

**NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, December 21, 2020
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, December 21, 2020 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 Tomball City Council 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.

IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR DECEMBER 21, 2020, 6:00 PM, AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED "SOCIAL DISTANCING") TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. THIS MEETING AGENDA AND THE AGENDA PACKET ARE POSTED ONLINE AT:

[HTTPS://TOMBALLTX.GOV/ARCHIVE.ASPX?AMID=38](https://tomballtx.gov/archive.aspx?amid=38); A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): **+1 312 626 6799 US (Chicago); +1 646 558 86563 US (New York); +1 301 715 8592 US (DC); +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 9128 US (San Jose); or +1 253 215 8782 US (Tacoma) - Meeting ID:824 6370 7183 Passcode:462452.** The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. Invocation - Led by Pastor Kenny Rodgers, Anointed Faith Family Church, Tomball
- C. Pledges to U.S. and Texas Flags

- D. 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.]*
- E. Presentations
1. Real Life Ministries Texas (Senior Pastor Brandon Guindon & Executive Pastor Tommy Roberson). Donation to Tomball Legacy Fund, Paces 4 Pink Annual Breast Cancer Fundraiser.
2. Joseph Martinez, Minister at Light of the World Church, donation to Public Works Department of trees at Broussard Park celebrating the sixth anniversary of the Church's opening.
- F. Reports and Announcements
1. Announcements
- I. December 24-25, 2020 – **Christmas Holidays** – City offices closed
- II. January 1, 2021 – **New Year's Day Holiday** – City offices closed
2. Reports by City staff and members of council about items of community interest on which no action will be taken:
- G. Approval of Minutes
1. Approve the Minutes of the December 7, 2020 Regular Tomball City Council Meeting.
- H. Old Business
1. Approve, on Second Reading, Resolution No. 2020-40-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and the City of Tomball to make direct incentives to, or expenditures for, improvements to Jerry Matheson Park located at 1240 Ulrich Rd., Tomball, Texas 77375, as authorized under Sections 505.152 and 505.154 of the Texas Local Government Code. The estimated amount of expenditures for such Project is \$300,000.00.

I. New Business

1. Open Public Hearing of the City of Tomball, Texas to consider the advisability of the creation of a Public Improvement District to make certain improvements over certain property located within the City (TPID 11, Wood Leaf Reserve)
2. Consideration to approve **Zoning Case P20-321:** Request by Trung Le and Sandy Pham to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas.

 - Conduct Public Hearing on **Zoning Case P20-321**
 - Adopt, on First Reading, Ordinance No. 2020-35, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District, said property being generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas; providing for the amendment of the official zoning map of the city; 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.
3. Consideration to approve **Zoning Case P20-332:** Request by 7Gen Planning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District. The property is generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas.

 - Conduct Public Hearing on **Zoning Case P20-332**
 - Adopt, on First Reading, Ordinance No. 2020-36, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District, said property being generally located on the east side of Cherry Street, across from the Cherry Pines subdivision, within the City of Tomball, Harris County, Texas; providing for the amendment of the official zoning map of the city; 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.

4. Consideration to approve **Zoning Case P20-338**: Request by David Weekly Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.4 acres of land legally described as Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District. The property is generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas.
- Conduct Public Hearing on **Zoning Case P20-338**
 - Adopt, on First Reading, Ordinance No. 2020-37, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 13.4 acres of land legally described tracts 17H, 17J, 17H-1, 17H-2, 17J-1 abstract 34 J house, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District, said property being generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas; providing for the amendment of the official zoning map of the city; 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.
5. Approve Resolution No. 2020-44, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Date, Time, and Place for Public Hearing at which all Interested Parties shall have an Opportunity to be heard; Providing for Publication of Notice of Such Public Hearing; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (*Being a 3.119-Acre (138,840 Square Feet) Tract or Parcel of Land Situated in the Elizabeth Smith Survey, A-70, Harris County, Texas, Being out of Unrestricted Reserve "C" of the Final Plat of Tomball Greens, as Recorded under Film Code No. 440128 of the Map Records of Harris County, Texas, also Being Out and Part of a 5.00 Acre Tract Described in Deed Recorded under Clerk's File No. Z331045 of the Real Property Records of Harris County, Texas*) [11234 Spell Road, HCAD 1207880000010]
6. Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Power Now, LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation of its corporate headquarters to 215 South Persimmon Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$45,000.00.

7. Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

Sec. 551.071 - Consultation with the City Attorney regarding a Matter that the Attorney's Duty Requires to be Discussed in Closed Session

J. Adjournment

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 17th day of December 2020 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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.

City Council Meeting Agenda Item Data Sheet

Meeting Date: 12/21/2020

Topic:

Real Life Ministries Texas (Senior Pastor Brandon Guindon & Executive Pastor Tommy Roberson). Donation to Tomball Legacy Fund, Paces 4 Pink Annual Breast Cancer Fundraiser.

Background:

Origination:

Recommendation:

Rob Hauck, City Manager

Party(ies) responsible for placing this item on agenda: Tracylynn Garcia, Asst City Secretary

FUNDING (IF APPLICABLE)

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

Yes: No: If yes, specify Account Number: #

<u>From</u>	<u>To</u>	<u>Amount</u>
If no, funds will be transferred from account #	To account #	

Signed	Tracylynn Garcia	Approved by	
	Staff Member		City Manager
	Date		Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: December 21, 2020

Topic:

Joseph Martinez, Minister at Light of the World Church, donation to Public Works Department of trees at Broussard Park celebrating the sixth anniversary of the Church's opening.

Background:

In honor of the sixth anniversary of the opening of the Light of the World Church, Minister Joseph Martinez and members have donated trees to the Public Works Department for Broussard Park.

Origination: Public Works Department

Recommendation:

Party(ies) responsible for placing this item on agenda: Meagan Mageo, Project Coordinator

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Meagan Mageo</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: December 7, 2020

Topic:

December 24-25, 2020 – **Christmas Holidays** – City offices closed

Background:

EnterTextHere

Origination: EnterTextHere

Recommendation:

EnterTextHere

Party(ies) responsible for placing this item on agenda: Tracylynn Garcia, Asst City Secretary

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Tracylynn Garcia</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: December 7, 2020

Topic:

January 1, 2021 – **New Year’s Day Holiday** – City offices closed

Background:

EnterTextHere

Origination: EnterTextHere

Recommendation:

EnterTextHere

Party(ies) responsible for placing this item on agenda: Tracylynn Garcia, Asst City Secretary

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Tracylynn Garcia</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: December 21, 2020

Topic:

Approve the Minutes of the December 7, 2020 Regular Tomball City Council Meeting.

Background:

Origination: City Staff

Recommendation:

Approve Minutes

Party(ies) responsible for placing this item on agenda: Tracylynn Garcia, Asst City Secretary

FUNDING (IF APPLICABLE)

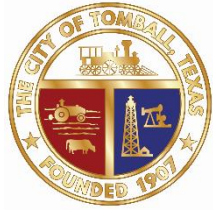
Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Tracylynn Garcia</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, December 07, 2020
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for December 07, 2020, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Call to Order

PRESENT

Mayor Gretchen Fagan
Council 1 John Ford
Council 2 Mark Stoll
Council 4 Derek Townsend, Sr
Council 5 Lori Klein Quinn

ABSENT

Council 3 Chad Degges

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer (via video)
Assistant City Secretary – Tracylynn Garcia
City Attorney – Loren Smith
Fire Chief – Randy Parr (via video)
Fire Marshall – Joe Sykora
Assistant Fire Chief – Taner Drake
Marketing Director – Mike Baxter (via video)
Finance Director – Glenn Windsor
Director of Public Works – Beth Jones
Director of Community Development – Craig Meyers
Administrative Assistant - Johnita Robinson
Administrative Assistant – Sasha Luna
Project Coordinator – Meagan Mageo

B. Invocation - Led by Pastor James Roberson, Retired, Hufsmith Church of Christ

C. Pledges to U.S. and Texas Flags led by Commander Stephen Biehl Texas VFW District 4 and Cub Scout Pack 72.

D. The following public comments were received:

Dennis Faske - Requested to speak during Public Hearing
Agenda Item 2020-34

E. Presentations

1. Brad Bartlett, Board Members of Resale With A Purpose, and Bruce Hillegeist - Donations to Tomball Fire Department and Tomball Police Department for the annual Christmas Programs

F. Reports and Announcements

1. Announcements

I. December 12, 2020 – **“Holiday Heroes” formerly “Shop with a Cop”**

II. December 24-25, 2020 – **Christmas Holidays** – City offices closed

III. January 1, 2021 – **New Year’s Day Holiday** – City offices closed

2. Reports by City staff and members of council about items of community interest on which no action will be taken:

I. Tomball Fire Department Certification Recognition

II. Leadership Academy Cohort #2 Larissa presented a PowerPoint presentation

G. Approval of Minutes

1. Motion made by Council 4 Townsend, Sr, Seconded by Council 2 Stoll to approve the Minutes of the November 16, 2020 Regular Tomball City Council Meeting.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn.

Motion carried unanimously.

H. Old Business Consent Agenda:

Motion made by Council 1 Ford, Seconded by Council 4 Townsend, Sr. to approve the following Ordinances in one motion ~~via Old Consent Agenda~~:

1. Adopt, on Second Reading, Ordinance No. 2020-33, an Ordinance of the City of Tomball, Texas amending its Code of Ordinances by amending Section 50-79, Old Town and Mixed-Use District (OT and MU), of Article III, District Regulations, of Chapter 50, Zoning, to allow a zero front or rear building line for lots within the portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion under certain conditions; 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.
2. Adopt, on Second Reading, Ordinance No. 2020-34, an Ordinance Altering the *Prima Facie* Speed Limits Established for Vehicles under the Provisions of §545.356, Texas Transportation Code, upon the Basis of an Engineering and Traffic Investigation, upon Pine Meadows Street, Pine Woods Street and Scotch Pine Street, or Parts Thereof, within the Corporate Limits of The City of Tomball, as Set Out in This Ordinance, and Providing a Penalty of a Fine in an Amount Not to Exceed Two Hundred Dollars (\$200.00) for the Violation of this Ordinance.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr., Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

I. New Business:

1. Motion made by Council 4 Townsend, Sr, Seconded by Council 5 Klein Quinn to reappoint **Stephen Hughes , Holly Cook and Melanie Sutton** to Positions 1, 4, and 7, **respectively**, of the Tourism Advisory Committee (TAC), **with new terms** expiring December 5, 2023.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

2. Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to consider the advisability of adding land to the Raburn Reserve Public Improvement District (TPID 10) located within the City of Tomball at 6:38.

Dennis Faske - Requested opportunity to speak during Public Hearing Agenda Item 2020-34. Upon clarification from the Mayor, he was in favor of Ordinance No. 2020-34, not requesting to speak regarding the item being discussed during the Public Hearing(PID 10)

Hearing no further comments the Mayor closed the public hearing at 6:40pm.

3. Motion made by Council 4 Townsend, Sr, Seconded by Council 2 Stoll to approve Resolution 2020-43, a second amended and restated Resolution of the City Council of the City of Tomball, Texas, authorizing and creating the Raburn Reserve Public Improvement District in the City of Tomball, Harris County, Texas, in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

4. Motion made by Council 4 Townsend, Sr, Seconded by Council 5 Klein Quinn to Approve of Tomball Information Center Mural Design.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

5. Motion made by Council 4 Townsend, Sr, Seconded by Council 2 Stoll, to approve, on First Reading, Resolution No. 2020-40-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and the City of Tomball to make direct incentives to, or expenditures for, improvements to Jerry Matheson Park located at 1240 Ulrich Rd., Tomball, Texas 77375, as authorized under Sections 505.152 and 505.154 of the Texas Local Government Code. The estimated amount of expenditures for such Project is \$300,000.00.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

6. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr. to approve, as a Project of the Tomball Economic Development Corporation, an agreement with INVACOR Solutions, LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation and development of its corporate headquarters to be located at 11211 FM 2920 Rd., Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$108,000.00.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn.

Absent: Council 3 Degges

Motion carried unanimously.

7. Motion made by Council 4 Townsend, Sr, Seconded by Council 2 Stoll to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Houston Poly Bag I, Ltd to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the expansion of a manufacturing facility located at 11211 FM 2920 Rd., Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$18,000.00.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

- J. Motion made by Council 4 Townsend, Sr, Seconded by Council 5 Klein Quinn to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 4 Townsend, Sr, Council 5 Klein Quinn

Absent: Council 3 Degges

Motion carried unanimously.

PASSED AND APPROVED this the 21st day of December 2020.

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Gretchen Fagan
Mayor

City Council Meeting Agenda Item Data Sheet

Meeting Date: December 7, 2020

Topic:

Approve, on First Reading, Resolution No. 2020-40-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and the City of Tomball to make direct incentives to, or expenditures for, improvements to Jerry Matheson Park located at 1240 Ulrich Rd., Tomball, Texas 77375, as authorized under Sections 505.152 and 505.154 of the Texas Local Government Code. The estimated amount of expenditures for such Project is \$300,000.00.

Background:

All expenditures of the Tomball Economic Development Corporation (TEDC) sales tax revenue must first be approved as a "Project". At its meeting on November 10, 2020, the TEDC Board of Directors did take formal action to approve, as a Project of the TEDC, an agreement with the City of Tomball, for improvements to Jerry Matheson Park located at 1240 Ulrich Rd., Tomball, Texas 77375, as authorized under Sections 505.152 and 505.154 of the Texas Local Government Code. The Tomball City Council has final approval authority over all projects and agreements of the TEDC.

Origination: Beth Jones, Public Works Director, City of Tomball

Recommendation:

Approval of the proposed Economic Development Agreement with the City of Tomball

Party(ies) responsible for placing this item on agenda: Kelly Violette

FUNDING (IF APPLICABLE)

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

Yes: Yes No: If yes, specify Account Number: # Project Grants

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

Signed	<u>Kelly Violette</u>		Approved by	<u></u>	
	Executive Director-TEDC	Date		City Manager	Date



City of Tomball

Gretchen Fagan
Mayor

Robert Hauck
City Manager

September 29, 2020

Ms. Kelly Violette
Tomball Economic Development Corporation
P.O. Box 820
Tomball, TX 77377

RE: Texas Parks and Wildlife Grant Application for Matheson Park

Dear Kelly:

The City of Tomball would like to request financial assistance from the Tomball Economic Development Corporation for the following projects at Matheson Park:

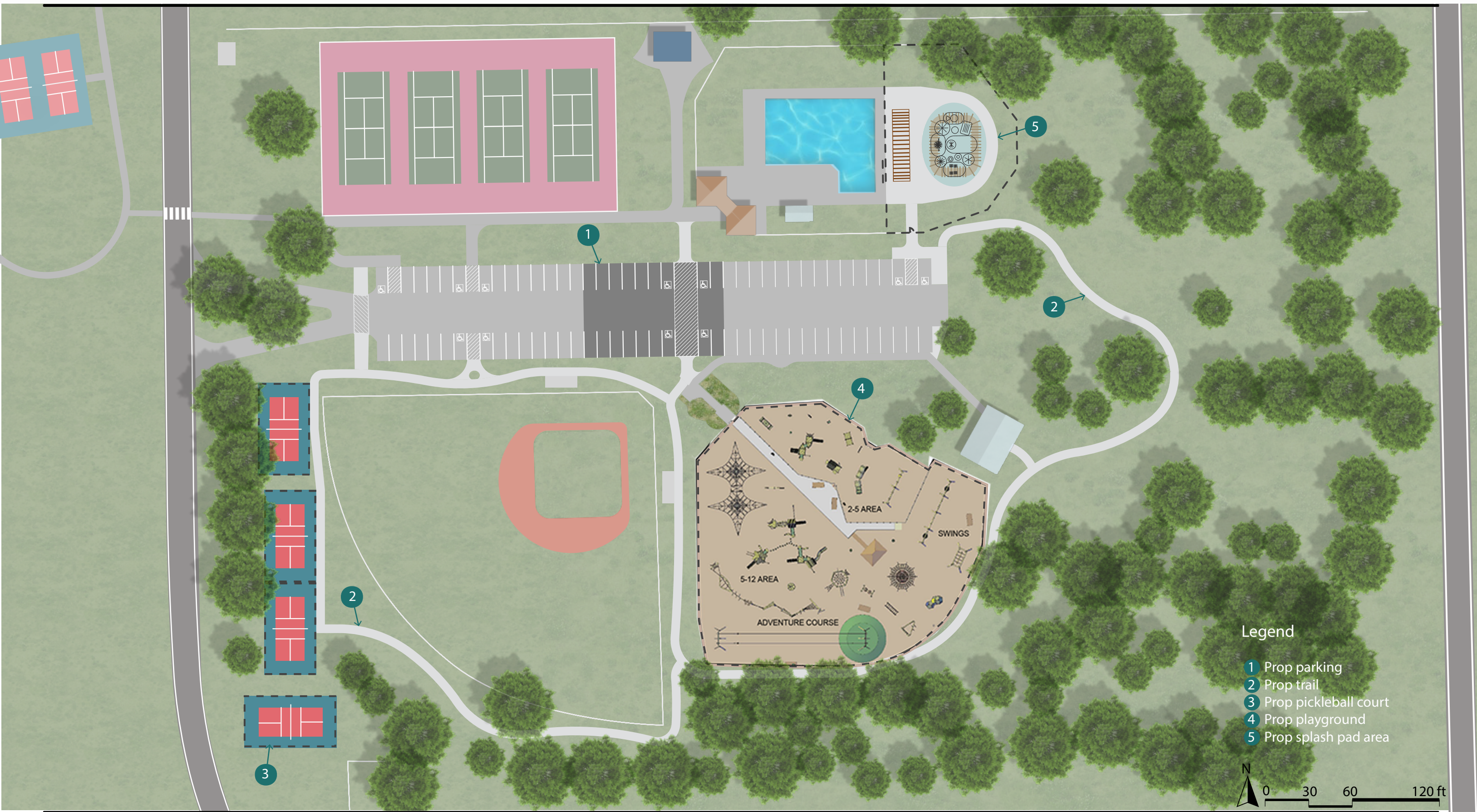
- Replacement of Play Structures,
- Addition of Splashpad,
- Addition of Pickleball Courts, and
- Addition of Walking Trail.

The City is applying for a Texas Parks and Wildlife (TPWD) grant for a total project amount of \$1.5M. The grant is structured as a 50/50 grant and the City will be required to fund \$750,000 of the project, if the grant is awarded. Therefore, upon award of the TPWD grant, the City is requesting \$300,000 from the TEDC to go towards the necessary matching funds to meet the City's portion.

The City is working with other community partners to make the greatest impact with taxpayer funds. We thank the Board of Directors and staff of the TEDC for their continued service and partnership with the City of Tomball.

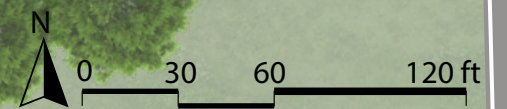
Sincerely,

Beth Jones, PE
Director of Public Works



Legend

- 1 Prop parking
- 2 Prop trail
- 3 Prop pickleball court
- 4 Prop playground
- 5 Prop splash pad area



RESOLUTION NO. 2020-40-TEDC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING AND APPROVING THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION'S PROJECT TO EXPEND FUNDS IN ACCORDANCE WITH AN ECONOMIC DEVELOPMENT AGREEMENT BY AND BETWEEN THE CORPORATION AND THE CITY OF TOMBALL, TEXAS TO MAKE DIRECT INCENTIVES TO, OR EXPENDITURES FOR, IMPROVEMENTS TO JERRY MATHESON PARK; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SERVABILITY.

* * * * *

WHEREAS, the Tomball Economic Development Corporation (the "TEDC"), created pursuant to the Development Corporation Act, now Chapter 501 of the Texas Local Government Code, as amended (the "Act"), desires to adopt projects and provide incentives for economic development within the City; and

WHEREAS, the Board of Directors of the TEDC had adopted as a specific project the expenditure of the estimated amount of Three Hundred Thousand Dollars (\$300,000.00) found by the Board to be required or suitable for improvements to Jerry Matheson Park located at 1240 Ulrich Rd., Tomball, Texas 77375; and

WHEREAS, pursuant to the Act, the TEDC may not undertake such project without the approval of Tomball City Council; and

WHEREAS, City Council finds and determines that such project is authorized by Section 505.152 and 505.154 of the Act; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. The City Council hereby authorizes and approves the adoption, by the Board of Directors of the Tomball Economic Development Corporation, as a specific project for the economic development of the City, an expenditure of the estimated amount of Three Hundred Thousand Dollars (\$300,000.00) to the City of Tomball, in accordance with an economic development agreement by and between the TEDC and The City of Tomball, to make direct incentives to, or expenditures for, improvements to Jerry Matheson Park.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Resolution 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 Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this ____ day of _____, 2020.

