

Jared Smith
City Planner

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Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Case: P22-267
Section(s): 40-65 (*Streets; Specific Standards*)
Subject: Add/Revise Right-of-Way Widths for Roadway Classifications

BACKGROUND

Section 40-65 (b) in the City of Tomball Code of Ordinance provides desired right-of-way widths for the varying street classifications found within the City of Tomball. The right-of-way widths listed do not align with the current City of Tomball construction design standards for streets. This proposed amendment is to remove the existing “Right-of-way width, widening” section of the code of ordinance and replace with a table that outlines standard and minimum desired right-of-way widths that are in alignment with our current design standards.

NOTICE OF PUBLIC HEARING:

A public hearing notice was published in the Potpourri on July 27, 2022.

PROPOSED ORDINANCE AMENDMENT(s):

Code of Ordinance Section(s):

40-65:

REMOVE:

~~(b) *Right-of-way width, widening.* The width of the right-of-way to be dedicated for any street shall be as follows:~~

~~(1) *Local streets.* The width of the right-of-way for local streets shall be not less than 80 feet. Provided, however, a right-of-way width of not less than 60 feet may be approved if there is also dedicated a ten-foot-wide drainage and utility easement immediately adjacent to each side of such local street, which, in combination, would total 80 feet in width, and an open ditch drainage system is provided for such street. In those instances where a proposed subdivision is located adjacent to an existing public street with a right-of-way width less than 60 feet, sufficient additional right-of-way shall be dedicated within the subdivision to accommodate the development of the street to a total right-of-way width of not less than 60 feet. Notwithstanding the foregoing, the planning and zoning commission may, on written application, in its discretion authorize a street right-of-way width of not less~~

~~than 50 feet for a local street where such street cannot reasonably be made to continue or extend onto an existing, approved, proposed, or possible future street, is so located that logically it could not be extended to connect with an existing, approved, or proposed street, there is not a likelihood that it would inhibit the ability of the city to provide emergency services from fire, police, medical, or other rescue personnel, the street provides access to single-family residential properties only, and the total length of such street does not exceed 700 feet.~~

- ~~(2) Collector streets. The width of the right-of-way for collector streets shall be not less than 80 feet.~~
- ~~(3) Arterial streets. The width of the right-of-way for arterial streets shall be not less than 100 feet.~~

ADD:

(b) *Right-of-way width, widening.* The width of the right-of-way to be dedicated for any street shall be in accordance with Table 40-65.1:

Table 40-65.1

Street Type	Standard Right-of-Way Width**	Minimum Right-of-Way*
Alley	20'	15'
Local	60'	50'
Collector	60'	60'
Minor Arterial	80'	80'
Major Arterial	100'	100'

*The Purpose of the minimum right-of-way is to accommodate pre-existing situations in developed areas where it is impractical to require the standard width. The minimum local street right-of-ways width may be utilized within single-family residential subdivisions if the street right-of-way serves as the shortest direct path to a roadway of higher classification (i.e. collector or arterial) for no more than 25-dwelling units.

**The standard right-of-way width for major arterial sections of Medical Complex Drive & Agg Road shall be 120'.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022**



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Jared Smith

Jared Smith
City Planner

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Subdivision Plat Review Calendar for 2022					
Deadline for Final/Minor/ Preliminary Plat Applications, Construction Plans, and Drainage Plans Due by 5 p.m.	Plat Review Comments Due	Final Draft of Plats and All Other Documents Due by 5 p.m.	Agenda Posted	P&Z Meeting	
- 28 days Monday*		- 5 days Wednesday*	-3 days Friday	Meeting Date Monday	
13-Dec-21	23-Dec-21	5-Jan-22	7-Jan-22	10-Jan-22	
17-Jan-22	27-Jan-22	9-Feb-22	11-Feb-22	14-Feb-22	
14-Feb-22	24-Feb-22	9-Mar-22	11-Mar-22	14-Mar-22	
14-Mar-22	24-Mar-22	6-Apr-22	8-Apr-22	11-Apr-22	
11-Apr-22	21-Apr-22	4-May-22	6-May-22	9-May-22	
16-May-22	26-May-22	8-Jun-22	10-Jun-22	13-Jun-22	
13-Jun-22	23-Jun-22	6-Jul-22	8-Jul-22	11-Jul-22	
11-Jul-22	21-Jul-22	3-Aug-22	5-Aug-22	8-Aug-22	
15-Aug-22	25-Aug-22	7-Sep-22	9-Sep-22	12-Sep-22	
12-Sep-22	22-Sep-22	5-Oct-22	7-Oct-22	10-Oct-22	
17-Oct-22	27-Oct-22	10-Nov-22	11-Nov-22	14-Nov-22	
14-Nov-22	24-Nov-22	7-Dec-22	9-Dec-22	12-Dec-22	
*Submittal Deadlines may vary depending on holidays.					