PASSED, APPROVED, AND RESOLVED on second and final reading this ____ day of _____, 2020.

GRETCHEN FAGAN, President

ATTEST:

DORIS SPEER, City Secretary



November 10, 2020

**The Honorable Mayor and City Council
City of Tomball
401 West Market Street
Tomball, Texas 77375**

Re: Letter of Agreement for Partial Matching Funding for the Texas Parks and Wildlife Grant for Matheson Park

Dear Mayor and Councilmembers:

The City of Tomball (the “City”), by letter dated September 29, 2020, requested financial assistance from the Tomball Economic Development Corporation (the “TEDC”) for the following improvements at Matheson Park (the “Project”) as part of the City’s application for a Texas Parks and Wildlife grant (the “Grant”):

- Replacement of Play Structures;
- Addition of Splashpad;
- Addition of Pickleball Courts; and,
- Addition of Walking Trail.

The awarding of the Grant for the Project would require the TEDC to provide three hundred thousand dollars (\$300,000) to the City as matching funds necessary to meet the City’s portion of the Grant (the “Funds”). **The TEDC hereby agrees to provide the Funds subject to the City’s compliance with the following conditions:**

1. The TEDC agrees to provide the Funds to the City if the Grant is awarded to the City;
2. The City may request that the TEDC provide the full amount of the Funds when the Grant is awarded to the City, or when the Funds are required to be available to the City according to the provisions of the Grant;

3. The Funds shall be deposited in a separate City account and shall not be commingled with any other city funds;
4. The Funds shall only be used for the Project as provided herein;
5. The City shall keep a complete and accurate accounting of all expenditures of the Funds and make such records available to the TEDC; and
6. In the event the total amount of the Funds transferred by the TEDC to the City under this Letter of Agreement are not used to pay the TEDC's share of the costs of the Project, then upon completion of the Project, the City shall remit the remaining funds to the TEDC.

If the above terms and conditions are acceptable to the City, please have an authorized officer of the City sign below acknowledging the City's agreement and return this Letter of Agreement to the undersigned. Upon receipt of this signed Letter of Agreement, the TEDC's Treasurer will be directed to transfer the funds as provided above.

Yours very truly,

By: _____
Steven Vaughan, Vice President
Board of Directors

AGREED AND ACCEPTED:

CITY OF TOMBALL, TEXAS

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: December 21, 2020

Topic:

Open Public Hearing of the City of Tomball, Texas to consider the advisability of the creation of a Public Improvement District to make certain improvements over certain property located within the City (TPID 11, Wood Leaf Reserve)

Background:

The Public Hearing needs to be opened and continued to January 18, 2021 at 6:00 pm in the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375.

Origination: Chesmar Homes, LLC

Recommendation:

Party(ies) responsible for placing this item on agenda:

Craig Meyers, Director of
Community Development

FUNDING (IF APPLICABLE)

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

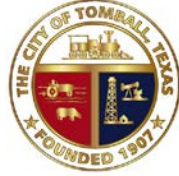
Yes: _____ No: _____ If yes, specify Account Number: # _____

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

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

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL, TEXAS**

MONDAY, DECEMBER 21, 2020



6:00 P.M.

**NOTICE OF PUBLIC HEARING OF THE CITY OF TOMBALL, TEXAS TO
CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC
IMPROVEMENT DISTRICT TO MAKE CERTAIN IMPROVEMENTS OVER
CERTAIN PROPERTY LOCATED WITHIN THE CITY**

NOTICE IS HEREBY GIVEN THAT the City Council (the “City Council”) of the City of Tomball, Texas (the “City”), pursuant to Chapter 372 of the Texas Local Government Code, as amended (the “Act”), will hold a public hearing at 6:00 p.m. on December 21, 2020, in the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375 for the purpose of considering the establishment by the City of a public improvement district to be located within its corporate limits.

In accordance with the Act, the City Council has received a petition (the “Petition”) from certain property owners within the extraterritorial jurisdiction of the City (the “Petitioners”), that requests the establishment of a public improvement district (the “PID”). The Petition and the legal description of the property to be included in the PID are on file and open for public inspection in the office of the City Secretary at 401 Market Street, Tomball, Texas 77375. The public hearing is being held with respect to the advisability of creating the PID and the improvements to be made therein.

GENERAL NATURE OF THE AUTHORIZED IMPROVEMENTS: The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) design, construction and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction and other allowed costs related to gas, water, wastewater and drainage (including detention) improvements and facilities; (v) design, construction and other allowed costs related to projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

ESTIMATED COST OF THE AUTHORIZED IMPROVEMENTS: The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment, administration and operation of the PID is \$18,895,633 plus the annual cost of supplemental services and operation and maintenance costs, if any. The City will pay no costs of the Authorized Improvements, supplemental services or operation and maintenance costs from funds other than assessments levied on property within the PID. The remaining costs of the proposed improvements will be paid from sources other than those described above.

PROPOSED METHOD OF ASSESSMENT: The City shall levy assessments on each parcel within the PID in a manner that results in the imposition of an equal share of the costs of the Authorized Improvements on property similarly benefitted by such Authorized Improvements. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the Authorized Improvements, as determined by the City, (ii) the ad valorem taxable value of the property benefiting from the Authorized Improvements, with or without regard to improvements on the property, or (iii) in any manner that results in imposing equal shares of the cost on property similarly benefitted.

PROPOSED APPORTIONMENT OF COSTS BETWEEN THE CITY AND THE PID: The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the PID and from other sources of funds available to the Petitioners.

BOUNDARIES OF THE PROPOSED PID: 90.54 Acres of Land within the City of Tomball, Harris County, Texas, Said Property Being Generally Located approximately ½ mile east of State Highway 249 between Theis Lane and Holderrieth Road and near the future intersection of School Street and Theis Lane. A metes and bounds description is available for inspection at the offices of the City Secretary at the location described above.

All interested persons are invited to attend such public hearing to express their views with respect to the establishment of the PID and the Authorized Improvements to be made therein.

This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

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 17th day of November 2020 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meetings.

Tracylynn Garcia
Tracylynn Garcia
Assistant City Secretary, TRMC, CMC, CPM

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.ci.tomball.tx.us.



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Publication Dates:
Conroe Courier: Mon-Sun; Katy Rancher & Woodlands Villager: Thur & Sun
All other Pubs: Wednesday Only

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- All applicants must be authorized to work in the United States
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Legals/Public Notices

NOTICE OF PUBLIC HEARING OF THE CITY OF TOMBALL, TEXAS TO CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO MAKE CERTAIN IMPROVEMENTS OVER CERTAIN PROPERTY LOCATED WITHIN THE CITY

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Tracylynn Garcia
Tracylynn Garcia
Assistant City Secretary, TRMC, CMC, CPM

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Page 27

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: December 21, 2020

Topic:

Consideration to approve **Zoning Case P20-321**: Request by Trung Le and Sandy Pham to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-321**
- Adopt, on First Reading, Ordinance No. 2020-35, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District, said property being generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas; providing for the amendment of the official zoning map of the city; 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.

Background:

On Monday, December 14, 2020, after conducting a public hearing, the Planning & Zoning Commission voted to recommend approval of the rezoning with a 3-1 vote.

Origination: Trung Le and Sandy Pham

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda:

Craig T. Meyers, Community
Development Director

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed

Staff Member

Date

Approved by

City Manager

Date

ORDINANCE NO. 2020-35

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 5 ACRES OF LAND LEGALLY DESCRIBED AS TRACT 10A-1 ABSTRACT 632 C N PILLOT, FROM THE SINGLE-FAMILY 20 ESTATE DISTRICT TO THE LIGHT INDUSTRIAL DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF HOLDERRIETH ROAD AT 12118 HOLDERRIETH ROAD, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; 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, Trung Le and Sandy Pham have requested that approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pilot, generally located north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; 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 of Light Industrial District; 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 facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the Property is hereby changed from the Single-Family 20 Estate District to the Light Industrial District subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball, Texas shall be revised and amended to show the designation of the Property as Light Industrial 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 for the Property to the Light Industrial District as described above.

Section 5. 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 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 6. 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.

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 21ST DAY OF DECEMBER 2020.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

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 4TH DAY OF JANUARY 2021.

COUNCILMAN FORD	_____
-----------------	-------

COUNCILMAN STOLL _____
COUNCILMAN DEGGES _____
COUNCILMAN TOWNSEND _____
COUNCILMAN QUINN _____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 14, 2020
&
CITY COUNCIL
DECEMBER 21, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 14, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 21, 2020, 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 P20-321: Request by Trung Le and Sandy Pham to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas.

Zoning Case P20-332: Request by 7Gen Planning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District. The property is generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas.

Zoning Case P20-338: Request by David Weekly Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.4 acres of land legally described as Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District. The property is generally located on the south side of Brown Road between SH 249 and Quinn 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, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

CERTIFICATION

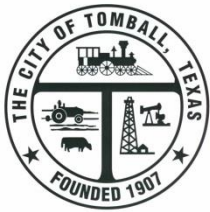
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **10th** day of **December 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley

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: P20-321

APPLICANT/OWNER: Trung Le and Sandy Pham

LOCATION: Generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District.

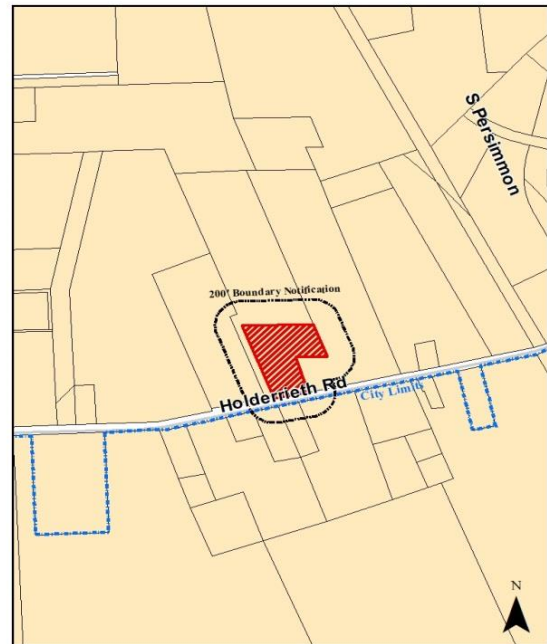
CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@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, December 14, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, December 21, 2020 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.

Amelia Lindley

From: Charlotte Willeford <charlotte.willeford@gmail.com>
Sent: Monday, December 7, 2020 1:53 PM
To: Amelia Lindley
Cc: rwhitaker@newquest.com
Subject: Resining

I'm the owner of the 12 acres next door to the site you are referring to and I am in support of our Rezoning effort.

Thank You,

Charlotte Willeford

Sent from my iPhone

Amelia Lindley

From: Melvin Michel <michel_auto@sbcglobal.net>
Sent: Tuesday, December 8, 2020 1:15 PM
To: Amelia Lindley
Subject: Dunlap Property

Good Afternoon Amelia,

My name is Melvin Michel and I own property across the street from Steve Dunlap. After talking to Steve, I give my approval for a zoning change to commercial for the property at 12118 Holderrieth Road.

Melvin Michel
Michel Auto Cares
12205 Holderrieth Road
Tomball Texas, 77375

Amelia Lindley

From: Frank DeNina <racmaterials@sbcglobal.net>
Sent: Monday, December 14, 2020 10:01 AM
To: Amelia Lindley
Subject: Fw: Scanned image from MX-B376W
Attachments: scanner@racmaterials.com_20201213_113041.pdf

Hi

I am against the rezoning

I like the animals and the gardens

I have deer in my yard

I dont want industry next door

THANKS

FRANK DE NINA

----- Forwarded Message -----

From: scanner@racmaterials.com <racscans@gmail.com>
To: "racmaterials@sbcglobal.net" <racmaterials@sbcglobal.net>
Sent: Sunday, December 13, 2020, 11:29:52 AM CST
Subject: Scanned image from MX-B376W

Reply to: scanner@racmaterials.com <scanner@racmaterials.com>

Device Name: Not Set

Device Model: MX-B376W

Location: Not Set

File Format: PDF (Medium)

Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are registered trademarks or trademarks of Adobe Systems Incorporated in the United States and other countries.

<http://www.adobe.com/>



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

Signature:

Date:

FRANK DENINA
12106 HOLDEN RD
TOMBALL TX 77375
Frank Denina
11-11-2020

I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-321**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-321**. (Please state reasons below)

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

Monday, December 14, 2020 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, December 21, 2020 6:00 PM

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

COMMENTS:

I DO NOT WANT TO LIVE NEXT A COMMERCIAL PLANT.
I MOVED HERE TO LIVE IN A NICE PLACE TO RAISE MY
KIDS AND GRANDKIDS

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Amelia Lindley

From: Shirley Goza <sgoza@proximitysystems.com>
Sent: Thursday, December 10, 2020 12:32 PM
To: Amelia Lindley
Subject: 12118 Holderrieth Rezoning

Please be advised that as the Trustee for the Goza Family Trust which owns the property at 12023 Holderrieth which is within 200 feet of the above referenced property, I have no objection to that property being rezoned as commercial.

Thank you for your consideration of this matter.

Have a blessed day,
Shirley C. Goza
Trustee, Goza Family Trust

Amelia Lindley

From: Scott Wright <scottw@prodelcorp.com>
Sent: Tuesday, November 24, 2020 12:08 PM
To: Amelia Lindley
Cc: Alan Kasper; steve Steve
Subject: 12118 Holderrieth Rd, Tomball, TX 77375 Rezoning

Amelia,

We understand that Steve Dunlap has been speaking to you about getting approval to sell his property at 12118 Holderrieth Rd, Tomball, TX 77375.

The proposed buyer would like to build a 9,000 sqft fully air conditioned facility on the northwest corner of the property.

We would have no objections to this.

Scott Wright

President - Prodel Corporation
12107 Holderrieth RD
Tomball, TX 77375
O: 281-351-0799
C: 713-545-2730
scottw@prodelcorp.com

From: steve Steve <steve@dunlapsupply.com>
Sent: Tuesday, November 24, 2020 6:06 AM
To: Scott Wright <scottw@prodelcorp.com>
Cc: Alan Kasper <alankasper.krg@gmail.com>
Subject: Holderrieth

Scott, thanks for taking the time to talk with me about our rezoning efforts, your opinion is important to us and I know it is with the city.

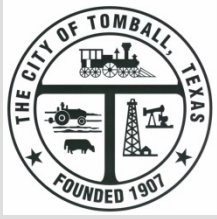
The company wanting to purchase our property is LUC Technologies, and they would like to build in two years. They have approximately 5 full time employees and they are proposing to build a 9,000 sqft fully air conditioned facility on the northwest corner of the property.

Will you please provide Amelia Lindley, the City Planner, with an email stating you are in support of our rezoning effort? Her email is listed below:

alindley@tomballtx.gov

Thanks again for your help,

Steve Dunlap
281-830-1295



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: December 14, 2020
City Council Public Hearing Date: December 21, 2020

Rezoning Case: P20-321

Property Owner(s): Stephen A. Dunlap and Connie J. Dunlap

Applicant(s): Trung Le and Sandy Pham

Legal Description: Tract 10A-1 Abstract 632 C N Pillot

Location: North side of Holderrieth Road at 12118 Holderrieth Road (Exhibit "A")

Area: 5 acres

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

Present Zoning and Use: Single-Family 20 Estate District (Exhibit "C") / Single-family residence (Exhibit "D")

Proposed Use(s): Commercial/Light Industrial (Exhibit "E")

Request: Rezone from the Single-Family 20 Estate District to the Light Industrial District

Adjacent Zoning & Land Uses:

- North:** Agricultural District / Undeveloped
- South:** Outside City limits / Single family residence
- West:** Agricultural District / Undeveloped
- East:** Single-Family 20 Estate District / Single-family residence

BACKGROUND

In October 2020, City staff met with the applicants to discuss the development of a manufacturing facility of the property.

ANALYSIS

The property is approximately 5 acres of land on Holderrieth Road. The applicant is requesting a rezoning to the Light Industrial District for the development of a manufacturing facility, with future retail strip in the front of the property. The property is currently zoned Single-Family 20 Estate District and has a single-family residence in the front area. Surrounding properties are zoned Single-Family 20 Estate to the east, and Agricultural to the north and west. Properties on the south side of Holderrieth Road are outside the City limits.

This area of Holderrieth Road is mostly large-lot residential or undeveloped. The City anticipates this changing, especially with the Harris County expansion of Holderrieth Road in the future.

The property is designated as Corridor Commercial by the Comprehensive Plan Future Land Use Map. This category is intended for “predominantly nonresidential uses along high-traffic, regionally serving thoroughfares”. The Light Industrial District is not specifically listed as a compatible zoning district in this category, however, it is likely this area will become industrial due to the close proximity to major thoroughfares, the railroad and the existing business park. The south side of Holderrieth Road is in the City’s ETJ and is designated as Business Park and Industrial by the Future Land Use Map.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on November 23, 2020. A Notice of Public Hearing was published in the paper on November 25, 2020. 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 P20-321.

1. The proposed rezoning is compatible with the anticipated future development of the area;
2. The proposed rezoning conforms to the Comprehensive Plan and Future Land Use Map.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

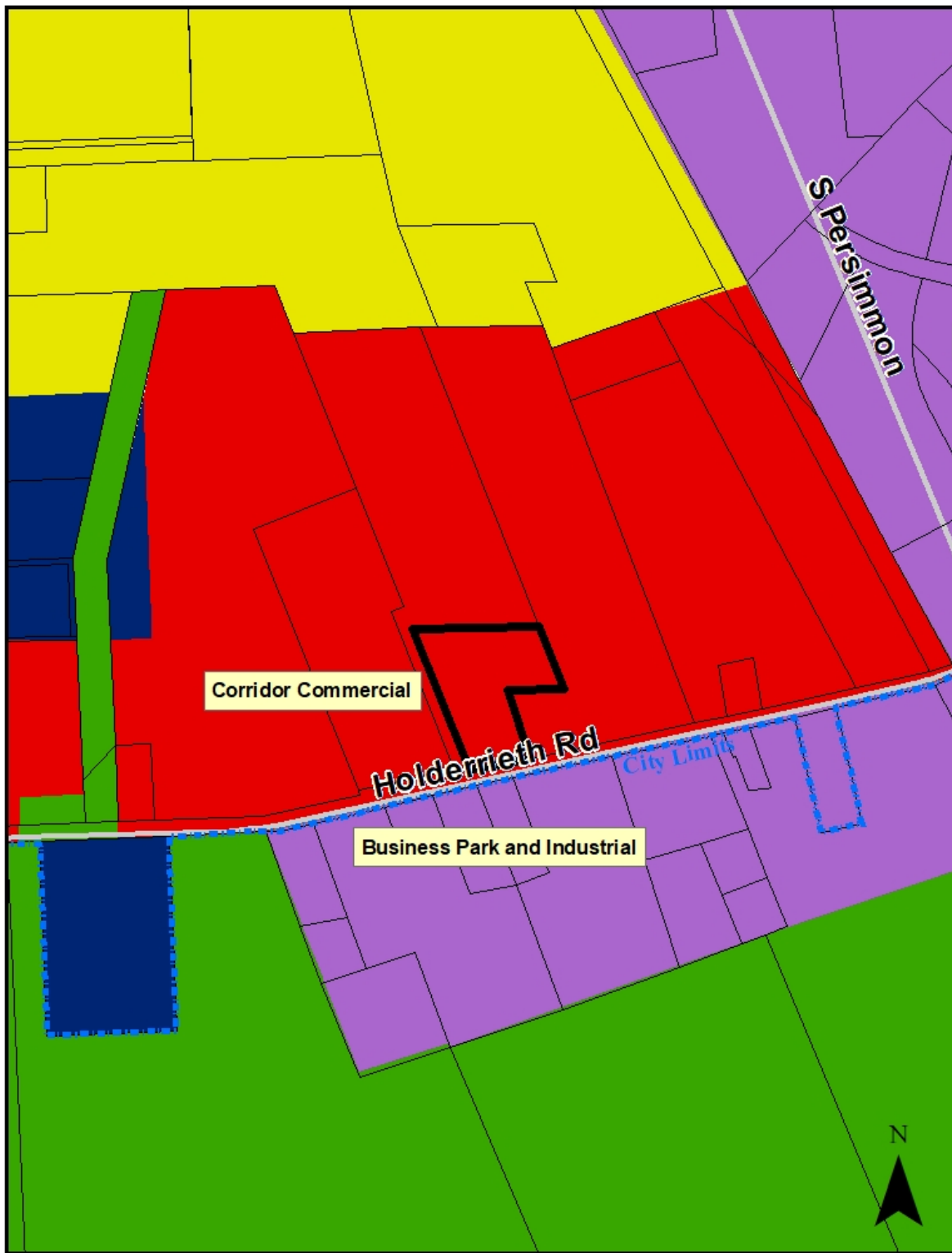
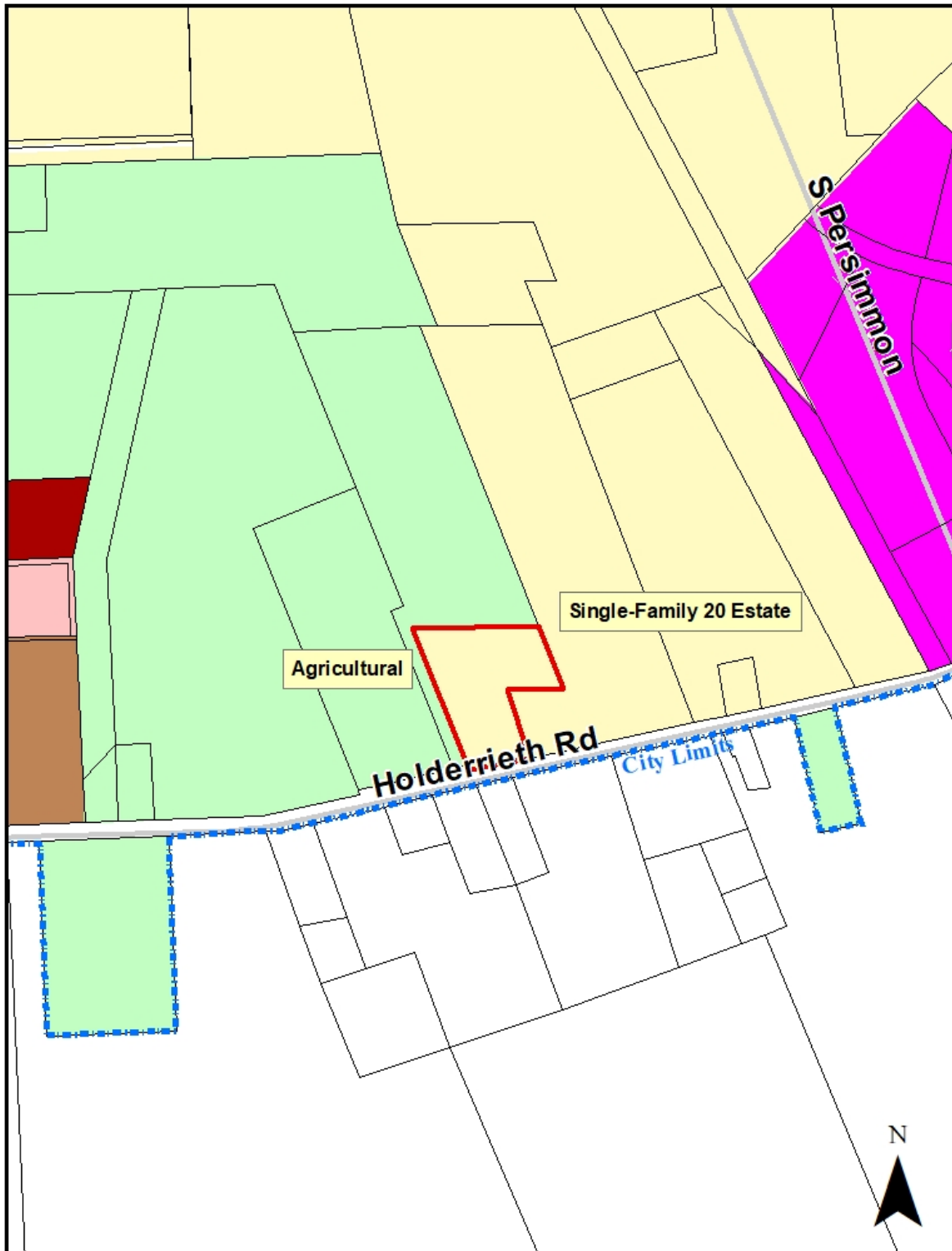


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"

Rezoning Application

dotloop signature verification: dotloop.us/Q99Y-a685-z3p9



RECEIVED (KC)
10/20/2020 9:54:31 AM
10/19/2020

Revised: 4/13/2020
P&Z #20-321
\$450.00 PD

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: Trung Le, Sandy Pham Title: _____
Mailing Address: 17614 Rosel Oaks Ln City: Tomball State: Texas
Zip: 77377 Contact: _____
Phone: (832) 326-5876 Email: trung.le@luc-tech.com

Owner

Name: STEPHEN A DUNLAP, CONNIE J DUNLAP Title: _____
Mailing Address: 116 FOREST WIND CIR City: MONTGOMERY State: TX
Zip: 77316 Contact: _____
Phone: (281.830.1295) Email: Steve@dunlapsupply.com

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: Rezone 12118 Holderrieth Road

Physical Location of Property: 12118 Holderrieth Road, Tomball, TX 77375

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

Legal Description of Property: TR 10A-1 ABST 632 C N PILLOT

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-20-E, Single-Family Residential-20 district

Current Use of Property: Residential-Business

Proposed Zoning District: Commercial/Light Industrial

Proposed Use of Property: Commercial/Light Industrial

HCAD Identification Number: 0440580000212 Acreage: 4.99

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 Trung Le & Sandy Pham 10/13/2020
Signature of Applicant Date

X  Bonnie Dunlap   Steve Dunlap 
Signature of Owner Date

October 15, 2020

RE: Rezoning
12118 Holderrieth Rd
Tomball, TX 77375

Dear Sir or Ma'am,

As long-time residents of the city of Tomball, we have seen tremendous growth and opportunity. We are requesting the rezoning of the above mentioned property from single family residence to commercial use for the future home of our business, LUC Technologies, LLC. LUC is a small business with less than 10 employees. We engineer, design, and manufacture customized PEEK connectors. We plan for LUC to be on the back side of the property. Additionally, in the future we would like to build a small retail strip in the front of the property facing Holderrieth.

We believe these plans coincide with the city's plans to commercialize this area and will bring value to the area and its' residents and hoping you agree with this assessment of Tomball's future.

Kind regards,

Trung Le, Sandra Pham
17614 Rosel Oaks Ln
Tomball, TX 77377

4.997 ACRES
SITUATED IN THE C. N. PILOT SURVEY,
ABSTRACT NO. 632, HARRIS COUNTY, TEXAS

THIS PROPERTY DOES NOT LIE WITHIN THE
100 YEAR FLOOD PLAIN AS ESTABLISHED
BY THE U.S. DEPT. OF HOUSING & URBAN
DEVELOPMENT.
COMMUNITY/PANEL NO. 48201C 0230 J
MAP REVISION: 11/6/96
ZONE X

NOTE: IMLOCATED HEREIN OIL & PETROLEUM CO. PRODUCT CONTAINING
AS PER VOL. 852, PG. 450.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE END OF SURVEY AND THAT THERE ARE NO ENCUMBRANCES APPARENT ON THE GROUND, EXCEPT AS SHOWN HEREON. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY AND ABSTRACTING FILED COMPAINT IN THE ABOVE REFERENCED RITE COMMITMENT WAS RELIED UPON IN PREPARATION OF THIS SURVEY.

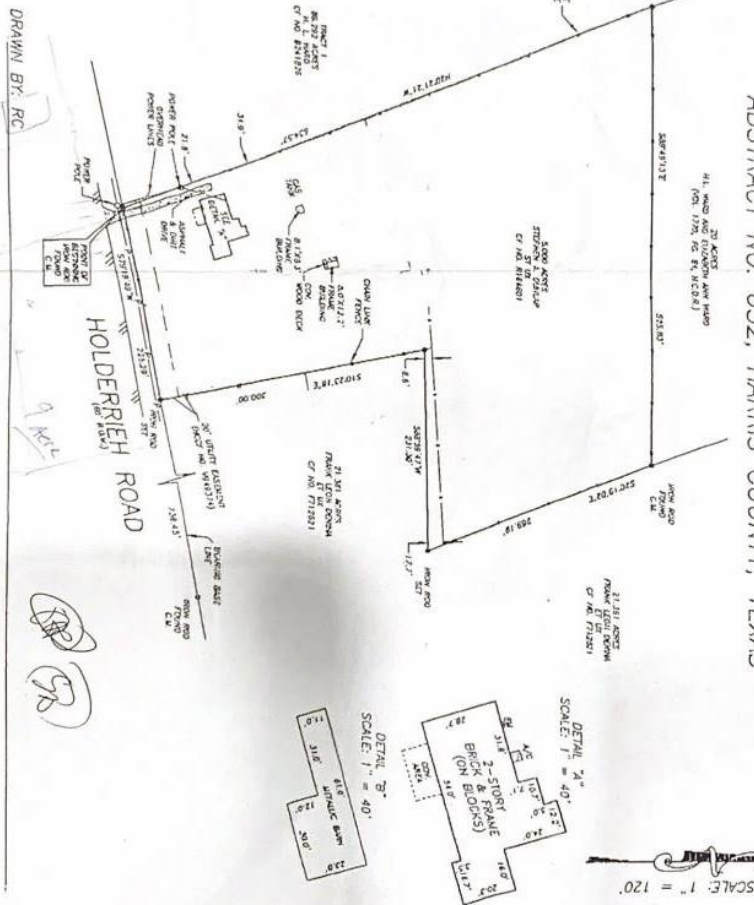
DANIEL KING
PROFESSIONAL LAND SURVEYOR
A/C: 4761
DRAWING NO. 02-8545
SEPTEMBER 24, 2002



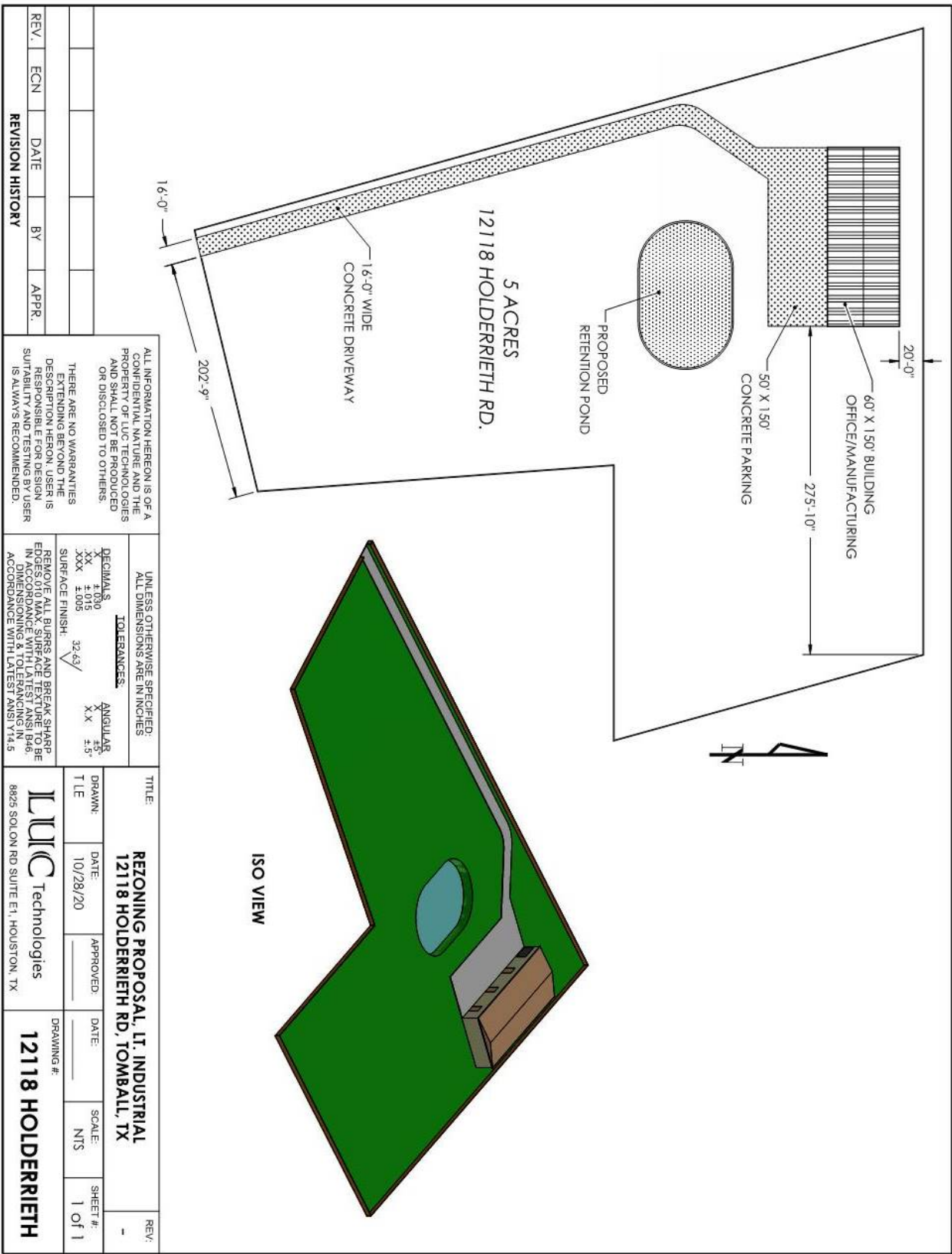
PRECISION SURVEYORS
PROFESSIONAL LAND SURVEYORS

1-800-LANDSURVEY 281-495-1586
1-800-525-1787 FAX 281-495-1667

18221 WARDLAW DRIVE SUITE 8100 WARDLAW TEXAS 77479

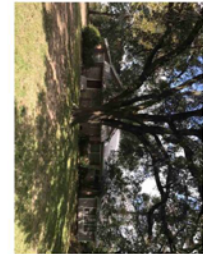
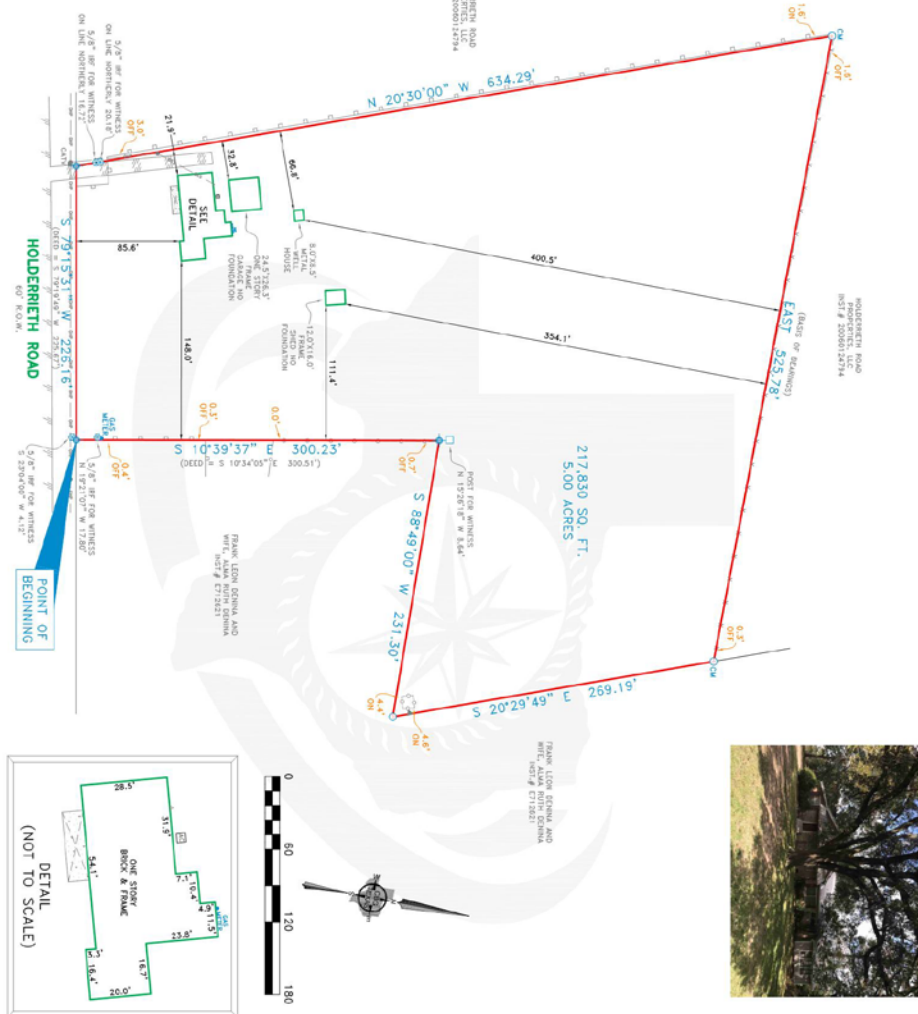


*** TOTAL PAGE.01 ***



REV.	ECN	DATE	BY	APPR.
REVISION HISTORY				
ALL INFORMATION HEREON IS OF A CONFIDENTIAL NATURE AND THE PROPERTY OF LUC TECHNOLOGIES AND SHALL NOT BE PRODUCED OR DISCLOSED TO OTHERS. THERE ARE NO WARRANTIES EXTENDING BEYOND THE DESCRIPTION HEREON. USER IS RESPONSIBLE FOR DESIGN SUITABILITY AND TESTING BY USER IS ALWAYS RECOMMENDED.				
UNLESS OTHERWISE SPECIFIED: ALL DIMENSIONS ARE IN INCHES TOLERANCES: DECIMALS: .000 ANGULAR: X X ±.5° XXX ±.005 SURFACE FINISH: 32.63/ REMOVE ALL BURRS AND BREAK SHARP EDGES 0.010 MAX. SURFACE TEXTURE TO BE IN ACCORDANCE WITH LATEST ANSI B46. ACCORDANCE WITH LATEST ANSI Y14.5				
TITLE: REZONING PROPOSAL, LT. INDUSTRIAL 12118 HOLDERRIETH RD, TOMBALL, TX DRAWN: TLE DATE: 10/28/20 APPROVED: DATE: SCALE: NTS SHEET #: 1 of 1 LUC Technologies 8825 SOLON RD SUITE E1, HOUSTON, TX DRAWING #: 12118 HOLDERRIETH				REV: -

D:\Dropbox (LUC-Tech)\LUC-Tech Workspace\Land Info\12118 Holderrieth 3D\Rezoning Presentation\Presentation Rev. -. Last Change: 10/29/2020 3:21:51 PM by Trung Le



12118 Holderieth Road

Being a tract of land situated in the C.N. Pilot Survey, Abstract No. 632, Harris County, Texas, same being a tract of land conveyed to Stephen A. Dunlap, and Corrie J. Dunlap, husband and wife, by deed recorded in Instrument Number R164501, Official Public Records of Harris County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING of trail for corral, saddle corner, and a southwest corner of that tract of land conveyed to Frank Leo Danna and wife, Alma Ruth Danna, by deed recorded in Instrument Number 71732121, Official Public Records of Harris County, Texas, and being along the North line of Holdemire Road (63 feet right-of-way), from which a 5/8 inch rod found bears North 19 degrees 21 minutes 07 seconds West a distance of 17.80 feet for witness, and from which a 5/8 inch rod found bears South 23 degrees 04 minutes 00 seconds West a distance of 4.12 feet for witness;

THEJCC South 79 degrees 15 minutes 31 seconds West, along the North line of said Holdreth Road, a distance of 226.16 feet to a point for corner, said corner being a southeasterly corner of a tract of land conveyed to Holdreth Road Properties, LLC, by deed recorded in Instrument Number 20080121994, of official Public Records of Harris County, Texas, from a 5/8 inch iron rod found upon said line in a Northernly direction, a distance of 16.27 feet for witness, and said a 5/8 inch iron rod found bears on line in a Northernly direction a distance of 20.18 feet for witness.

THENCE North 20 degrees 30 minutes 00 seconds West, along an East line of said Holderreith Road Properties, LLC tract, a distance of 654.29 feet to a 1/2 inch iron rod found for corner, said corner being on "ell" corner of said Holderreith Road Properties, LLC tract;

THENCE East, along a South line of said Holderrieth Road Properties, LLC tract, a distance of 525.78 feet to a 1/2 inch iron rod found for corner, said corner being a Southeast corner of said Holderrieth Road Properties, LLC tract, and being along a West line of said Denma tract;

THENCE South 20 degrees 29 minutes 49 seconds East, along a West line of said Denina tract, a distance of 269.19 feet to a 1/2 inch iron rod found for corner, said corner being on "ell" corner of said Denina tract;

THEENCE South 88 degrees 49 minutes 00 seconds West, along a North line of said Denino tract, a distance of 231.50 feet to a point for corner, said corner being a Northwest corner of said Denino tract, from which a post found bears North 15 degrees 28 minutes 18 seconds West a distance of 8.64 feet for witness:

THENCE South 10 degrees 39 minutes 37 seconds East, along a West line of said Denina tract, a distance of 300.25 feet to the POINT OF BEGINNING and containing 217,830 square feet or 5.00 acres of land.