Staff Use Only

Item F.7

Subdivision: _____

Date Received: _____

WAIVER OF RIGHT FOR 30-DAY ACTION

As the applicant and/or representative of the:

☐ Preliminary Plat

☐ Final Plat

☐ Minor Plat

☐ Replat

For the proposed subdivision identified as:

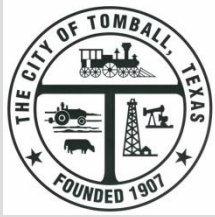
Click or tap here to enter text.

I hereby waive the right for action on the plat within thirty (30) days of the submittal date of the plat. The plat and associated plans will be submitted to Community Development Services no later than 5 p.m. on the Wednesday prior to the desired Planning & Zoning Commission meeting to provide adequate time for staff review and scheduling purposes.

Signature of Property Owner or Agent

FOR MORE INFORMATION, PLEASE CONTACT:

COMMUNITY DEVELOPMENT SERVICES
500 JAMES STREET
TOMBALL, TEXAS 77375
(281) 290-1491
JASMITH@TOMBALLTX.GOV



Community Development Department

Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Case: P22-268
Section(s): 40-28 & 40-30
Subject: Remove/Revise Plat Review Schedule

BACKGROUND

The City of Tomball Code of Ordinance specifies an application deadline for plat reviews which gives staff 7 days to review plats prior to the Planning & Zoning Commission's consideration of the plat. State law grants municipalities 30 days to act on plats, whether it is to approve, approve with conditions or deny the plat based on findings by City staff and the Planning & Zoning Commission. Further, the current process has City staff recommending approval of plats to the Planning & Zoning Commission with a list of graphic revisions. Therefore the plat that is ultimately recorded may differ graphically from the plat that is approved by the Commission. This amendment is to provide ample time for the review of plats, as well as ensure that the plat that is presented to the Planning & Zoning Commission is the plat that is going to be recorded if approved.

NOTICE OF PUBLIC HEARING:

A notice of public hearing was published in the paper on July 27, 2022.

PROPOSED ORDINANCE AMENDMENT(s):

Code of Ordinance Section(s):

40-28 – Application for Preliminary Plat Approval:

REMOVE:

~~(1) Submittal date and time. All plats, maps, reproductions, fees, applications, and related materials shall be submitted to the city secretary no later than 12:00 noon, seven days prior to the next regularly scheduled commission meeting. Materials received after 12:00 noon on the date specified in this article shall automatically be placed on the agenda of the second regularly scheduled planning and zoning commission meeting following submittal.~~

~~(2) Copies required. The applicant shall provide 20 24 inch by 36 inch paper prints from the original drawing of the plat reproduced on white paper with blue or black lines, each of which shall be folded to 8½ inches by 12 inches, and indicating the title block in the lower right hand corner of the plat.~~

~~(3) *Filing fees.* An application for final plat approval shall be accompanied by a nonrefundable application fee tendered in the form of a certified check and made payable to the "City of Tomball, Texas," in the amount as is specified in the city's schedule of fees as currently established or as hereafter adopted by resolution of the city council from time to time.~~

~~(4) *Encumbrances information.* An application for preliminary plat approval shall be accompanied by a title opinion or a statement or certificates, either in a separate writing or on the face of the plat, and properly executed by the applicant or the person who prepared the plat, certifying that all existing encumbrances other than liens, such as various types of easements, fee strips, or significant topographical features such as lakes, ponds, bayous or other bodies of water; creeks, streams, gullies, ravines, ditches, or other natural drainageways; and any known fault lines, on the land being platted, are fully shown and accurately identified on the face of the plat, and further stating whether the plat being submitted includes all of the contiguous land that the subdivider owns directly or indirectly, or has a legal or beneficial interest in, or whether the subdivider owns or has a legal interest in any adjacent property. If the subdivider owns or has a legal interest in any adjacent property, the extent of such ownership and a boundary description of the land involved shall also be provided.~~

~~(5) *Notice to utilities.* Evidence of notice to all utility companies that provide service to the area encompassed by the proposed subdivision, whether public or private, shall accompany each application for preliminary plat approval. Such notice shall contain a statement of the intent to subdivide, the intended use of the property within the subdivision, and shall have attached to such notice a copy of the preliminary plat that is filed within the city.~~

ADD:

(1) *Submittal date and time.* All plats, maps, reproductions, fees, applications, and related materials shall be submitted to the Community Development Director. The Community Development Director shall determine the completeness of all plat applications. A Plat application submitted by the application deadline specified on the Plat Review Calendar kept by the Community Development Office that is deemed to be complete by the Community Development Director shall be placed on the agenda for the next regularly scheduled meeting of the Planning & Zoning Commission for consideration.

(2) *Time Period for Action.* All preliminary plat applications shall be acted upon within thirty (30) days from the official filing date unless a waiver is submitted in accordance with Subsection (a).

(a) *Waiver of Right to 30-day Action.*

(1) The Community Development Director shall be the official decision-maker for a Waiver of Right to 30-Day Action.

(2) An applicant may request a Waiver of Right to 30-day Action relating to the decision time of thirty (30) days mandated by State law. Such requests must be submitted on the official

Waiver of Right to 30-day Action form provided by the Community Development Office.

- (3) Waiver requests must be received by the Community Development Director prior to the Planning & Zoning Commission meeting at which action would have to be taken (based on the 30-day State law requirement).
- (4) The granting of a Waiver of Right to 30-day Action shall not be deemed in any way a waiver to any requirement within this Code of Ordinances.
- (5) The Waiver of Right to 30-day Action may postpone consideration of plats for a period not to exceed 180 days from the date that the waiver is received by the City. In the event that the Waiver of Right to 30-day Action expires, the plat shall be considered void by the City of Tomball and a separate plat application will be required for review by the City and consideration by the Planning & Zoning Commission.
- (3) City Review.
 - a) The City staff shall meet to review each preliminary plat application to be placed on the agenda of the forthcoming meeting of the Planning & Zoning Commission. The City shall make comments on either.
 - i. Approval of the plat
 - ii. Denial of the plat
 - iii. Approval of the Plat with conditions
 - b) All comments detailing necessary conditions/revisions, or reasons for denial of the plat will be returned to the applicant within 10 days of the plat application submittal deadline.
- (4) Resubmittal Following City Review.
 - a) At least five (5) days prior to the meeting of the Planning & Zoning Commission during which the plat is scheduled for action, the applicant shall provide to the Community Development Director or their designee a revised plat. The Community Development Director or their designee shall review the revised plat for compliance with comments from previous review(s) by the City.
 - b) Revised plats submitted to the Community Development Director or their designee at least five (5) days prior to the meeting of the Planning & Zoning Commission during which the plat is scheduled for action will be placed on the agenda for consideration by the Commission, for approval, approval with conditions, or denial based on staff findings.
 - c) In the event that a revised plat is not submitted at least five (5) days prior to the meeting of the Planning & Zoning Commission and no Waiver of Right for 30-Day Action is submitted by the applicant, the plat shall be subject to denial by the Planning & Zoning Commission due to insufficient time for review by staff.
- (5) Filing fees. An application for preliminary plat approval shall be accompanied by a nonrefundable application fee tendered in the form of a check and made payable to the "City of Tomball, Texas," in the amount as is

specified in the city's schedule of fees as currently established or as hereafter adopted by resolution of the city council from time to time.

- (6) *Encumbrances information.* An application for preliminary plat approval shall be accompanied by a title opinion or a statement or certificates, either in a separate writing or on the face of the plat, and properly executed by the applicant or the person who prepared the plat, certifying that all existing encumbrances other than liens, such as various types of easements, fee strips, or significant topographical features such as lakes, ponds, bayous or other bodies of water; creeks, streams, gullies, ravines, ditches, or other natural drainage ways; and any known fault lines, on the land being platted, are fully shown and accurately identified on the face of the plat, and further stating whether the plat being submitted includes all of the contiguous land that the subdivider owns directly or indirectly, or has a legal or beneficial interest in, or whether the subdivider owns or has a legal interest in any adjacent property. If the subdivider owns or has a legal interest in any adjacent property, the extent of such ownership and a boundary description of the land involved shall also be provided.
- (7) *Notice to utilities.* Evidence of notice to all utility companies that provide service to the area encompassed by the proposed subdivision, whether public or private, shall accompany each application for preliminary plat approval. Such notice shall contain a statement of the intent to subdivide, the intended use of the property within the subdivision, and shall have attached to such notice a copy of the preliminary plat that is filed within the city.