SURVEYOR'S CERTIFICATE

[illegible]

Executed this 5th day of November, 2020

Bryan Connolly
Bryan Connolly
Registered Professional Land Surveyor No. 5513



NOTE: According to the F.I.R.M. in Map No. 48201C02304, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

[illegible][illegible]

SCALE	DATE	JOB NO.	G.F. NO.	DRYMAN
1" = 60'	1/05/2005	20020702	N/A	CJL

19075 Oakton Road, Ste. 240
 Potomac, MD 20854
 P 214.349.9652
 F 214.349.2716
 Firm No. 10168500
www.cdginc.com



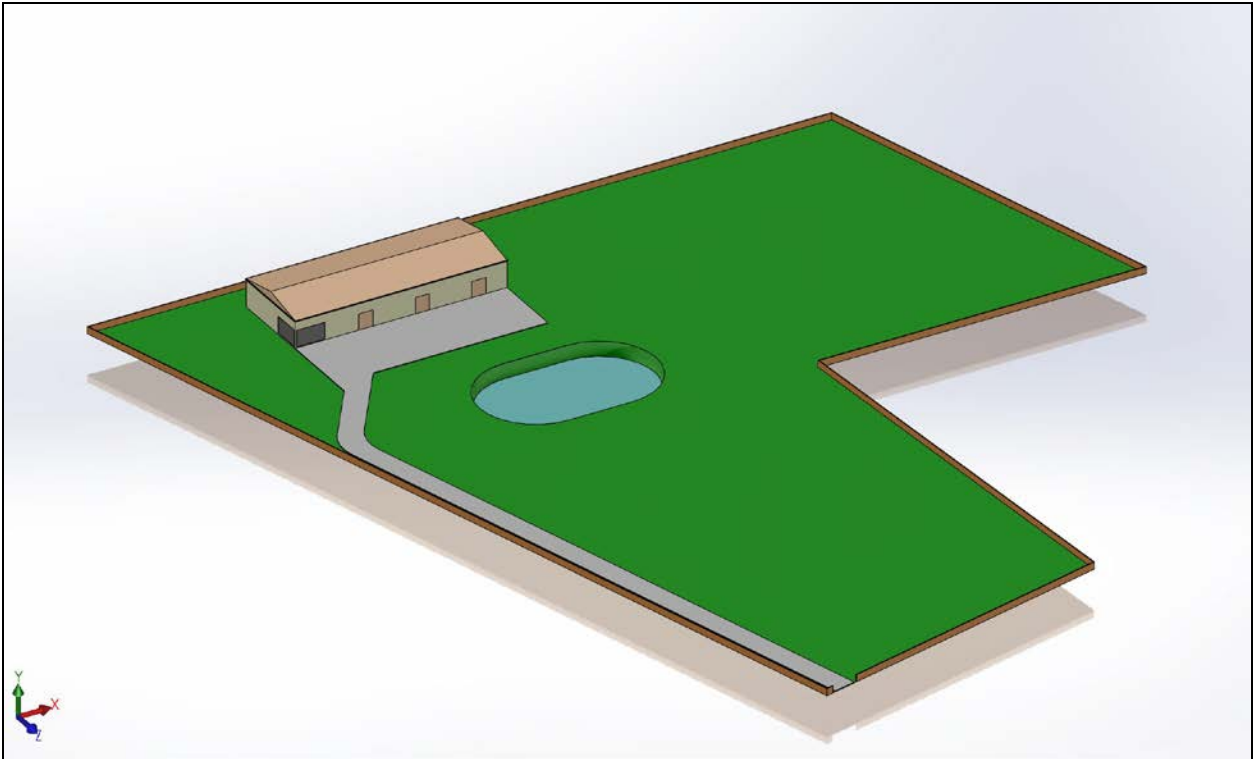
CDG
 CONSULTING DESIGN GROUP
 INCORPORATED
 19075 OAKTON ROAD, STE. 240
 POTOMAC, MD 20854

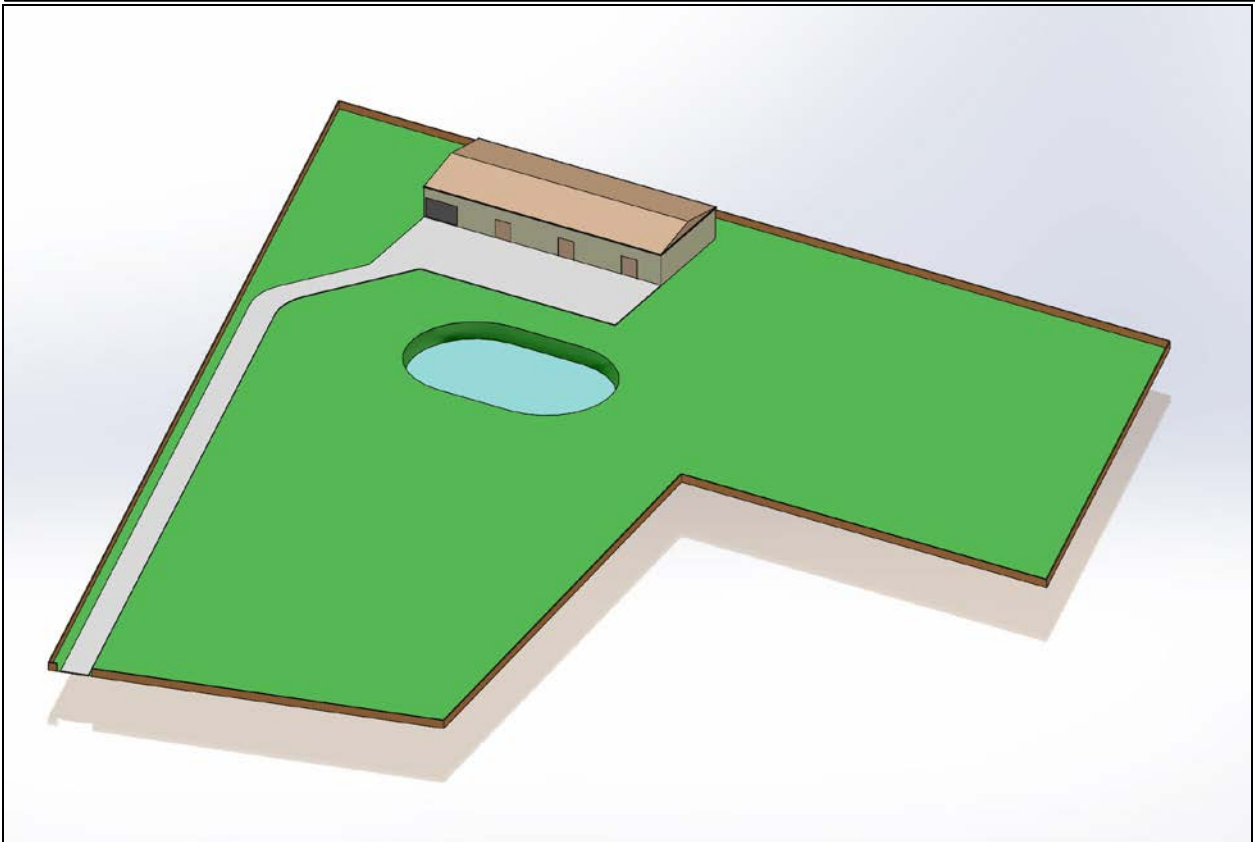
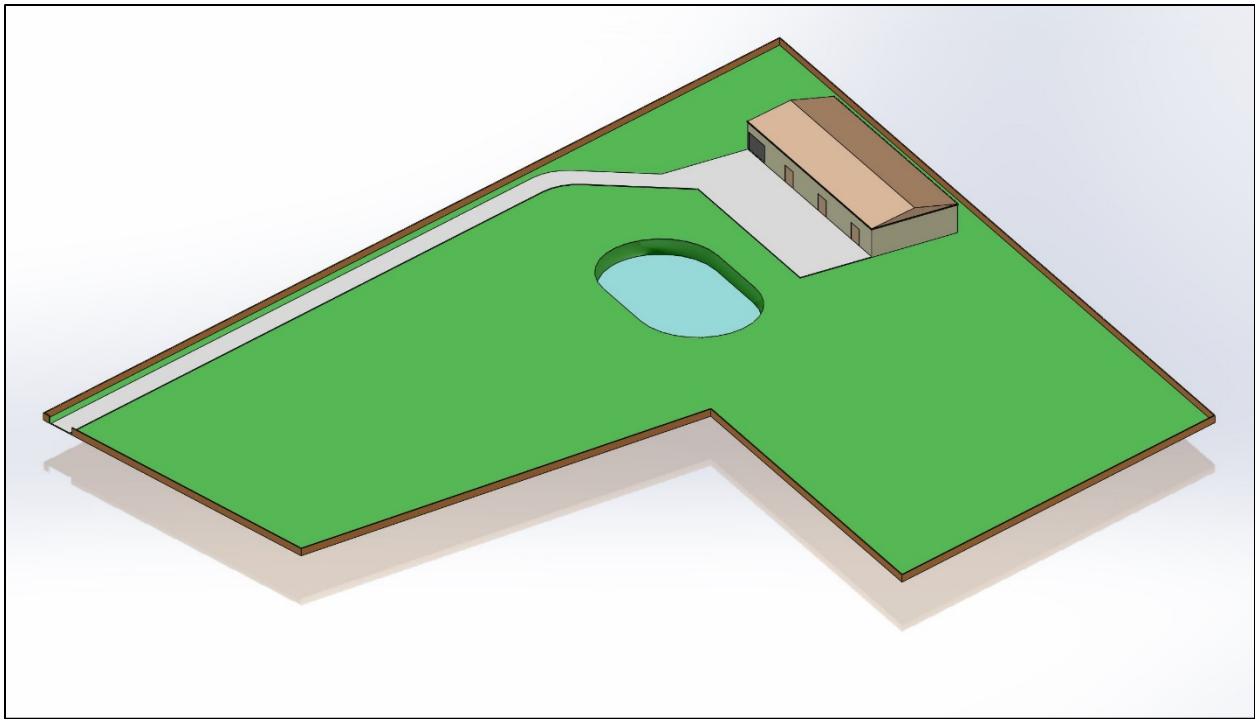
METES AND BOUNDS
C. N. PILOT SURVEY, ABSTRACT NO. 632
HARRIS COUNTY, TEXAS
12118 HOLDERREITH ROAD

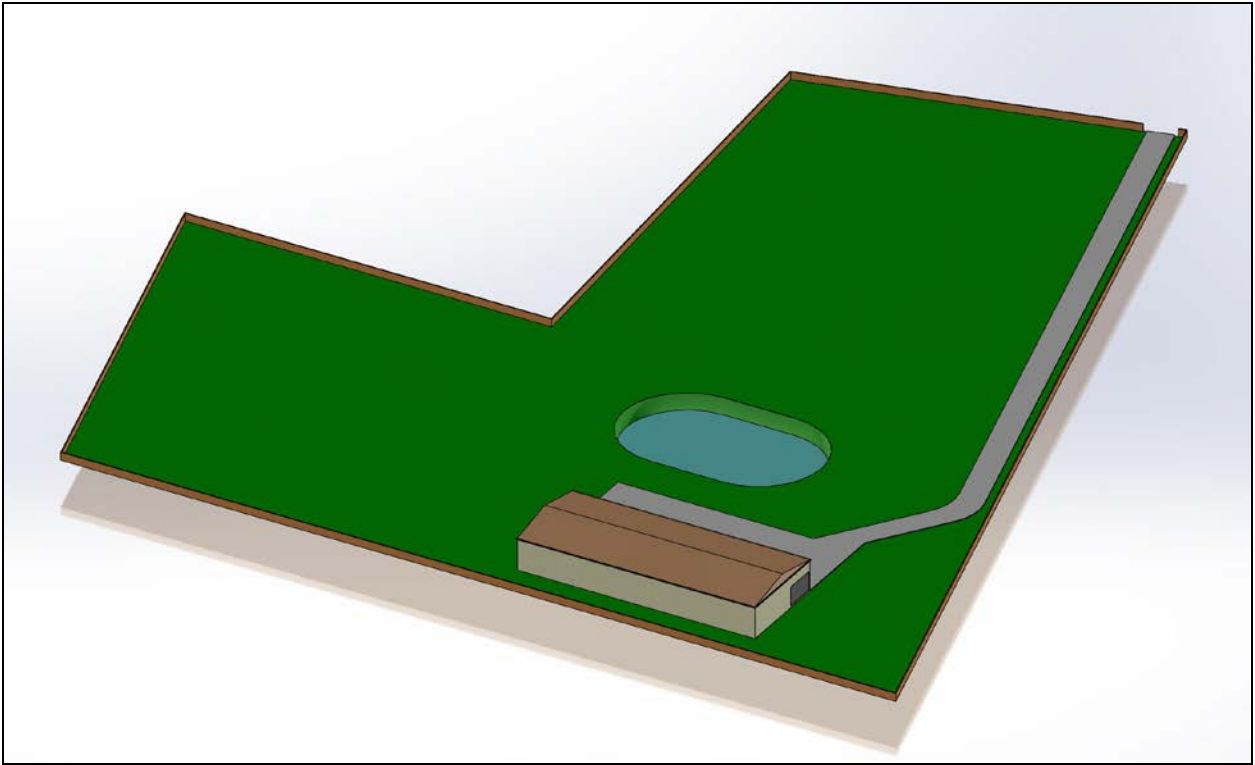
NOTE: This survey is made in conjunction with the information provided by the client, CDB Surferpay Inc., and is not intended to be a true and accurate record for the individual respondent. Therefore, statistical analysis of other respondents.

NOTES: RATINGS ARE BASED BY FEEDS RECORDED IN RESTAURANT NO. 8154601.

EXPLANATIONS AND BUILDING LINES ARE BY RECORD PLAT UNLESS OTHERWISE NOTED.







City Council Meeting

Agenda Item

Data Sheet

Meeting Date: December 21, 2020

Topic:

Consideration to approve **Zoning Case P20-332**: Request by 7Gen Planning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District. The property is generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-332**
- Adopt, on First Reading, Ordinance No. 2020-36, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District, said property being generally located on the east side of Cherry Street, across from the Cherry Pines subdivision, within the City of Tomball, Harris County, Texas; providing for the amendment of the official zoning map of the city; 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.

Background:

On Monday, December 14, 2020, after conducting a public hearing, the Planning & Zoning Commission voted to recommend approval of the rezoning with a 4-0 vote.

Origination: 7Gen Planning

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda:

Craig T. Meyers, Community
Development Director

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed

Staff Member

Date

Approved by

City Manager

Date

ORDINANCE NO. 2020-36

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 20.78 ACRES OF LAND LEGALLY DESCRIBED AS TRACT 9N-2 ABSTRACT 632 C N PILLOT, FROM THE AGRICULTURAL DISTRICT TO THE SINGLE-FAMILY 6 DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED ON THE EAST SIDE OF CHERRY STREET, ACROSS FROM THE CHERRY PINES SUBDIVISION, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; 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, 7Gen Planning has requested that approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pilot, generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; 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 of Single-Family 6 District; 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 facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the Property is hereby changed from the Agricultural District to the Single-Family 6 District subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball, Texas shall be revised and amended to show the designation of the Property as Single-Family 6 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 for the Property to the Single-Family 6 District as described above.

Section 5. 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 6. 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.

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 21ST DAY OF DECEMBER 2020.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

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 4TH DAY OF JANUARY 2021.

COUNCILMAN FORD _____
COUNCILMAN STOLL _____
COUNCILMAN DEGGES _____
COUNCILMAN TOWNSEND _____
COUNCILMAN QUINN _____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 14, 2020
&
CITY COUNCIL
DECEMBER 21, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 14, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 21, 2020, 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 P20-321: Request by Trung Le and Sandy Pham to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas.

Zoning Case P20-332: Request by 7Gen Planning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District. The property is generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas.

Zoning Case P20-338: Request by David Weekly Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.4 acres of land legally described as Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District. The property is generally located on the south side of Brown Road between SH 249 and Quinn 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, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

CERTIFICATION

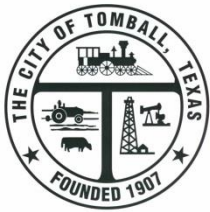
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **10th** day of **December 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley

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: P20-332

APPLICANT/OWNER: 7Gen Planning

LOCATION: Generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District.

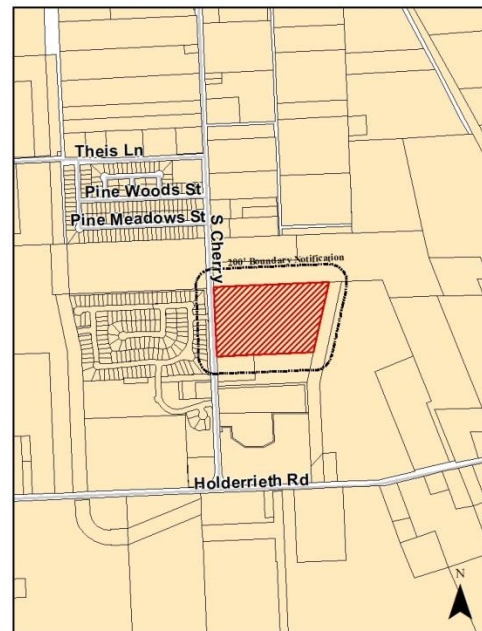
CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@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, December 14, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, December 21, 2020 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.

Amelia Lindley

From: Charlotte Willeford <charlotte.willeford@gmail.com>
Sent: Monday, December 7, 2020 1:53 PM
To: Amelia Lindley
Cc: rwhitaker@newquest.com
Subject: Resining

I'm the owner of the 12 acres next door to the site you are referring to and I am in support of our Rezoning effort.

Thank You,

Charlotte Willeford

Sent from my iPhone

Amelia Lindley

From: Melvin Michel <michel_auto@sbcglobal.net>
Sent: Tuesday, December 8, 2020 1:15 PM
To: Amelia Lindley
Subject: Dunlap Property

Good Afternoon Amelia,

My name is Melvin Michel and I own property across the street from Steve Dunlap. After talking to Steve, I give my approval for a zoning change to commercial for the property at 12118 Holderrieth Road.

Melvin Michel
Michel Auto Cares
12205 Holderrieth Road
Tomball Texas, 77375

Amelia Lindley

From: Frank DeNina <racmaterials@sbcglobal.net>
Sent: Monday, December 14, 2020 10:01 AM
To: Amelia Lindley
Subject: Fw: Scanned image from MX-B376W
Attachments: scanner@racmaterials.com_20201213_113041.pdf

Hi

I am against the rezoning

I like the animals and the gardens

I have deer in my yard

I dont want industry next door

THANKS

FRANK DE NINA

----- Forwarded Message -----

From: scanner@racmaterials.com <racscans@gmail.com>
To: "racmaterials@sbcglobal.net" <racmaterials@sbcglobal.net>
Sent: Sunday, December 13, 2020, 11:29:52 AM CST
Subject: Scanned image from MX-B376W

Reply to: scanner@racmaterials.com <scanner@racmaterials.com>

Device Name: Not Set

Device Model: MX-B376W

Location: Not Set

File Format: PDF (Medium)

Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are registered trademarks or trademarks of Adobe Systems Incorporated in the United States and other countries.

<http://www.adobe.com/>



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

Signature:

Date:

FRANK DENINA
12106 HOLDEN RD
TOMBALL TX 77375
Frank Denina
11-11-2020

I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-321**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-321**. (Please state reasons below)

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

Monday, December 14, 2020 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, December 21, 2020 6:00 PM

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

COMMENTS:

I DO NOT WANT TO LIVE NEXT A COMMERCIAL PLANT.
I MOVED HERE TO LIVE IN A NICE PLACE TO RAISE MY
KIDS AND GRANDKIDS

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Amelia Lindley

From: Shirley Goza <sgoza@proximitysystems.com>
Sent: Thursday, December 10, 2020 12:32 PM
To: Amelia Lindley
Subject: 12118 Holderrieth Rezoning

Please be advised that as the Trustee for the Goza Family Trust which owns the property at 12023 Holderrieth which is within 200 feet of the above referenced property, I have no objection to that property being rezoned as commercial.

Thank you for your consideration of this matter.