40-30 – Application for final plat approval:

REMOVE:

- ~~(1) *Time for filing.* All plats, maps, reproductions, fees, applications, and related materials shall be submitted to the city secretary no later than 12:00 noon, seven days prior to the next regularly scheduled commission meeting. Materials received after 12:00 noon on the date specified in this section shall automatically be placed on the agenda of the second regularly scheduled commission meeting following submittal.~~
- ~~(2) *Copies required.* The applicant shall provide 20 24 inch by 36 inch paper prints from the original drawing of the plat reproduced on white paper with blue or black lines, each of which shall be folded to 8½ inches by 12 inches, and indicating the title block in the lower right hand corner of the plat.~~
- ~~(3) *Filing fees.* An application for final plat approval shall be accompanied by a nonrefundable application fee tendered in the form of a certified check and made payable to the "City of Tomball, Texas," in the amount as is specified in the city's schedule of fees as currently established or as hereafter adopted by resolution of the city council from time to time.~~

ADD:

- (1) *Submittal date and time.* All plats, maps, reproductions, fees, applications, and related materials shall be submitted to the Community Development Director. The Community Development Director shall determine the completeness of

all plat applications. A Plat application submitted by the application deadline specified on the Plat Review Calendar kept by the Community Development Office that is deemed to be complete by the Community Development Director shall be placed on the agenda for the next regularly scheduled meeting of the Planning & Zoning Commission for consideration.

- (2) Time Period for Action. All final plat applications shall be acted upon within thirty (30) days from the official filing date unless a waiver is submitted in accordance with Subsection (a).

(a) Waiver of Right to 30-day Action.

- i. The Community Development Director shall be the official decision-maker for a Waiver of Right to 30-Day Action.
- ii. An applicant may request a Waiver of Right to 30-day Action relating to the decision time of thirty (30) days mandated by State law. Such requests must be submitted on the official Waiver of Right to 30-day Action form provided by the Community Development Office.
- iii. Waiver requests must be received by the Community Development Director prior to the Planning & Zoning Commission meeting at which action would have to be taken (based on the 30-day State law requirement).
- iv. The granting of a Waiver of Right to 30-day Action shall not be deemed in any way a waiver to any requirement within this Code of Ordinances.
- v. The Waiver of Right to 30-day Action may postpone consideration of plats for a period not to exceed 180 days from the date that the waiver is received by the City. In the event that the Waiver of Right to 30-day Action expires, the plat shall be considered void by the City of Tomball and a separate plat application will be required for review by the City and consideration by the Planning & Zoning Commission.

(3) City Review.

- a. The City staff shall meet to review each final plat application to be placed on the agenda of the forthcoming meeting of the Planning & Zoning Commission. The City shall make comments on either.
 - i. Approval of the plat
 - ii. Denial of the plat
 - iii. Approval of the Plat with conditions
- b. All comments detailing necessary conditions/revisions, or reasons for denial of the plat will be returned to the applicant within 10 days of the plat application submittal deadline.

(4) Resubmittal Following City Review.

- a. At least five (5) days prior to the meeting of the Planning & Zoning Commission during which the plat is scheduled for action, the applicant shall provide to the Community Development Director or their designee a revised plat. The Community Development Director or their designee

shall review the revised plat for compliance with comments from previous review(s) by the City.

- b. Revised plats submitted to the Community Development Director or their designee at least five (5) days prior to the meeting of the Planning & Zoning Commission during which the plat is scheduled for action will be placed on the agenda for consideration by the Commission, for approval, approval with conditions, or denial based on staff findings.
- c. In the event that a revised plat is not submitted at least five (5) days prior to the meeting of the Planning & Zoning Commission and no Waiver of Right for 30-Day Action is submitted by the applicant, the plat shall be subject to denial by the Planning & Zoning Commission due to insufficient time for review by staff.

(5) *Filing fees.* An application for final plat approval shall be accompanied by a nonrefundable application fee tendered in the form of a check and made payable to the "City of Tomball, Texas," in the amount as is specified in the city's schedule of fees as currently established or as hereafter adopted by resolution of the city council from time to time.

(6) *Encumbrances information.* An application for final plat approval shall be accompanied by a title opinion or a statement or certificates, either in a separate writing or on the face of the plat, and properly executed by the applicant or the person who prepared the plat, certifying that all existing encumbrances other than liens, such as various types of easements, fee strips, or significant topographical features such as lakes, ponds, bayous or other bodies of water; creeks, streams, gullies, ravines, ditches, or other natural drainage ways; and any known fault lines, on the land being platted, are fully shown and accurately identified on the face of the plat, and further stating whether the plat being submitted includes all of the contiguous land that the subdivider owns directly or indirectly, or has a legal or beneficial interest in, or whether the subdivider owns or has a legal interest in any adjacent property.

(7) *Notice to utilities.* Evidence of notice to all utility companies that provide service to the area encompassed by the proposed subdivision, whether public or private, shall accompany each application for final plat approval. Such notice shall contain a statement of the intent to subdivide, the intended use of the property within the subdivision, and shall have attached to such notice a copy of the final plat that is filed within the city.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 8, 2022 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 15, 2022 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

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.

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.

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).

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.

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.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@tomballtx.gov.

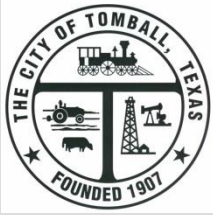
CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **5th** day of **August 2022** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith
City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Case: P22-269

Section(s): Chapter 40, Article III (*Design Standards*)

Subject: Add Sec. 40-81 (*Driveways and Access Management*)

BACKGROUND

The City of Tomball's Code of Ordinance does not currently specify driveway separation requirements, nor does it call out cross-access easement requirements/recommendations. Ingress & egress points to and from properties are essential to site development. Each driveway that serves a parcel of land introduces an accident potential point. Therefore, minimum driveway separation requirements and ordinances that encourage shared access agreements between adjoining property owners are often adopted to help mitigate and reduce accident potential for motor vehicles, pedestrians, and bicyclists. This proposed addition to the code of ordinance is to adopt driveway standards, specifically by formally addressing driveway designs, spacing requirements and encouraging/requiring shared access driveways.

NOTICE OF PUBLIC HEARING:

A public hearing notice was published in the Potpourri on July 27, 2022.

PROPOSED ORDINANCE AMENDMENT(s):

Code of Ordinance Section(s):

ADD:

40-81.- Driveway and Access Management

- (a) Other Standards. Driveway approaches, curbs, gutters, pavements and appurtenances on public property and other facilities to provide access to abutting properties in the City and ETJ in connection with platting or building construction shall be constructed, provided, altered or repaired in accordance with the City of Tomball Design, Details, and Construction Standards and as prescribed by the standards outlined within this Division.
- (b) All Driveway Approaches. All driveway approaches shall comply with the following standards.
 - (1) Sidewalks to Be Removed. Where a driveway approach is designed to cross an existing sidewalk, the sidewalk included in the driveway approach area shall be removed and reconstructed as a driveway approach unless the City Engineer has determined that the section of the sidewalk fully complies with the requirements of this section for driveway approaches. The area across the driveway will be jointed and edged as a sidewalk. The depth and design for the sidewalk will be consistent

with the driveway-approved design and will be consistent with the ADA regulations.

- (2) Removal of Curb and Gutter. Where a driveway approach is to be constructed at a location where a curb and gutter is in place, the curb and gutter shall be removed to the nearest existing construction joint or a new construction joint formed by other methods as may be approved by the City Engineer. The driveway approach shall be constructed in accordance with the City's Design, Details and Construction Standards.
- (3) Drainage. Driveway approaches shall be designed to prevent the entrance of water from the street onto private property, except that a drainage system may be provided within the property to handle water coming from the street. Driveway approaches and related drainage systems shall be constructed in accordance with the City's Design, Details, and Construction Standards.
- (4) Radius. Driveway approaches shall be constructed with return radii in accordance with the standards outlined in Table 40-81.1. The driveway radius shall not extend in front of the adjacent property.
- (5) Design Criteria.
 - (a) For all gated driveways the gate shall be set back a minimum of 25-feet from the edge of the street pavement. Locking mechanisms for vehicular gates shall be subject to approval by the City Fire Marshal or his/her designee.
 - (b) Driveway construction shall not occur without a driveway permit.
 - (c) Divided entrances to parking lots in nonresidential and multifamily developments shall have a minimum ingress lane of 18 feet, a minimum landscaped median width of 5 feet for an unbroken distance of at least 100 feet, and a minimum egress lane of 22 feet. All divided entrances shall be a maximum of 45 feet in width.
 - (d) Residential driveways shall have a minimum separation equal to the sum of the required curb returns for the two driveways.
- (c) All driveway approach dimensions shall comply with Table 40-81.1.