Have a blessed day,
Shirley C. Goza
Trustee, Goza Family Trust

Amelia Lindley

From: Scott Wright <scottw@prodelcorp.com>
Sent: Tuesday, November 24, 2020 12:08 PM
To: Amelia Lindley
Cc: Alan Kasper; steve Steve
Subject: 12118 Holderrieth Rd, Tomball, TX 77375 Rezoning

Amelia,

We understand that Steve Dunlap has been speaking to you about getting approval to sell his property at 12118 Holderrieth Rd, Tomball, TX 77375.

The proposed buyer would like to build a 9,000 sqft fully air conditioned facility on the northwest corner of the property.

We would have no objections to this.

Scott Wright

President - Prodel Corporation
12107 Holderrieth RD
Tomball, TX 77375
O: 281-351-0799
C: 713-545-2730
scottw@prodelcorp.com

From: steve Steve <steve@dunlapsupply.com>
Sent: Tuesday, November 24, 2020 6:06 AM
To: Scott Wright <scottw@prodelcorp.com>
Cc: Alan Kasper <alankasper.krg@gmail.com>
Subject: Holderrieth

Scott, thanks for taking the time to talk with me about our rezoning efforts, your opinion is important to us and I know it is with the city.

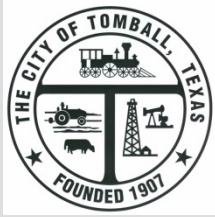
The company wanting to purchase our property is LUC Technologies, and they would like to build in two years. They have approximately 5 full time employees and they are proposing to build a 9,000 sqft fully air conditioned facility on the northwest corner of the property.

Will you please provide Amelia Lindley, the City Planner, with an email stating you are in support of our rezoning effort? Her email is listed below:

alindley@tomballtx.gov

Thanks again for your help,

Steve Dunlap
281-830-1295



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: December 14, 2020
City Council Public Hearing Date: December 21, 2020

Rezoning Case: P20-332
Property Owner(s): TEJUMA CHERRY STREET LLC
Applicant(s): 7Gen Planning
Legal Description: 9N-2 Abstract 632 C N Pillot
Location: East side of Cherry Street, across from the Cherry Pines Subdivision (Exhibit "A")
Area: 20.78 acres
Comp Plan Designation: Neighborhood Residential and Public & Institutional (Exhibit "B")
Present Zoning and Use: Agricultural District (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s): Single-family residential community (Exhibit "E")
Request: Rezone from the Agricultural District to the Single-Family 6 District
Adjacent Zoning & Land Uses:
North: Agricultural Estate District / Undeveloped
South: Commercial District / Commercial facility (City Masonry)
West: Single-Family 6 District / Single-family residences (Cherry Pines subdivision under construction)
East: Agricultural District / City of Tomball M121E Drainage Channel

BACKGROUND

In June 2020, City staff met with the applicant and other representatives to discuss the development of a single-family residential community on the property.

ANALYSIS

The property is approximately 20.78 acres of land on the east side of South Cherry Street. The applicant is requesting a rezoning to the Single-Family 6 District for the development of approximately 65 single-family residential lots. The property is zoned Agricultural District. Surrounding properties are zoned Agricultural to the north and east, Commercial to the south, and Single-Family 6 to the west.

The property is currently undeveloped. There is a single-family residential subdivision, Cherry Pines, across South Cherry Street currently under construction and a single-family residential subdivision at South Cherry Street and Theis Lane, Pine Meadows, that was completed in 2016. There is undeveloped property to the north, a commercial establishment (City Masonry) to the south, and a city drainage channel to the east.

A portion of the property is designated as Public and Institutional, but most of the property is designated as Neighborhood Residential by the Comprehensive Plan Future Land Use Map. This category is intended for single-family detached housing. The Single-Family 6 District is a compatible zoning district for the Future Land Use designation and area.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on November 23, 2020. A Notice of Public Hearing was published in the paper on November 25, 2020. 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 P20-332.

1. The proposed rezoning is compatible with the surrounding zoning districts in the area;
2. The proposed development is consistent with the surrounding land uses in the area;
3. The proposed rezoning conforms to the Comprehensive Plan and Future Land Use Map.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

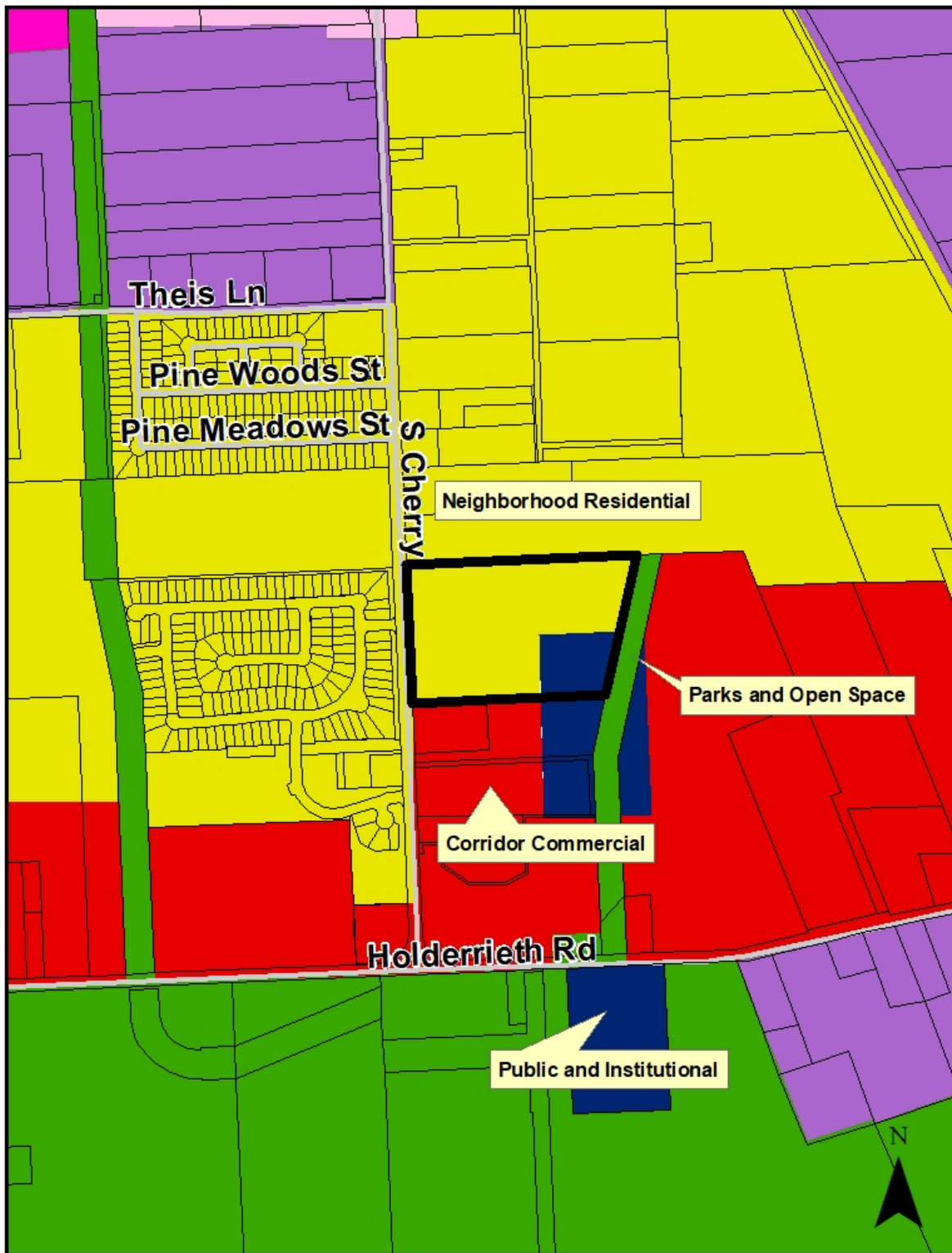
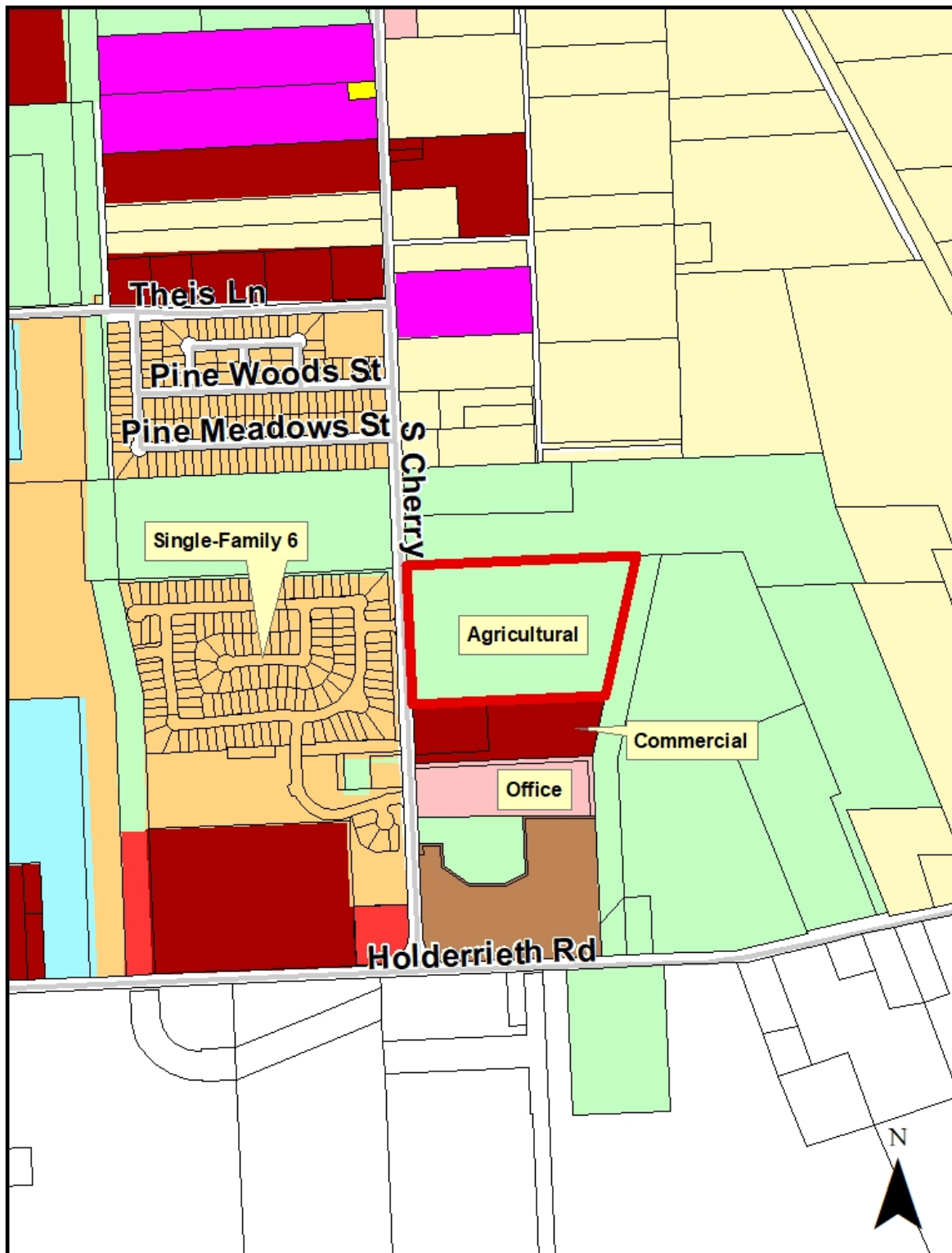


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E"
Rezoning Application



RECEIVED (KC)
11/02/2020 2:15:22 PM

Revised: 4/13/2020

P&Z #20-332

\$607.80

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: 7Gen Planning Title: Planner
Mailing Address: 2107 City West Blvd, Suite 400 City: Houston State: Texas
Zip: 77042 Contact: Arya C Karve
Phone: (713) 579 3833 Email: akarve@7genplanning.com

Owner

Name: Tejuma Cherry Street LLC Title: Owner
Mailing Address: 20703 Sundance Spring Lane City: Spring State: Texas
Zip: 77379 Contact: Arya C Karve
Phone: (713) 579 3833 Email: akarve@7genplanning.com

Engineer/Surveyor (if applicable)

Name: Costello Inc. Title: Engineer
Mailing Address: 2107 City West Blvd, Suite 300 City: Houston State: Texas
Zip: 77042 Contact: Linh Tran
Phone: (713) 783 7788 Fax: (____) _____ Email: btran@costelloinc.com

Description of Proposed Project: 20.78 Ac Low Density Single Family Subdivision

Physical Location of Property: 0 Cherry Street, Tomball, Tx 77375-Aprox 1,450' North of Cherry St and Holderrieth intersection.

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

Legal Description of Property: TR 9N-2 Abstract 632 C N Pilot

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: Agriculture (AG)

Current Use of Property: Agriculture

Proposed Zoning District: Single Family Residential 6 (SF-6)

Proposed Use of Property: Low Density Single Family Residential Lots

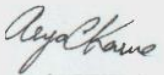
HCAD Identification Number: 0440580000273 Acreage: 20.78 Ac

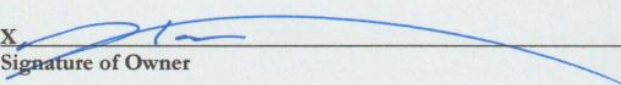
City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

www.tomballtx.gov

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is **COMPLETE, TRUE, and CORRECT** and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X  11/2/2020
Signature of Applicant Date

X  11/2/2020
Signature of Owner Date

[illegible]

the 1990s, and the 1990s have been a period of rapid change in the world. The world has become more global, more interconnected, and more diverse. The world has become more complex, more challenging, and more exciting. The world has become more beautiful, more wonderful, and more amazing. The world has become more than ever before, and it is our duty to protect it, to cherish it, and to make it a better place for all of us.

[illegible]

BY: _____
PERSON, VICE PRESIDENT OF
LAND DEVELOPMENT

STATE OF TEXAS
COUNTY OF HOLLAND

I, , BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED PERSON VICTOR
P. BROWN, JR., 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; AND IN THE
PRESENCE OF ME AND TWO OTHERS, NOT LESS THAN TWO, WHOSE NAMES AND ADDRESSES ARE SET FORTH IN THE FOREGOING INSTRUMENT;
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS DAY OF , 20 .

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

PRINT NAME _____
MY COMMISSION EXPIRES: _____

[illegible]

THIS IS TO CERTIFY THAT THE PLANNING COMMISSION OF THE CITY OF TOMBALL, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF CHERRYWOOD ESTATES IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF HOUSTON, AS SHOWN HEREON, AND AUTHORIZED THE RECORDING OF THIS PLAT.

THIS _____ DAY OF _____, 2000.

DARRELL ROQUEMORE, VICE CHAIR

D44715

I, _____, CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR
RECORDATION IN MY OFFICE ON _____, 2003 AT _____ O'CLOCK _____ M. AND DULY
RECORDED ON _____, 2003 AT _____ O'CLOCK _____ M. AND AT FILM CODE NO. _____
_____ 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.

NAME _____
DEPUTY _____

CHERRYWOOD ESTATES
A SUBDIVISION OF 20.78 ACRES
RECORDED IN CLERK'S FILE NUMBER 2013044759
OF OFFICIAL PUBLIC RECORDS OF

65 LOTS 3 BLOCKS 4 RESERVES
DATE: OCTOBER, 2020

DATE: OCTOBER, 2020

0



COSTELLO, INC.
Engineering and Surveying
2167 CRYSTAL DR. HOUSTON, TEXAS 77050
HOUSTON, TEXAS 77050
713/763-7788 FAX: 713/5580
TELEPHONE REGISTRATION NO. 2
TENTH FLOOR REGISTRATION NO. 198







20-ACRE CHERRY TRACT **20.8± ACRES WITHIN TOMBALL, TEXAS** **DETAILED LOTTING PLAN - OPTION K**



SF-1
 31 LOTS
 (A - 55'x125')
 34 LOTS
 (B - 60'x125')

LAND USE SCHEDULE			
RESIDENTIAL			
USE	UNITS	LOT MIX	ACREAGE
A 55' x 125'	31±	48%	5.6± AC.
B 60' x 125'	34±	52%	8.2± AC.
SUBTOTAL	65±	100%	13.8± AC.
NON-RESIDENTIAL			
USE			ACREAGE
PARK			0.2± AC.
OPEN SPACE			2.7± AC.
ROW			4.1± AC.
SUBTOTAL			7.0± AC.
TOTAL			20.8± AC.

SCALE: 1" = 60'
 DATE: 09/14/2020
 NORTH

ALL INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



October 28, 2020

City of Tomball
Planning Division
501 James St.
Tomball, Tx 77375

Rezone request for 20.78 Ac Cherry Street Tract (HCAD ID # 0440580000273)

To whomever it may concern:

We, 7Gen Planning are submitting a request to rezone the above-mentioned property on behalf of the owner, Tejuma Cherry Street LLC.

This tract is currently zoned as Agricultural (AG). We are requesting it to be rezoned to Single Family Residential - 6 (SF-6). The intent is to develop the property in accordance with the zoning ordinance, as a low density detached, single family residences on lots larger than 6,000 square feet.

Please find a copy of the proposed site plan attached herewith for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arya C Karve', is written over a horizontal line.

Arya C Karve
Planner.

9050 N. Capital of Texas Hwy., Bldg. 3, Suite 390
Austin, Texas 78759
512.646.3445

2107 CityWest Blvd., 4th Floor
Houston, Texas 77042
713.343.0394

TAX CERTIFICATE



ANN HARRIS BENNETT
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON, SUITE 100
HOUSTON, TEXAS 77002

Issued To:

TEJUMA CHERRY STREET LLC
20703 SUNDANCE SPRINGS LN
SPRING, TX 77379-8224
USA

Legal Description

TR 9N-2
ABST 632 C N PILLOT

Parcel Address: 0 CHERRY ST

Legal Acres: 20.7759

< - - -

- - - >

Account Number: 044-058-000-0273

Certificate No: 12170720

Certificate Fee: \$10.00

Print Date: 10/15/2020 09:33:37 AM

Paid Date:

Issue Date: 10/15/2020

Operator ID: EAVILA

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) 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 2019. TAXES THRU 2019 ARE PAID IN FULL. TAXES HAVE NOT BEEN CALCULATED FOR YEAR(S): 2020.

Exemptions:

OPEN SPACE

Certified Owner:

TEJUMA CHERRY STREET LLC
20703 SUNDANCE SPRINGS LN
SPRING, TX 77379-8224
USA

Certified Tax Unit(s):

40 Harris County
41 Harris County Flood Control Dist
42 Port of Houston Authority
43 Harris County Hospital District
44 Harris County Dept. of Education
45 Lone Star College System
83 City of Tomball
679 Emergency Service Dist #8 (E.M.S.)

2019 Value:	449,652
2019 Levy:	\$13.04
2019 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00



DUE TO ITS ASSIGNED USAGE, THE ABOVE LEGAL PROPERTY MAY HAVE RECEIVED SPECIAL VALUATION, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL VALUATION.

Reference (GR) No: N/A

Issued By:

ANN HARRIS BENNETT

HARRIS COUNTY TAX ASSESSOR-COLLECTOR

County: Harris
Project: Cherry Tract
C.I. No.: 1226-18R
Job Number: 2020117-20

METES AND BOUNDS FOR 20.78 ACRES

Being a 20.78-acre tract of land located in the C. N. Pillot Survey, A-632, Harris County, Texas; said 20.78-acre tract being all of a called 20.7832-acre tract of land conveyed to Chesmar Homes, LLC in Clerk's File Number RP-2020-443580 of the Official Public Records of Real Property Harris County (O.P.R.P.H.C.), Texas; said 20.78-acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, NAD 83, South Central Zone):

Beginning at a 1/2-inch iron rod found for the northwest corner of said 20.7832-acre tract and the southwest corner of a called 42-acre tract of land recorded in Clerk's File Number W888872 of the O.P.R.P.H.C., same being the east Right-of-Way (R.O.W.) line of South Cherry Street (80-feet wide);

1. Thence, with the common line of said 20.7832-acre tract and said 42-acre tract, North 87 degrees 31 minutes 44 seconds East, a distance of 1,274.73 feet to a 5/8-inch iron rod with cap found for the northeast corner of said 20.7832-acre tract and the northwest corner of a called 6.3664-acre tract recorded in Clerk's File Number W515871 of the O.P.R.P.H.C.;
2. Thence, with the common line of said 20.7832-acre tract and said 6.3664-acre tract, South 12 degrees 08 minutes 03 seconds West, a distance of 798.09 feet to a 5/8-inch iron rod found for the southeast corner of said 20.7832-acre tract and the northeast corner of Tomball Renewal Center Replat, a subdivision recorded in Film Code Number 617162 of the Harris County Map Records (H.C.M.R.);
3. Thence, with the common line of said 20.7832-acre tract and said Tomball Renewal Center Replat, South 87 degrees 39 minutes 40 seconds West, a distance of 1,073.18 feet to a 5/8-inch iron rod with cap found at the southwest corner of said 20.7832-acre tract and the northwest corner of said Tomball Renewal Center Replat, same being on the east R.O.W. line of aforesaid South Chery Street;
4. Thence, with said east R.O.W. line, North 02 degrees 29 minutes 38 seconds West, a distance of 769.82 feet to the **Point of Beginning** and containing 20.78 acres of land.