Table 40-81.1

Driveway	Land Use	Width (ft.)		Curb Return (ft.)	
		Minimum	Maximum	Minimum	Maximum
Type I	Single-Family Residential, Duplex	12'	24'	5'	15'
Type II (One Way)	Multi-Family, Commercial	20'	20'	10'	15'
Type II (Two Way)	Multi-Family, Commercial	24'	40'	10'	15'

- (d) Type II Driveway Approaches. Type II driveway approaches shall comply with the following standards and with Table 40-81.1
 - (1) Number of Driveway Approaches. On local streets, not more than one (1) driveway approach shall be permitted on any parcel of property with a frontage of one hundred feet (100') or less. On collector streets no more than one (1)

driveway approach shall be permitted on any parcel of property with a frontage of one hundred and fifty feet (150') or less. For arterials, no more than one (1) driveway approach shall be permitted on any parcel of property with a frontage of three hundred feet (300') or less. Except that additional openings may be permitted with the approval of the Community Development Director or their designee for the necessity and convenience of the public.

- (2) Driveway Separation. Driveway approaches shall be separated by a minimum distance, as measured between the edge of the driveway and the adjacent driveway or street right-of-way, as required by Table 40-81.2.

Table 40-81.2

Street Type	Minimum Separation Between Drives (feet)*	Minimum Separation from Intersection (feet)*
Arterial	200'	150'
Minor Arterial	150'	100'
Collector	100'	75'
Local	25'	50'

*Separation may be reduced, at the discretion of the Community Development Director or their designee, where right-in/right-out only driveways are used. Such drives must be on a median-separated road or be designed to physically prevent vehicles from making a left turn.

Notes:

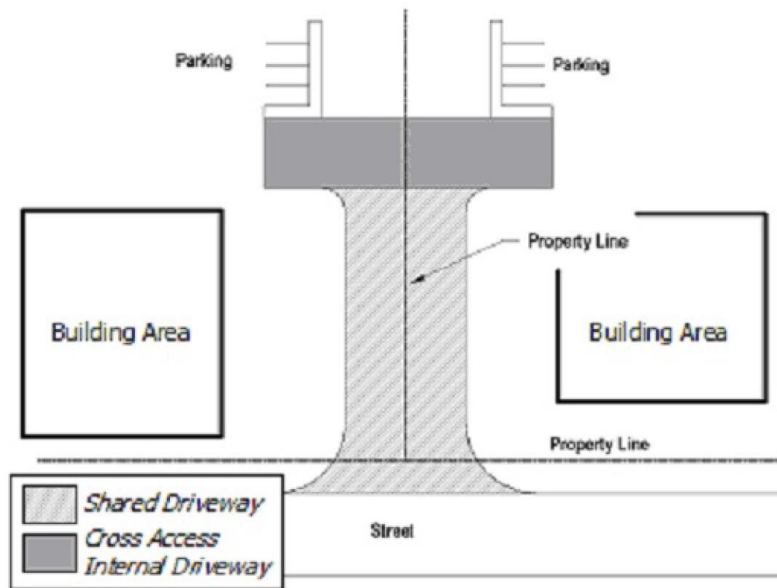
- a) Single-family and two-family developments are exempt from these standards on local and collector streets.
- b) Where a property at a corner does not have the necessary frontage to accommodate the required spacing from the intersection, or an interior property does not have adequate width to meet the spacing requirements from an existing driveway on adjacent property, a common access easement with adjacent properties shall be utilized to obtain the necessary spacing. Where site limitations preclude such common access easements, or where cooperation of adjacent property owners cannot be obtained (within a period of 90 days), the City Engineer may authorize a noncompliant driveway, which should be spaced as far from the intersection as practical.
- c) Where there is a signalized "T" intersection on the opposite side of the street, the spacing requirements shall apply.
- (3) Angle of Driveway Approach. The angle of the driveway approach with the curb line shall be approximately ninety degrees (90°) for two-way driveways or forty-five degrees (45°) to ninety degrees (90°) for one-way driveways.
- (4) Driveway Approaches at Intersections. Corner parcels less than one hundred and fifty feet (150') in length along the right-of-way shall combine access with the adjoining property, wherever possible. Where it can be shown that access is effectively denied to a corner parcel because of the required distance from the corner of the intersecting right-of-way and combined access is not available from the adjoining property, a variation to the requirement may be granted by the City Engineer, provided the applicant demonstrates that a variation will not create a traffic hazard.
- (5) Driveway Approaches in Existing On-Street Angle or Head-In Parking Areas. Driveway approaches shall not be constructed in existing on-street angle or

head-in parking areas unless all curb is restored to a standard location along the roadway in front of the premises.

(e) Shared Driveways and Cross-Access Drives.

- (1) Shared access for all driveways are encouraged by the City in order to ensure public safety access by providing mutual/common access to a median opening, to minimize the number of driveway cuts on streets, thereby maintaining street mobility, and to facilitate traffic flow between adjacent lots. (See Figure 40-81.1)
 - a. Arterial Streets. Shared mutual access easement(s) for driveway(s) may be required by the City between driveways on adjacent lots fronting on arterial streets.
 - b. The location and dimensions of shared access easements shall be determined by the Community Development Director and City Engineer.
 - c. Such easements shall be noted on the Preliminary Plat and Final Plat when possible as “Open and Unobstructed Cross Access Easement”.

Figure 40-81.1



**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 8, 2022
&
CITY COUNCIL
AUGUST 15, 2022**



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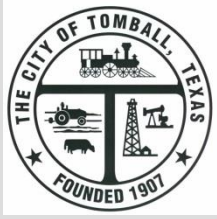
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Jared Smith

Jared Smith
City Planner

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Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Case: P22-270
Section(s): 40-74 (*Lots, general provisions*)
Subject: Revise/add language to address lot designs

BACKGROUND

Section 40-74 in the City of Tomball Code of Ordinance provides general provisions for lot designs within subdivisions. This proposed amendment seeks to revise/add to this section to further clarify and address minimum lot dimensions and arrangements. Specifically addressing irregularly shaped lots, double frontage lots, residential lots backing up to non-residential land uses, and restricting direct residential lot access to and from major thoroughfares.

NOTICE OF PUBLIC HEARING:

A public hearing notice was published in the Potpourri on July 27, 2022.

PROPOSED ORDINANCE AMENDMENT(s):

Code of Ordinance Section(s):

40-74:

REMOVE:

~~(3) *Key or flag-shaped lots.* For the purposes of this section, a key or flag-shaped lot shall mean a lot having gross disparities in width between side lot lines, sometimes resembling a flag or a flag pole, a key, or some other lot shape of comparable irregularity. Key or flag-shaped lots shall not be prohibited if otherwise in compliance with the minimum lot size requirements of this chapter and other applicable regulations of the city and provided that no portion of any such lot is less than 50 feet in width.~~

~~(4) *Street access limitations.* Rear and side vehicular driveway access from lots to adjacent streets designated as major thoroughfares or any other public street which carries a traffic volume where additional vehicular driveways would create a traffic hazard or impede the flow of traffic, shall not be approved and such access restrictions shall be noted directly upon the plat and adjacent to the lots in question.~~

~~(5) *Lot and block identification.* All blocks established in a subdivision shall be designated on the plat, and shall be numbered consecutively throughout the entire~~

~~subdivision. Lots established within blocks shall also be numbered consecutively within the block. Lot numbering shall be cumulative throughout the subdivision if the numbering system continues from block to block in a uniform manner.~~

ADD:

(3) Irregularly shaped lots (Flag, Key, and Cul-De-Sac Lots).

- a) Irregularly shaped lots shall provide a reasonable building pad without encroachment into front, side or rear yard setbacks or into any type of easement.
- b) The rear width of irregularly shaped lots shall be sufficient to provide access for all necessary utilities. When alleys are present, there must be sufficient width for access for driveways and solid waste collection and a minimum twenty-foot (20') alley frontage.
- c) Flag/key-shaped lots shall adhere to the following standards:
 - 1) For this section, a key or flag-shaped lot is any irregularly shaped lot that accesses the principal building site via a long narrow strip of land connecting to a public street. These lots often resemble flags on a flag pole, a key, or some other lot shape of comparable irregularity.
 - 2) Such lots shall have a minimum flag "pole" width of thirty feet (30').
 - 3) No more than two (2) dwelling units may share a common driveway on residential flag lots.
 - i. Each flag lot must display an address at their closest point of access to a public street for emergency responders.
- d) Cul-de-sac or "eyebrow" lots shall adhere to the following standards:
 - 1) For this section, a cul-de-sac or eyebrow lot is any lot that has the majority of its frontage along the curved radius of a street.
 - 2) Minimum lot frontages shall be as follows:
 - i. Residential lots: 30'
 - ii. Nonresidential lots: 45'
 - iii. Nonresidential lot frontage may be reduced to 30' if the proposed plat reflects appropriately dimensioned easements for joint driveway access by two abutting lots.
 - 3) Minimum lot widths for lots with predominate frontage on the curved radius of a street shall be measured as the linear distance of the curved front building line (see Figure 40-74.1), and shall be shown on the final plat. Lot widths for all lots shall be as set forth in the respective zoning district.