09/30/2020

Mark D. Armstrong



TAX CERTIFICATE FOR ACCOUNT : 0440580000273

AD NUMBER: 0440580000273

GF NUMBER:

CERTIFICATE NO : 2579910

COLLECTING AGENCY

Kristi Williams

PO Box 276

Tomball TX 77377-0276

DATE : 10/28/2020

FEE : \$10.00

PROPERTY DESCRIPTION

TR 9N-2|ABST 632 C N PILLOT

PAGE 1 OF 1

REQUESTED BY

COSTELLO INC

9990 RICHMOND AVE #450

HOUSTON TX 77042

0000000 CHERRY ST

20.7759 ACRES

PROPERTY OWNER

TEJUMA CHERRY STREET LLC

20703 SUNDANCE SPRINGS LN

SPRING TX 773798224

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 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 LEVIES.

CURRENT VALUES			
LAND MKT VALUE:	1,039	IMPROVEMENT :	0
AG LAND VALUE:	448,613	DEF HOMESTEAD:	0
APPRAISED VALUE:	449,652	LIMITED VALUE:	0
EXEMPTIONS:	Ag 1D1		
LAWSUITS:			

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2020	TOMBALL I.S.D.	0.00	0.00	0.00	0.00	0.00	0.00
2020 SUB TOTAL							\$0.00

TOTAL CERTIFIED TAX DUE 10/2020 : \$ 0.00

ISSUED TO :

COSTELLO INC

ACCOUNT NUMBER:

0440580000273

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 2021 tax year have not been calculated as of the above date.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: December 21, 2020

Topic:

Consideration to approve **Zoning Case P20-338**: Request by David Weekly Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.4 acres of land legally described as Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District. The property is generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas.

- Conduct Public Hearing on **Zoning Case P20-338**
- Adopt, on First Reading, Ordinance No. 2020-37, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 13.4 acres of land legally described tracts 17H, 17J, 17H-1, 17H-2, 17J-1 abstract 34 J house, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District, said property being generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas; providing for the amendment of the official zoning map of the city; 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.

Background:

On Monday, December 14, 2020, after conducting a public hearing, the Planning & Zoning Commission voted to recommend denial of the rezoning with a 4-0 vote.

Origination: David Weekly Homes

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda:

Craig T. Meyers, Community
Development Director

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____

If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____

To account # _____

Signed _____

Staff Member

Date

Approved by _____

City Manager

Date

ORDINANCE NO. 2020-37

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 13.4 ACRES OF LAND LEGALLY DESCRIBED TRACTS 17H, 17J, 17H-1, 17H-2, 17J-1 ABSTRACT 34 J HOUSE, FROM THE PLANNED DEVELOPMENT (PD-1) AND SINGLE-FAMILY 20 ESTATE DISTRICTS TO THE SINGLE-FAMILY 6 DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED ON THE SOUTH SIDE OF BROWN ROAD BETWEEN SH 249 AND QUINN ROAD, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; 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, David Weekly Homes has requested that approximately 13.4 acres of land legally described Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; 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 deny the requested rezoning of Single-Family 6 District; 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 facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the Property is hereby changed from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball, Texas shall be revised and amended to show the designation of the Property as Single-Family 6 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 for the Property to the Single-Family 6 District as described above.

Section 5. 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 6. 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.

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 21ST DAY OF DECEMBER 2020.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

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 4TH DAY OF JANUARY 2021.

COUNCILMAN FORD _____
COUNCILMAN STOLL _____
COUNCILMAN DEGGES _____
COUNCILMAN TOWNSEND _____
COUNCILMAN QUINN _____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 14, 2020
&
CITY COUNCIL
DECEMBER 21, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 14, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 21, 2020, 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 P20-321: Request by Trung Le and Sandy Pham to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5 acres of land legally described as Tract 10A-1 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Light Industrial District. The property is generally located on the north side of Holderrieth Road at 12118 Holderrieth Road, within the City of Tomball, Harris County, Texas.

Zoning Case P20-332: Request by 7Gen Planning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 20.78 acres of land legally described as Tract 9N-2 Abstract 632 C N Pillot, from the Agricultural District to the Single-Family 6 District. The property is generally located on the east side of Cherry Street, across from the Cherry Pines Subdivision, within the City of Tomball, Harris County, Texas.

Zoning Case P20-338: Request by David Weekly Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.4 acres of land legally described as Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District. The property is generally located on the south side of Brown Road between SH 249 and Quinn 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, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

CERTIFICATION

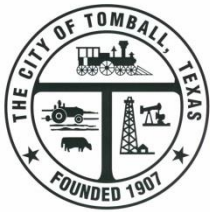
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **10th** day of **December 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley

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: P20-338

APPLICANT/OWNER: David Weekly Homes

LOCATION: Generally located on the south side of Brown Road between SH 249 and Quinn Road, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Re-Zoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13.4 acres of land legally described as Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House, from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District.

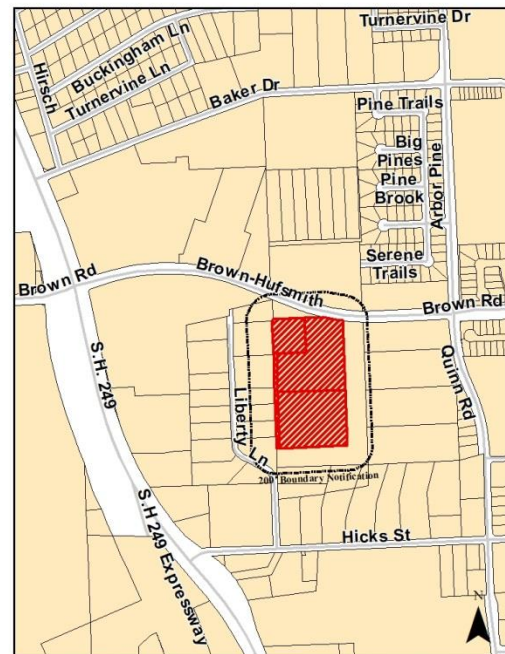
CONTACT: Amelia Lindley, City Planner

PHONE: (281) 290-1410

E-MAIL: alindley@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.

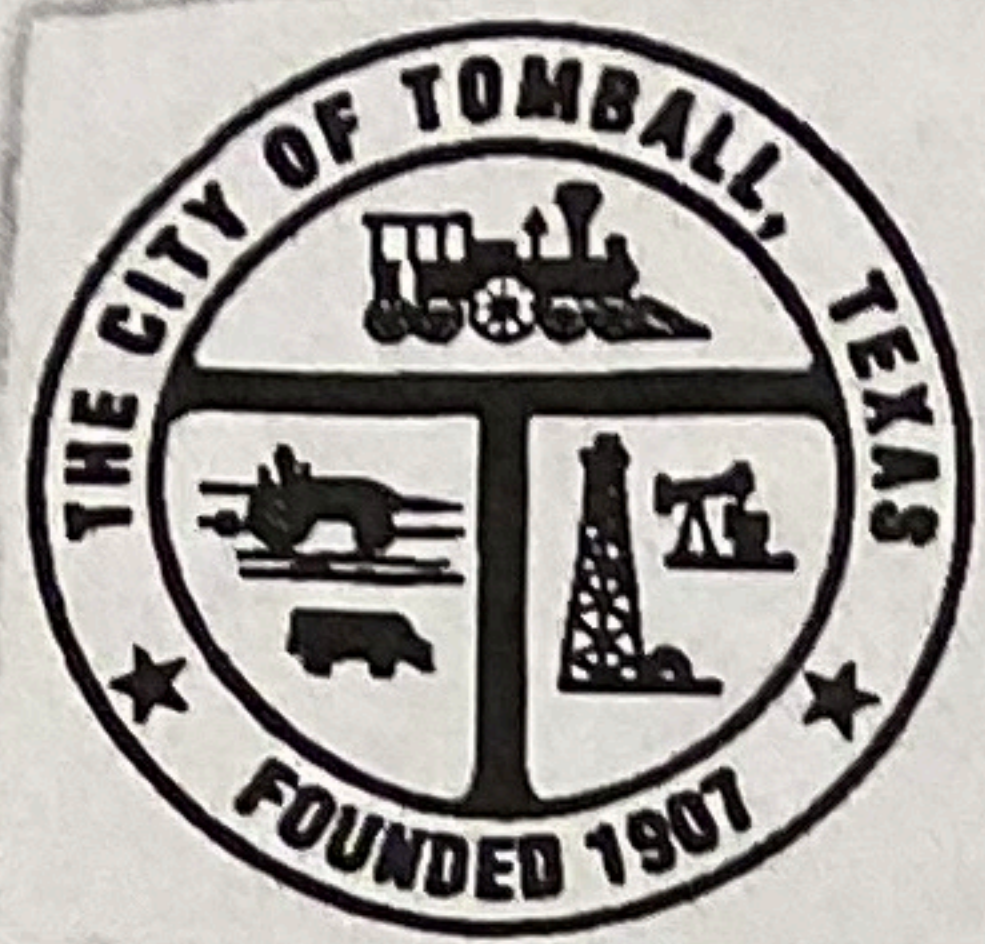


**Planning & Zoning Commission
Public Hearing:
Monday, December 14, 2020 6:00 PM**

**City Council Public Hearing:
*Monday, December 21, 2020 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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name: Morgan Martinez
(please print)
Address: 29514 Liberty Lane Tomball TX 77375

Signature: [Signature]
Date: 12/14/20

☐ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

Date, Location & Time of Planning & Zoning Commission meeting:
Monday, December 14, 2020 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, December 21, 2020 6:00 PM
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

Terrible for environment, wildlife + privacy

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Amelia Lindley

From: ELLIS CARMICHAEL <hcarm164@yahoo.com>
Sent: Saturday, December 12, 2020 8:29 PM
To: John Ford; Mark Stoll; Chad Degges; Derek Townsend; Lori Klein Quinn; Amelia Lindley
Subject: case P20-338

Ladies and gentlemen concerning the above case it is obvious that the builder knew of the zoning of the property at the time of purchase. I feel it is unfair to the surrounding homeowners to allow small lots in the area. Pleas consider voting against the rezoning.

Sincerely,
Ellis and Linda Carmichael
1306 Pine Brook
Tomball, Texas 77375

Amelia Lindley

From: Bridget Cole <bc29506@sbcglobal.net>
Sent: Friday, December 11, 2020 3:45 PM
To: Amelia Lindley
Subject: Public Comment Form regarding re-zoning for case P20-338.

From Art and Bridget Cole

29506 Liberty Lane

Tomball, TX 77375

We are strongly against the re-zoning case P20-338. Zoning was put into place by the City of Tomball to protect property values. Nothing has changed, we still need our property value protected, so this re-zoning should not occur.

Replacing the scenic, tree-lined views that all of Liberty Lane enjoys, with roofline after roofline is definitely NOT protecting our property values. If changing the lot size to these incredibly small lots happens, this company would be clearing trees out without any regard for the beauty of the land in order to cram houses as close together as possible. David Weekley Homes can build homes on the lots as they are zoned (single family 20 estate), which would not dictate cutting down almost every tree in the area, and also preserve our property values on Liberty Lane.

We don't know what David Weekley's net worth is, but we know three things:

1. His net worth far exceeds our net worth.
2. David Weekley is not a resident of Tomball, he is not our neighbor.

3. David Weekley's bottom line will not be adversely affected if this property is not re-zoned, but ALL of our properties will be adversely affected.

We are requesting the City of Tomball not re-zone this area in order to preserve all of our existing property values and the beauty of our city.

Sincerely,
Art and Bridget Cole

Amelia Lindley

From: Zack Boles <zboles10@icloud.com>
Sent: Sunday, December 13, 2020 5:50 PM
To: Amelia Lindley
Subject: Zoning Case P20-338

Ms. Lindley,

My name is Zack Boles, and I am a resident of the City of Tomball and owner of 29610 Quinn Rd. I am writing to inform you that I am against the re-zoning request detailed in Zoning Case P20-338.

As a property owner since 2013, we have seen several new developments completed that have brought value to the City and helped to raise home values. However, the re-zoning request to move these tracts of land from SF-20 to SF-6, is not consistent with the surrounding neighborhoods.

Smaller lots almost always mean smaller homes, and homes of lesser quality.

At this time my primary concern stems from the two developments that have been and are being completed at the corner of Quinn Rd and Brown Rd. On one side of the street you have Yaupon Trails, where homes are on SF-9 lots and have an average value well over \$300,000. On the opposite side of Brown Rd a developer has been allowed to create a home rental community (Sydney's Park) of 41 homes on SF-6 lots. These homes are nowhere close to the quality of those built in Yaupon Trails, and will not hold value into the future.

Approving this re-zoning creates the opportunity for another rental community, which will drive down surrounding home values. I would request that the Planning & Zoning Commission deny Case P20-338, or at the very least only approve a re-zoning change to SF-9. This would at least help to ensure that a development of similar quality and value as that of Yaupon Trails.

Thank you for your consideration.

Zack & Amanda Boles
29610 Quinn Rd.
254-230-2699

Sent from my iPhone

Amelia Lindley

From: Sharon Luczak <sharonluczak@gmail.com>
Sent: Friday, December 11, 2020 4:27 PM
To: Amelia Lindley; Michael
Subject: Case P20-338 Re-zoning Request by David Weekly

Hello Ms. Lindley,

We respectfully ask this re-zoning request be denied.

We have lived in Tomball since 2002 and love it. There are several reasons we oppose this request include traffic and drainage issues. Another is the overall feel of our small town. David Weekly homes will make their money and move on without any concern for our hometown.

Thank you for your consideration in this matter.

Sharon and Michael Luczak
Sherwood Forest



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name: MATTHEW MARTINEZ

(please print)

Address: 29514 LIBERTY LANE

TOMBALL, TX 77375

Signature: [Signature]

Date: 12/11/20

☐ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

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

Monday, December 14, 2020 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, December 21, 2020 6:00 PM

City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

COMMENTS:

SEE ATTACHED

Amelia,

The proposed re-zoning lowers property values, reduces green space, and diminishes our small-town feel in appearance and long-term vision. The existing zoning was no accident. It was correct and appropriate at the time the designation was established and is even more relevant now with aggressive developers attempting to undermine the intended purpose of our surrounding community.

Re-zoning the SF20-E area to an SF6 allows David Weekley, who is not our neighbor nor our friend, to build scores of small, 2300 sf houses on small 6000 sf lots. This type of pocket sub-division with lot-line to lot-line construction is not the vision our planners had for this area and for good reason. We, the people who live here, still hope to realize through any-and-all legal means possible, that initial vision: large green spaces with mature trees; rising property values through low-density zoning; small-town feel and appearance. This is what we want for our community and our families as did the planners when establishing this area an SF20-E.

We do not oppose David Weekley Homes building on SF20-E, however, they should and must build as intended for this area. We strongly urge you, our Tomball City Council, to prohibit the re-zoning designation petitioned by the David Weekley corporation.

The initial vision set out by our city council to provide us with a sense of community, and a place of which to be proud, remains alive in citizens like myself and my fellow neighbors. If the re-zoning proposal passes, the current Tomball City Council will be responsible for reversing the envisioned purpose for our neighborhood and by extension our entire community. The effects of which will be lowered property values, reduced green space, and Tomball's diminished small-town feel.

My fellow neighbors and I want to thank you for your thoughtful attention to our concerns and for your vote to reject the proposed re-zoning of SF20-E.



Matthew Martinez
29514 Liberty Lane
Tomball, Tx 77375

Amelia Lindley

From: Stephen Hohl <stephen.hohl@gmail.com>
Sent: Friday, December 11, 2020 7:29 AM
To: Amelia Lindley
Subject: Zoning Case P20-338

Dear Amelia,

I am FOR the requested Re-Zoning as explained on the public notice for Zoning Case P20-338. The applicant is David Weekley Homes.

I consider David Weekley Homes a high quality developer/builder. Their Yaupon Trails development on Brown Road is an attractive, well designed example of their work. This is the type of development which will contribute value to our community and provide high quality homes for people looking to call Tomball their hometown.

It is my understanding that the development, if the zoning change is approved, will be similar to Yaupon Trails in house size and design. Home prices will start in the \$300,000s. On site detention is planned to handle water runoff.

I understand that David Weekley representatives have been working closely with the City Planning department for several months to adhere to all city and county codes and regulations.

Thank you for your consideration.

Stephen Hohl
13607 Lost Creek Road
Tomball, Texas 77375
832 368-3835

Sent from [Mail](#) for Windows 10

Amelia Lindley

From: Will Benson <will@bensondev.com>
Sent: Friday, December 11, 2020 4:12 PM
To: Amelia Lindley
Subject: Comments in Favor of Zone Change for David Weekley Homes

Amelia-

I want to forward to your attention, the Planning & Zoning Commission, and the Tomball City Council, my very favorable experiences with David Weekley Homes, in Tomball. More specifically, I want to express encouragement to our leaders, to favorably consider an opportunity to work with the Weekley team on the current zoning case under consideration. We had a tremendously successful experience together in Yaupon Trails, and I think that this builder has the capacity to submit an encore performance. Although I have no involvement in this project, I do believe in the noble directions that Weekley is leading our industry. I stand behind them, their values, and I think they deserve our cooperation to fit another project in our great City.

Will Benson
Benson Development LLC

Amelia Lindley

From: Ron Haffner <ron@tomballcpas.com>
Sent: Friday, December 11, 2020 10:30 AM
To: Amelia Lindley
Cc: stephen.hohl@edwardjones.com
Subject: Zoning Case Number: P20-338

Amelia:

I would like to express my support for the proposed Re-zoning of the David Weekly Homes Case Number P20-338. I own a business building, Haffner, Haffner & Spears, LLP with an apartment where my wife and I live during the busiest part of our tax session, directly adjoining this development (13827 Brown Rd). I also own the 7.76 acres across from this proposed development. I have full confidence that you and your staff of planners and engineers professionally did your job in reviewing the application, the current zoning ordinances and are fully aware of the watershed impact, traffic conditions and that the proposed plan conforms to the Comprehensive Plan Future Land Use Map. A large part of this property is zoned Planned Development along with my remaining acreage and Mr. Murr's whose property is to the east of this development. If you will go back and review the original 2008 zoning map it's no coincidence that these pieces or property are the only Planned Development parcels on the entire map of Tomball with the exception of one. This zoning designation requires each one of us to request from the city permission to develop our land and David Weekly has met your criteria.

I have read the opposition to this zoning change and the reasons they provide. I moved to Tomball in 1991 and have worked here every since. At that time there was no Springwoods Subdivision and Liberty Lane only had 3-4 houses. The same wildlife mentioned on the opposition letters roamed freely on what is now their streets, driveways and houses. Before these subdivisions were built, Tomball was a small bedroom community, in fact we were the "Hometown with a Heart" and still are today. Each of these subdivisions were designed and engineered to address the flooding issues, traffic congestions and green space requirements just like the proposed David Weekly development, somehow it's ok for the subdivision that they live in to be built, but not the one next door. I have a hard time reconciling this type of opposition.

My wife and I are planning on purchasing another residence in Tomball this next year and I would certainly consider one in this development. I'm not sure if "cookie cutter and starter homes" are derogatory or class system type comments, but with just the two of us a smaller size home with less yard to keep up with and close proximity to our business would have its benefits.

I am requesting that the zoning commission and the City Council of Tomball accept the recommendation of the City Planner Amelia Lindley and her staff.

Ron Haffner
13827 Brown Rd
Tomball, TX 77375

Sent from [Mail](#) for Windows 10

Amelia Lindley

From: Amber Michelle Webb <amichelle.webb@gmail.com>
Sent: Tuesday, December 8, 2020 5:35 PM
To: Amelia Lindley
Subject: Re-zoning Request by David Weekly - Please No

Hello,

It has been brought to the attention of myself and my neighbors that David Weekly would like to build homes on much smaller lots than what is currently zoned on Hicks, Brown and Quinn. I have been a resident of Tomball since 2006. My husband and I recently bought a home in Spring Pines Estates. Our neighbor is councilman Mark Stoll. The trees, wildlife, beautiful custom homes and small town feel of this part of Tomball is what makes this town so special. I have never felt more at home in Tomball than what I have since we have moved to this part. Please do not allow David Weekly to build cookie cutter homes on small lots in this beautiful area. It will cause drainage issues, more traffic congestion, displaced wildlife and not to mention bring down the values of homes and desirability of neighborhoods like Spring Pines Estates, Sherwood Forest and surrounding areas.