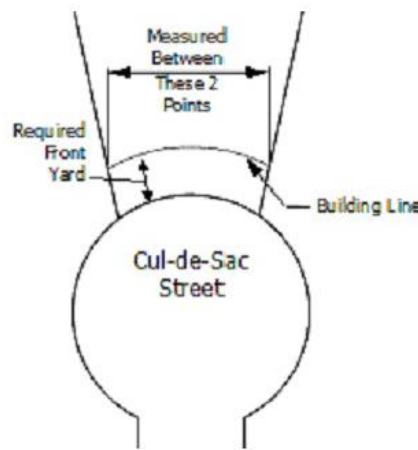
Figure 40-74.1

Figure 40-74.1 Measuring Lot Width of a Curved Lot

- e) The City reserves the right to disapprove any lot which, in its sole opinion, will not be suitable or desirable for the purpose intended or which is so oddly shaped as to create a hindrance to the logical lot layout of surrounding properties.

(4) Double Frontage Lots.

- a) Double-frontage lots shall be avoided, except where they may be essential to provide separation of residential development from arterial streets or to overcome a specific disadvantage or hardship created by topography or other factors.
- b) Double frontage lots shall be subject to street side setbacks along each street side boundary. Setbacks shall be in accordance with applicable zoning districts as outlined in Chapter 50 of this Ordinance or in accordance with standards outlined in Section 40-74.7 for properties located within the ETJ.
- c) Lots in Single-family (SF) residential districts and Duplex (D) (two-family) residential districts may abut a street on both the front and rear boundaries, under the following conditions:
 - i. One lot boundary must abut an arterial street or expressway.
 - ii. A reservation or easement at least ten feet (10') wide, across which there shall be a non-access easement designated along the property boundary adjacent to the arterial street or expressway.
 - iii. The lot shall not have more than one-half (1/2) of its perimeter along streets.

(5) Extra Lot Depth & Width.

- a) Lot Depth. Under the following circumstance(s), the minimum depth of each lot shall conform to the requirements of the zoning district in which the lot is located or adhere to the following standards. Whichever imposes the more stringent restrictions shall prevail.
 - i. Where the rear of any lot abuts a railroad right-of-way, arterial street or freeway, high-pressure gasoline, oil or gas pipeline, high voltage electric transmission line, public recreational facility,

industrial or commercial zoning district, the minimum depth shall be one hundred and twenty feet (120').

- b) Lot Width. Under the following circumstance(s), the minimum width of each lot shall conform to the requirements of the zoning district in which the lot is located or adhere to the following standards. Whichever imposes the more stringent restrictions shall prevail.
 - i. Where the side of any lot abuts a railroad right-of-way, arterial street or freeway, high-pressure gasoline, oil or gas pipeline, high voltage electric transmission line, public recreational facility, industrial or commercial zoning district, the minimum width shall be seventy feet (70').

(6) Street access limitations.

- a) Driveway access from residential lots to adjacent streets designated as major thoroughfares (i.e. Arterials & Collectors), or any other public street which carries a traffic volume where additional vehicular driveways would create a traffic hazard or impede the flow of traffic, shall not be approved and such access restrictions shall be illustrated as non-access easements directly upon the plat and along the property line adjacent to the street frontage in question.
 - i. Exception: The City Engineer and Community Development Director may approve such driveways when no other means of public street access is available to residential lots.

(7) Building Lines.

- a) Street side building lines shall be shown for all lots on all plats submitted for land within the City's ETJ in accordance with the following:
 - i. Boundary adjacent to expressway (without a frontage road): 40'
 - ii. Boundary adjacent to expressway (with frontage road): 35'
 - iii. Boundary adjacent to arterial street: 35'
 - iv. Boundary adjacent to minor street: 25'

(8) Lot and block identification. All blocks established in a subdivision shall be designated on the plat, and shall be numbered consecutively throughout the entire subdivision. Lots established within blocks shall also be numbered consecutively within the block. Lot numbering shall be cumulative throughout the subdivision if the numbering system continues from block to block in a uniform manner.