Please keep Tomball as the charming community we all love by not allowing David Weekly to build these homes.

Thank you,
Amber Michelle Webb and family

Amelia Lindley

From: Cheryl Longa <wethree2000@att.net>
Sent: Tuesday, December 8, 2020 4:11 PM
To: Gretchen Fagan; John Ford; Mark Stoll; Chad Degges; Derek Townsend; Lori Klein Quinn;
Amelia Lindley
Subject: Case P20-338

I am saddened to hear about the pending Case P20-338 proposed by David Weekly Homes.

As lifetime residents of Tomball (53 years), and my parents who are still living and have lived in Tomball 82 and 78 years, we are all against this proposal. I live in Springwood Subdivision which is right across from where this proposed subdivision would be. The homes being crammed into such small lot spaces is rampant in Tomball, we do not need another one.

There is a "boutique rental" neighborhood across from us as well on tiny lots where they are throwing up several houses a day. The quality of our neighborhoods and Tomball in general are in jeopardy with these small cookie cutter subdivisions.

I would ask that the mayor and board sincerely decline this case and that the current zoning for larger lots not be changed.

Respectfully yours,
Cheryl Longa
1323 Serene Trail
Tomball TX 77375

Amelia Lindley

From: Dave Webb <txshovel@yahoo.com>
Sent: Wednesday, December 9, 2020 1:17 PM
To: Amelia Lindley
Subject: Rezone

Hello,

My wife and myself first moved our family from League City to Tomball close to 15 years ago because of the big corporations moving in and developing so fast the city could not keep up with it. We lived in one city and my kids went to school in another city.

Tomball has a small town flavor that my wife and myself love. We purchased a house in a quite sub division here in Tomball and was planning to retire here after our kids finished school.

I would hate to see Tomball sell out to the big corporations, just as other cities around Houston have.

Please reconsider rezoning to big corporations.

Thank you

[Sent from Yahoo Mail on Android](#)

Amelia Lindley

From: Donna R. Dusek <tigersgeaux88@yahoo.com>
Sent: Tuesday, December 8, 2020 5:33 PM
To: Gretchen Fagan; John Ford; Mark Stoll; Chad Degges; Derek Townsend; Lori Klein Quinn; Amelia Lindley
Subject: Opposition to Re-Zoning Request by David Weekly ***** CASE P20-338

Re-Zoning Request by David Weekly ***** CASE P20-338

I would like to respectfully request that this re-zoning request be denied. This proposal would create unnecessary noise, congestion and crime, not to mention disturbance to wildlife. Tomball is a small quiet friendly town, adding more cookie-cutter homes will ruin this. We moved to Tomball from Cypress to get away from flooding, traffic congestion and noise. Tomball is an incorporated city with its own history and culture and does NOT need to turn into a subdivision of Houston. I feel these developers have only money on their minds, and do not take citizens into consideration.

David Weekly bought the property fully knowing the restrictions. If we allow them to change that, the next developer will take advantage and do the same. We do NOT need this.

Please consider the long time citizens' wishes over the developer's monetary greed. We the citizens will be paying the taxes, shopping small businesses and supporting the ISD.

Thank you for your time.

Donna,
☞ Sent from my iPhone



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name: James & Susan Bryant
(please print)
Address: 29502 Liberty Ln
Tomball, TX 77375
Signature: [Signature] [Signature]
Date: 12.3.20

☐ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

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

Monday, December 14, 2020 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, December 21, 2020 6:00 PM

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

COMMENTS:

We oppose the rezoning (Zoning Case P20.338) for the
following reasons. We believe the addition of so many houses
will increase the risk of flooding, we will lose the shade &
cover of the trees in our backyards. These trees insulate us
from traffic sounds & also provide cover & food for our small
herd of deer & other small animals & birds.

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

We also think this many houses so close will reduce the value of our homes that we have worked so hard to maintain. We chose this home in Tomball due to the neighborhood that provided quiet country living but with access to the city of Tomball amenities. With the zoning in place we believe we should work to maintain the quality decisions ~~put in place~~ made wisely by our City Council.



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

Justin Blan

(please print)

Address:

29611 Liberty Lane

Tomball, TX 77375

Signature:

Justin Blan

Date:

12/8/2020

I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

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

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City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

Date, Location & Time of City Council meeting:

Monday, December 21, 2020 6:00 PM

City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

COMMENTS:

I am against the Re-Zoning because of increased traffic, flooding and reduced green space in Tomball.

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Amelia Lindley

From: Justin Blan <agentjsb@gmail.com>
Sent: Tuesday, December 8, 2020 12:15 PM
To: Amelia Lindley
Subject: Zoning Case P20-338
Attachments: P20-338 Public Comment Blan.pdf; ATT00001.txt

Good afternoon Amelia,

My name is Justin Blan and I have been a resident of Tomball since 2007. Tomball is a great city and a great community. I usually don't get involved with the city's zoning decisions, but with Zoning Case P20-338 I must express my opposition.

Re-zoning that area to smaller lots would result in increased traffic, reduced property values, reduced green space and potential for flooding.

I am against re-zoning!! I also attached a public comment form.

Respectfully,

Justin Blan
29611 Liberty Ln
Tomball, TX 77375

Amelia Lindley

From: Pam Hanks <pjhanks_@hotmail.com>
Sent: Thursday, December 10, 2020 6:25 AM
To: Amelia Lindley
Subject: Case P20-338

Please do not allow David Weekly's rezoning efforts succeed. This is all about them and making money. The vision of Tomball as a small town community is fading fast enough. I would rather us be the exception, and not be swallowed up by big city thinking that will make this town into nothing special.

Pamela Hanks
1322 Pine Trl., Tomball, Texas

Sent from my iPad



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name: SCOTT & JONNA GUIN

(please print)
Address: 29503 Liberty Lane

TOMBALL, TX 77375

Signature: [Handwritten Signature]

Date: DEC 3, 2020

☐ I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

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

Monday, December 14, 2020 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, December 21, 2020 6:00 PM

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

COMMENTS:

See Attached document

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

December 3, 2020

REF: **Case Number: P20-338**

Dear City of Tomball:

We are writing to express our **strong opposition** to **CASE NUMBER: P20-338**, the proposed rezoning south of Brown Road between SH 249 and Quinn Road from Single-Family 20 Estate Districts to the Single-Family 6 District. Residents in the Liberty Springs neighborhood are completely opposed to the rezoning that will cause additional traffic and safety problems, destroy local wildlife habitat, increase flooding and potentially lower the property values of the existing community.

Property values are likely to go down in the area if SF6 is approved considering the immediate surrounding neighborhoods are consistent to SF20 estate districts. Smaller lots or "Starter Homes" are inconsistent with the neighborhoods developed in the area and may bring additional crime in. Please don't stoop down to David Weekly's level and destroy our neighborhood ambiance that we love, just to put more money in their pocket. They don't have to live with the consequences of their bad actions.

Wildlife has been observed in the area, and any development will destroy their habitat and green space. Any planned development of the property should consider the continuing impact to local wildlife habitat like the loss of trees will displace animals that call it home like deer, racoons, birds, opossums, squirrels and snakes that rely on the natural environment to thrive.

We urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott & Jonna Guin". The signature is fluid and cursive, with the first name "Scott" being more prominent and stylized.

Scott & Jonna Guin
Liberty Springs Estate
29503 Liberty Lane
Tomball, TX 77375



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

Octavio Chacon

(please print)

Address:

29510 Liberty Dr

Tomball TX 77375

Signature:

[Signature]

Date:

12/02/2020

I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

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

Monday, December 14, 2020 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, December 21, 2020 6:00 PM

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

COMMENTS:

Please Do NOT allow the zoning to be changed.
Please help our community

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

David & Annette McWhorter

29607 Liberty Ln

Tomball, TX 77375

Signature:

Date:

David McWhorter Annette McWhorter

2 Dec 20

I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

X

I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

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

Monday, December 14, 2020 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, December 21, 2020 6:00 PM

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

COMMENTS:

Please protect our property values and quality of life.
Keep the zoning as is.

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

Thomas and Debbie Porter

(please print)

Address:

29507 Liberty Lane

Tomball, TX. 77375

Signature:

Thomas Porter

Date:

Dec 3, 2020

I am **FOR** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)



I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for **Zoning Case P20-338**. (Please state reasons below)

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

Monday, December 14, 2020 6:00 PM

City Council Chambers of the City of Tomball, City Hall
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Monday, December 21, 2020 6:00 PM

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COMMENTS:

Zoning was established in this case to provide assurance of property value. Rezoning is not appropriate as it would degrade property values that were used to encourage current tenants of Liberty Lane to build and/or live there. Significantly increased traffic would diminish the quality of an established neighborhood. Construction of single family homes on the property as currently zoned must not change.

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

Signature:

Date:

Maria Tragori

29510 Liberty Dr
Tomball TX 77375

[Signature]

12/02/2020

I am **FOR** the requested Re-Zoning as explained on the attached public notice for Zoning Case P20-338. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for Zoning Case P20-338. (Please state reasons below)

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

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Monday, December 21, 2020 6:00 PM

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

COMMENTS:

Please help us keep our community and our trees.
We cannot even imagine the issues that these smaller
lots will bring including increased potential for flooding, loss
of value of our homes, crime increase by low income homes
humble increase in traffic. Please keep the zoning as it is

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

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



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: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

Sheryl Martin, Jr.

(please print)

Address:

29514 Liberty Lane

Tomball, TX 77375

Signature:

Sheryl Martin, Jr.

Date:

12/14/20

I am **FOR** the requested Re-Zoning as explained on the attached public notice for Zoning Case P20-338. (Please state reasons below)

☒ I am **AGAINST** the requested Re-Zoning as explained on the attached public notice for Zoning Case P20-338. (Please state reasons below)

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

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Date, Location & Time of City Council meeting:

Monday, December 21, 2020 6:00 PM

City Council Chambers of the City of Tomball, City Hall

401 Market Street, Tomball, Texas

COMMENTS:

The proposed decrease in lot size will decrease our property values, our green spaces, our wildlife and our appreciation for this beautiful town. Increasing the minimum lot size increases values - I and my neighbors and every citizen I have spoken to opposes this type of Rezoning.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: December 14, 2020
City Council Public Hearing Date: December 21, 2020

Rezoning Case: P20-338
Property Owner(s): Roy C & Carolyn Hohl
Applicant(s): David Weekly Homes
Legal Description: Tracts 17H, 17J, 17H-1, 17H-2, 17J-1 Abstract 34 J House
Location: South side of Brown Road between SH 249 and Quinn Road (Exhibit "A")
Area: 13.4 acres
Comp Plan Designation: Neighborhood Residential (Exhibit "B")
Present Zoning and Use: Planned Development (PD-1) and Single-Family 20 Estate District (Exhibit "C") / Mostly undeveloped, single-family residence (Exhibit "D")
Proposed Use(s): Single-family residential development (Exhibit "E")
Request: Rezone from the Planned Development (PD-1) and Single-Family 20 Estate Districts to the Single-Family 6 District

Adjacent Zoning & Land Uses:

North: Office and Planned Development (PD-1) Districts / Office and undeveloped property
South: Single-Family 20 Estate District / Drainage channel
West: Single-Family 20 Estate District / Single-family residences
East: Planned Development (PD-1) and Single-Family 20 Estate Districts / Drainage channel

BACKGROUND

In June 2020, City staff met with the applicant to discuss the development of a single-family residential community.

ANALYSIS

The subject site is comprised of three properties totaling approximately 13.4 acres of land. The applicant, David Weekly Homes, plans to develop a single-family residential subdivision with approximately 54 residential homes. The subject site is zoned Planned Development (PD-1)

District on the northern portion and Single-Family 20 Estate District on the southern portion. Surrounding properties are zoned Office and Planned Development (PD-1) Districts to the north, Single-Family 20 Estate and Planned Development (PD-1) to the east, and Single-Family 20 Estate District to the south and west.

Surrounding properties in the area include single-family residences on Liberty Lane, a drainage channel to the south and east and an office to the north. There are two new single-family residential subdivisions on Brown Road in the area: Yaupon Trails (completed) and Sydney Park (under construction). The proposed development appears to be appropriate for the area.

The property is designated as Neighborhood Residential by the Comprehensive Plan Future Land Use Map. This category is intended for single-family detached housing. The Single-Family 6 District is a compatible zoning district for this category. The proposed rezoning meets the intent of the Future Land Use category.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on November 23, 2020. A Notice of Public Hearing was published in the paper on November 25, 2020. 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 P20-338.

1. The proposed rezoning is compatible with the surrounding residential zoning districts in the area;
2. The proposed development is consistent with the surrounding land uses in the area;
3. The proposed rezoning conforms to the Comprehensive Plan Future Land Use Map.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

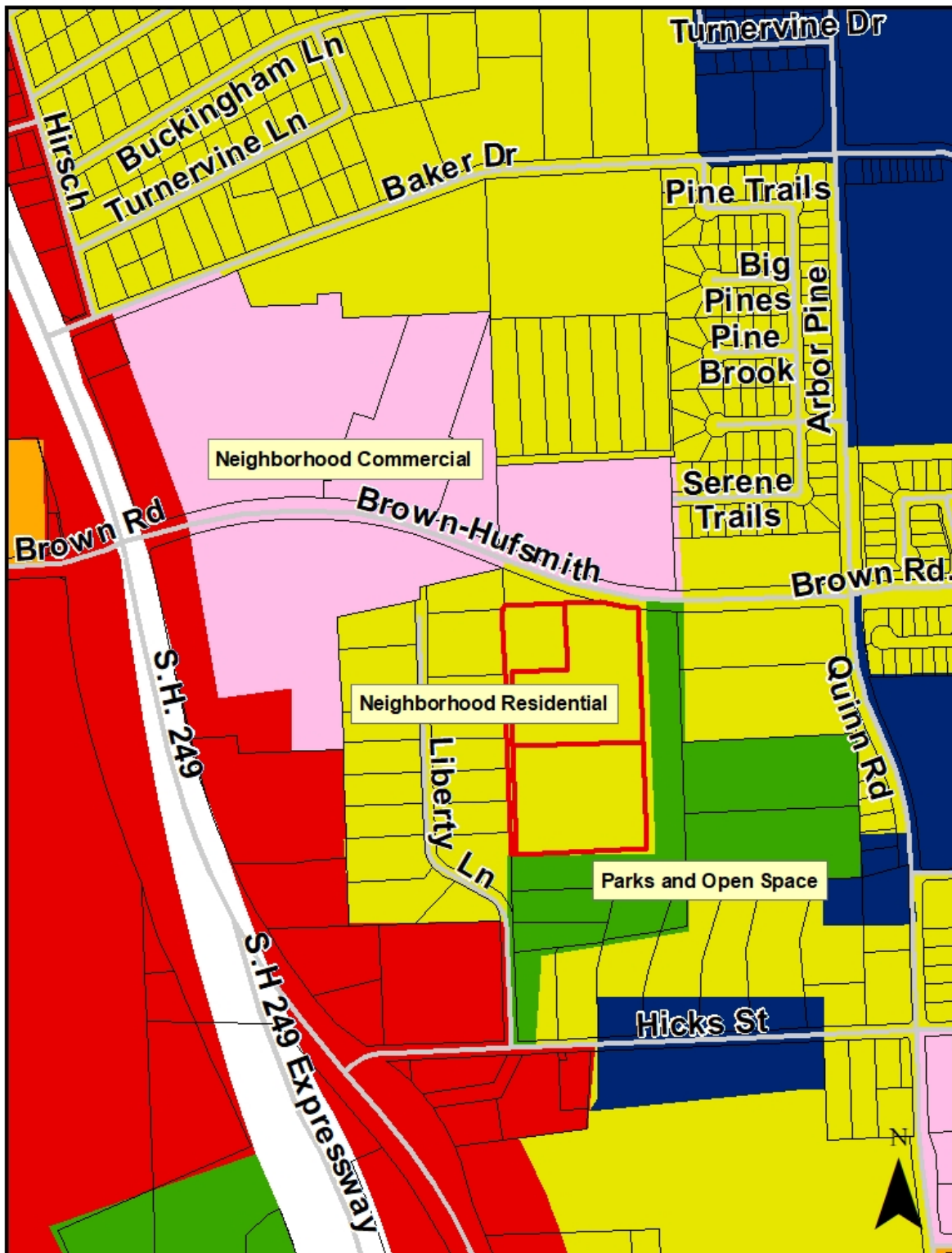
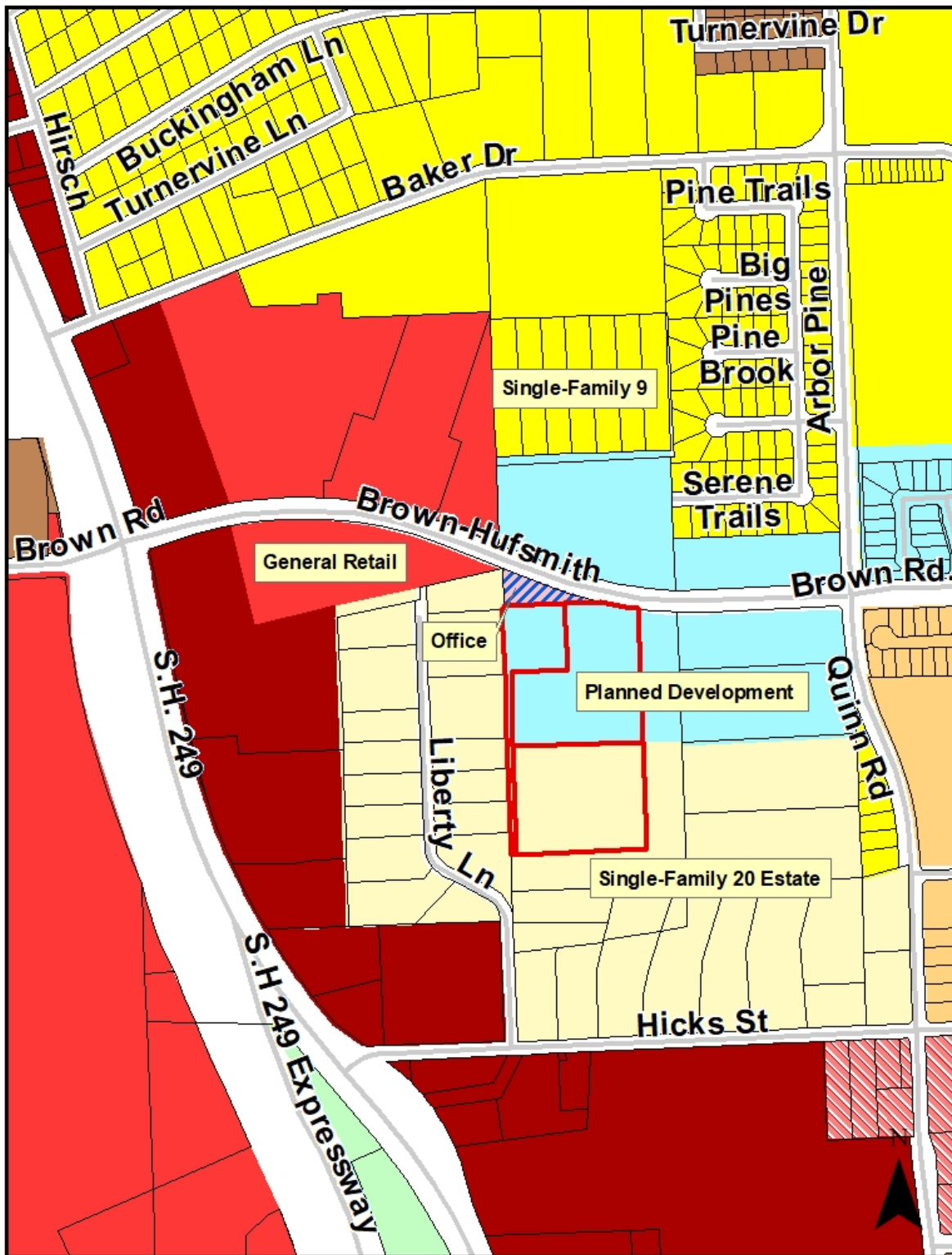


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**

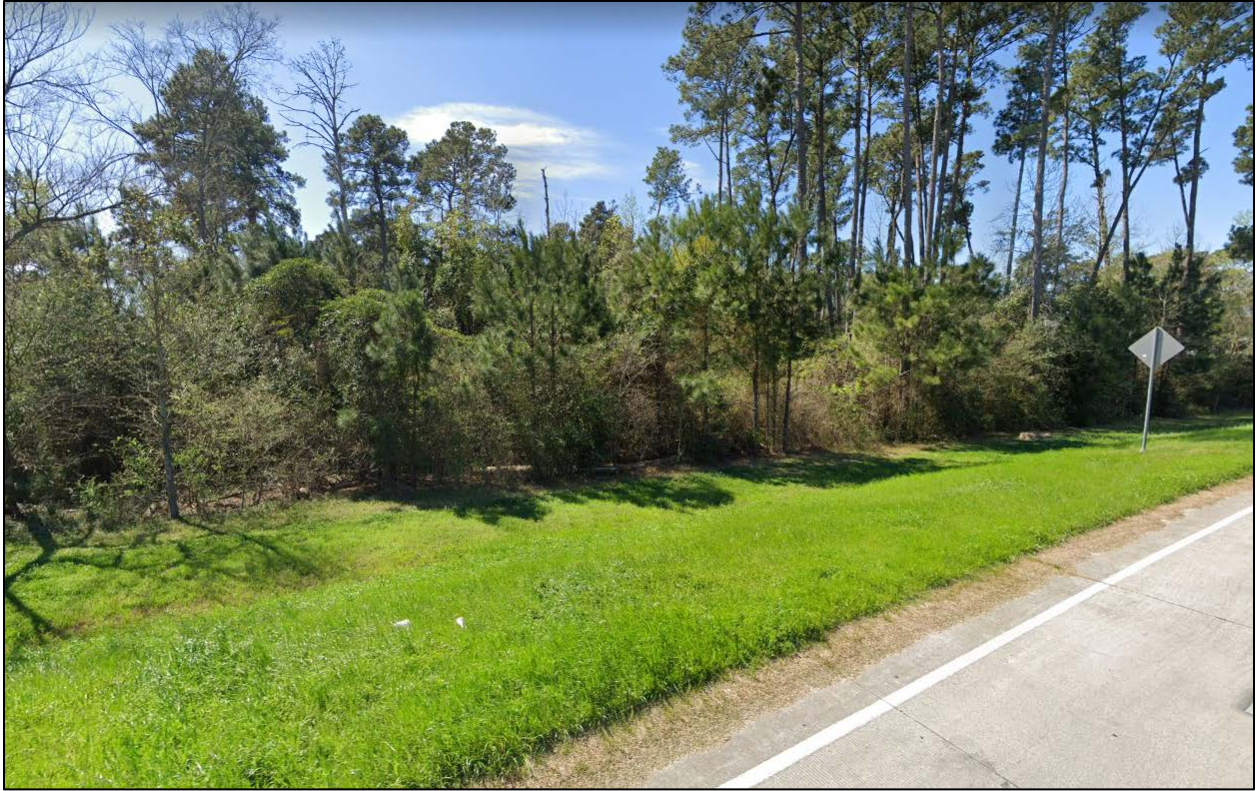


Exhibit "E"
Rezoning Application



APPLICATION FOR RE-ZONING
Community Development Department
Planning Division

RECEIVED (KC)
11/04/2020 10:32:03 AM

Revised: 4/13/2020
P&Z Case #20-338
\$540.00 PD

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: David Weekley Homes Title: Development Manager
Mailing Address: 1111 N Post Oak Road City: Houston State: Texas
Zip: 77055 Contact: Todd Morgan
Phone: (713) 545-9798 Email: TMorgan@DWHomes.com

Owner

Name: Ellen Hohl Stutts *Executor of Carolyn Hohl Estate* Title: Executor of Carolyn Hohl Estate
Mailing Address: 40 Stephen Hohl Dr *13607 Loop West* City: Tomball State: TX
Zip: 77375 Contact: Stephen Hohl
Phone: 832.368.3835 Email: Stephen.Hohl@gmail.com

Engineer/Surveyor (if applicable)

Name: Crestline Engineering Title: Principal
Mailing Address: 2000 S. Dairy Ashford Rd, Ste 200 City: Houston State: TX
Zip: 77077 Contact: Mark D. Shelfer, P.E.
Phone: (713) 314-7029 Fax: () Email: mark@crestlineeng.com

Description of Proposed Project: Single-family residential development

Physical Location of Property: South of Brown Road, approximately 2,000' east of Texas S.H. 249
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: J. House Survey, Abstract 34, Tracts 17H, 17H-1, 17H-2, 17J & 17J-1
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: PD-1 and SF-20-E

Current Use of Property: Residential: Single-family

Proposed Zoning District: SF 6 - Single Family 6

Proposed Use of Property: Single Family Residential Development

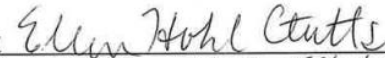
HCAD Identification Number: 0402700010145, 0402700010146, 0402700010147 Acreage: 13.378 acres

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

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X  11-4-20
Signature of Applicant Date

X  Exec.-Estate of Carolyn K. Hohl 10-29-2020
Signature of Owner Date

401 Market Street
401 Market Street
Tomball, TX 77375
(281) 351-5484

DATE : 11/4/2020 8:32 AM
OPER : RP
TKBY : rp
TERM : 2
REC# : R01241219

130.0000 PLANNING AND ZONING 540.00
the weekly group south of brown road eas

Paid By: the weekly group south of brown
2-CK 540.00 REF:w 2934949

APPLIED	540.00
TENDERED	540.00
CHANGE	0.00

Building Dreams, Enhancing Lives.
David Weekley Homes

City of Tomball
Planning & Zoning Commission
401 Market Street
Tomball, TX 77375

Dear City of Tomball Planning & Zoning Commission,

This letter is meant to serve as supplemental documentation to accompany the request of the Estate of Carolyn K Hohl and David Weekley Homes for a zone change on the referenced property near Brown Road and Quinn Road in Tomball, TX. Attached along with this letter is the Rezoning Application as well as Proposed Site Plan for the development.

David Weekley Homes desires to develop an upscale community of 53 homes on this 13.378 acre property. The current zoned status of the property is a mix of Single-Family Estate (SF-20-E) as well as a Planned Development (PD-1). The zone change request is to rezone the entire property to Single Family 6 District (SF-6).

This zone change will allow us to efficiently develop the property into single family homes in line with the City of Tomball's Future Land Use Plan being Neighborhood Residential. This will allow David Weekley Homes to develop an upscale community that will not only deliver a quality product for future or existing Tomball residents looking for a new home within the City of Tomball but provide additional revenue to the city. Our desire is to create a community with the aesthetic appeal and quality of one of our previous communities near the reference property developed by Will Benson, Yaupon Trails.

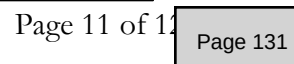
We believe that this development will allow David Weekley Homes to deliver an upscale new home community that will not only benefit those residents that purchase homes in the community but contribute to the City of Tomball's continued success.

Thank you so much for your time and consideration of our zone change request.

Sincerely,



Scott Black
David Weekley Homes



“ EXHIBIT A “

FIELD NOTES OF A TRACT OF LAND CONTAINING 13.378 ACRES SITUATED IN THE JOSEPH HOUSE LEAGUE, ABSTRACT 34, HARRIS COUNTY, TEXAS AND BEING THE RESIDUE OF A 10.00 ACRE TRACT OF LAND CALLED TRACT 1 AND THE RESIDUE OF A 10.00 ACRE TRACT OF LAND CALLED TRACT 2 CONVEYED TO ROY C. HOHL RECORDED BY DEED IN HARRIS COUNTY CLERK'S FILE NO.(S) B 899708 AND C 922066 OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS. SAID 13.378 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

NOTE: BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLAIN COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83.

BEGINNING at a 5/8" capped iron rod, found, being an exterior corner in the west line of a 6.292 acre tract of land conveyed to City of Tomball recorded by deed in Harris County Clerk's File No.(s) Y 538668 of the Real Property Records of said county and for the **southwest corner** of the herein described tract (X=3032877.6167, Y=13962802.4460), from which a 5/8" iron rod, found, being the southwest corner of said 6.292 acres bears S 02°08'27" E, a distance of 159.93 feet;

THENCE, N 02°08'27" W, along the west line of said Tract 1 and 2, a distance of 1035.76 feet to a 1/2" capped iron rod, set, being the southwest corner of Lot 2, Block 2, Brown-Hufsmith Commercial, a subdivision in said county according to the map or plat thereof recorded in Film Code #622259 of the Map Records of said county, the northwest corner of said Tract 2 and for the **northwest corner** of the herein described tract;

THENCE, N 87°12'47" E, along the south line of said Lot 2 and the north line of said Tract 2, a distance of 401.98 feet to a 1/2" capped iron rod, set, in the south right-of-way line of Brown-Hufsmith Road (100 foot right-of-way), the east corner of said Lot 2 and for the **"Point of Curve"** in the north line of the herein described tract;

THENCE, along a curve to the left with the south right-of-way line of said Brown-Hufsmith Road having a radius of 1690.42 feet and an arc length of 167.06 feet with a chord bearing of S 79°54'49" E, a distance of 166.99 feet to a 5/8" capped iron rod, set, being the northwest corner of said 6.292 acres and for the **northeast corner** and **"Point of Tangent"** of the herein described tract;

THENCE, S 02°11'50" E, along the west line of said 6.292 acres, a distance of 999.00 feet to a 5/8" capped iron rod, set, being an interior corner in the west line of said 6.292 acres and for the **southeast corner** of the herein described tract;

THENCE, S 87°15'33" W, along an exterior line of said 6.292 acres, a distance of 566.17 feet to the **"Point of Beginning"** and containing 13.378 acres of land, more or less.

Surveyed: May 06, 2020

I, Mike H. Rubaiy, Registered Professional Land Surveyor No. 2907, do hereby certify that the foregoing field notes were prepared from a survey made on the ground under my supervision on the date shown and that all lines, boundaries and landmarks are accurately described therein.

Mike H. Rubaiy
R.P.L.S. No. 2907

Job No. 220107
Date: 06-17-2020
hh



City Council Meeting

Agenda Item

Data Sheet

Meeting Date: December 21, 2020

Topic:

Approve Resolution No. 2020-44, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Date, Time, and Place for Public Hearing at which all Interested Parties shall have an Opportunity to be heard; Providing for Publication of Notice of Such Public Hearing; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (*Being a 3.119-Acre (138,840 Square Feet) Tract or Parcel of Land Situated in the Elizabeth Smith Survey, A-70, Harris County, Texas, Being out of Unrestricted Reserve "C" of the Final Plat of Tomball Greens, as Recorded under Film Code No. 440128 of the Map Records of Harris County, Texas, also Being Out and Part of a 5.00 Acre Tract Described in Deed Recorded under Clerk's File No. Z331045 of the Real Property Records of Harris County, Texas*) [11234 Spell Road, HCAD 1207880000010]

Background:

Approval of Resolution No. 2020-44 will declare the City's intention to annex the property located at 11234 Spell Road, located within the City's ETJ, and to schedule the required public hearing.

A copy of the annexation calendar is included for Council review.

The Local Government Code now requires only one public hearing on proposed annexations. Staff's recommendation is that the public hearing be held during the regular Council meeting on January 18, 2021.

First reading of the ordinance to annex will be presented following the public hearing on January 18, 2021; second reading will be presented at the regular Council meeting on February 1, 2021.

Origination: Nazimuddin K. Maredia, TN Associates

Recommendation:

Conduct Public Hearing

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Doris Speer</u>	<u>12/10/2020</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

RESOLUTION NO. 2020-44

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF TOMBALL, TEXAS, TO INSTITUTE PROCEEDINGS TO ANNEX CERTAIN TERRITORY; DESCRIBING SUCH TERRITORY; SETTING THE DATE, TIME, AND PLACE FOR PUBLIC HEARING AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING; AND DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED (BEING A 3.119-ACRE (138,840 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE ELIZABETH SMITH SURVEY, A-70, HARRIS COUNTY, TEXAS, BEING OUT OF UNRESTRICTED RESERVE "C" OF THE FINAL PLAT OF TOMBALL GREENS, AS RECORDED UNDER FILM CODE NO. 440128 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, ALSO BEING OUT AND PART OF A 5.00 ACRE TRACT DESCRIBED IN DEED RECORDED UNDER CLERK'S FILE NO. Z331045 OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS) [11234 SPELL ROAD, HCAD 1207880000010]

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. The City Council of the City of Tomball hereby declares its intention to institute proceedings to annex to the City the territory described in Exhibit "A" attached hereto and made a part hereof by the passage of an ordinance of annexation extending the general corporate limits of the City of Tomball for all purposes to include such territory.

Section 2. The City Council of the City of Tomball hereby calls a public hearing at which all interested persons shall have the right and opportunity to appear and be heard upon such proposal to annex the territory described above. **No suitable location is available for a public hearing to be held on the property proposed for annexation. The public hearing shall be held in the City Council Chambers, 401 Market Street, City of Tomball, Texas, during a Regular Council Meeting at 6:00 o'clock (6:00 p.m.), on January 18, 2021.** The annexation proceeding, of which notice of intention to annex is given by this Resolution, subsequent to such public hearing.

Section 3. The City Secretary of the City of Tomball is hereby directed to cause notice of such public hearing to be given by publication in a newspaper having general circulation within the City of Tomball and within the territory proposed to be annexed, the publication of notice of public hearing to be made at least once in such newspaper not more than twenty (20) days nor less than ten (10) days prior to the day of that public hearing.

Section 4. The City Engineer is hereby directed to cause to be prepared a service plan that provides for the extension of municipal services to the territory that is proposed to be annexed. The proposed service plan shall be made available for public inspection and shall be explained to the inhabitants of the territory at the public hearing called herein. Such service plan shall be prepared in accordance with the provisions of Chapter 43 of the TEXAS LOCAL GOVERNMENT CODE.

PASSED, APPROVED, AND RESOLVED this 21st day of December 2020.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

Doris Speer, City Secretary
City of Tomball

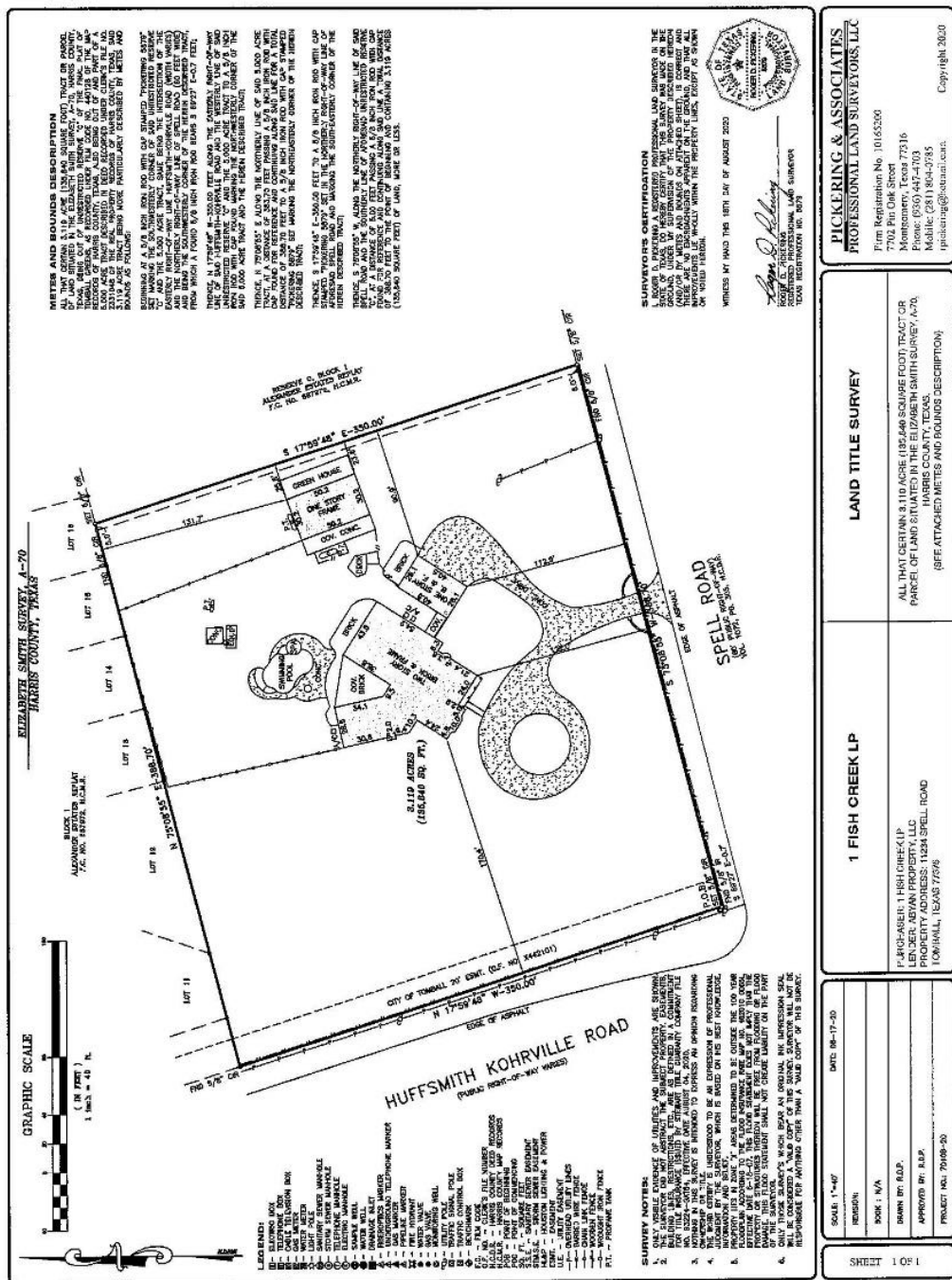


Exhibit "A" – Page 2

PICKERING & ASSOCIATES

PROFESSIONAL LAND SURVEYORS, LLC

7702 Pin Oak Street, Montgomery, Texas 77316

Phone (936) 447-4703, Mobile (281) 804-0785

Texas Licensed Surveying Firm 10165200

METES AND BOUNDS DESCRIPTION

ALL THAT CERTAIN 3.119 ACRE (135,840 SQUARE FOOT) TRACT OR PARCEL OF LAND SITUATED IN THE ELIZABETH SMITH SURVEY, A-70, HARRIS COUNTY, TEXAS, BEING OUT OF UNRESTRICTED RESERVE "C" OF THE FINAL PLAT OF TOMBALL GREENS, AS RECORDED UNDER FILM CODE NO. 440128 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, ALSO BEING OUT OF AND PART OF A 5.000 ACRE TRACT DESCRIBED IN DEED RECORDED UNDER CLERK'S FILE NO. Z331048 OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS, SAID 3.119 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WITH CAP STAMPED "PICKERING 5879" SET MARKING THE SOUTHWESTERLY CORNER OF SAID UNRESTRICTED RESERVE "C" AND THE 5.000 ACRE TRACT, SAME BEING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE HUFFSMITH-KOHRVILLE ROAD (WIDTH VARIES) AND THE NORTHERLY RIGHT-OF-WAY LINE OF SPELL ROAD (60 FEET WIDE) AND BEING THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS S 69°27' E-0.7 FEET;

THENCE, N 17°59'48" W-350.00 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID HUFFSMITH-KOHRVILLE ROAD AND THE WESTERLY LINE OF SAID UNRESTRICTED RESERVE "C" AND THE 5.000 ACRE TRACT TO A 5/8 INCH IRON ROD WITH CAP FOUND MARKING THE NORTHWESTERLY CORNER OF THE SAID 5.000 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, N 75°08'55" E ALONG THE NORTHERLY LINE OF SAID 5.000 ACRE TRACT, AT A DISTANCE OF 383.70 FEET PASSING A 5/8 INCH IRON ROD WITH CAP FOUND FOR REFERENCE AND CONTINUING ALONG SAID LINE FOR A TOTAL DISTANCE OF 388.70 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "PICKERING 5879" SET MARKING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 17°59'48" E-350.00 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "PICKERING 5879" SET IN THE NORTHERLY RIGHT-OF-WAY LINE OF AFORESAID SPELL ROAD AND MARKING THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 75°08'55" W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SPELL ROAD AND THE SOUTHERLY LINE OF AFORESAID UNRESTRICTED RESERVE "C", AT A DISTANCE OF 5.00 FEET PASSING A 5/8 INCH IRON ROD WITH CAP FOUND FOR REFERENCE AND CONTINUING ALONG SAID LINE A TOTAL DISTANCE OF 388.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.119 ACRES (135,840 SQUARE FEET) OF LAND, MORE OR LESS.

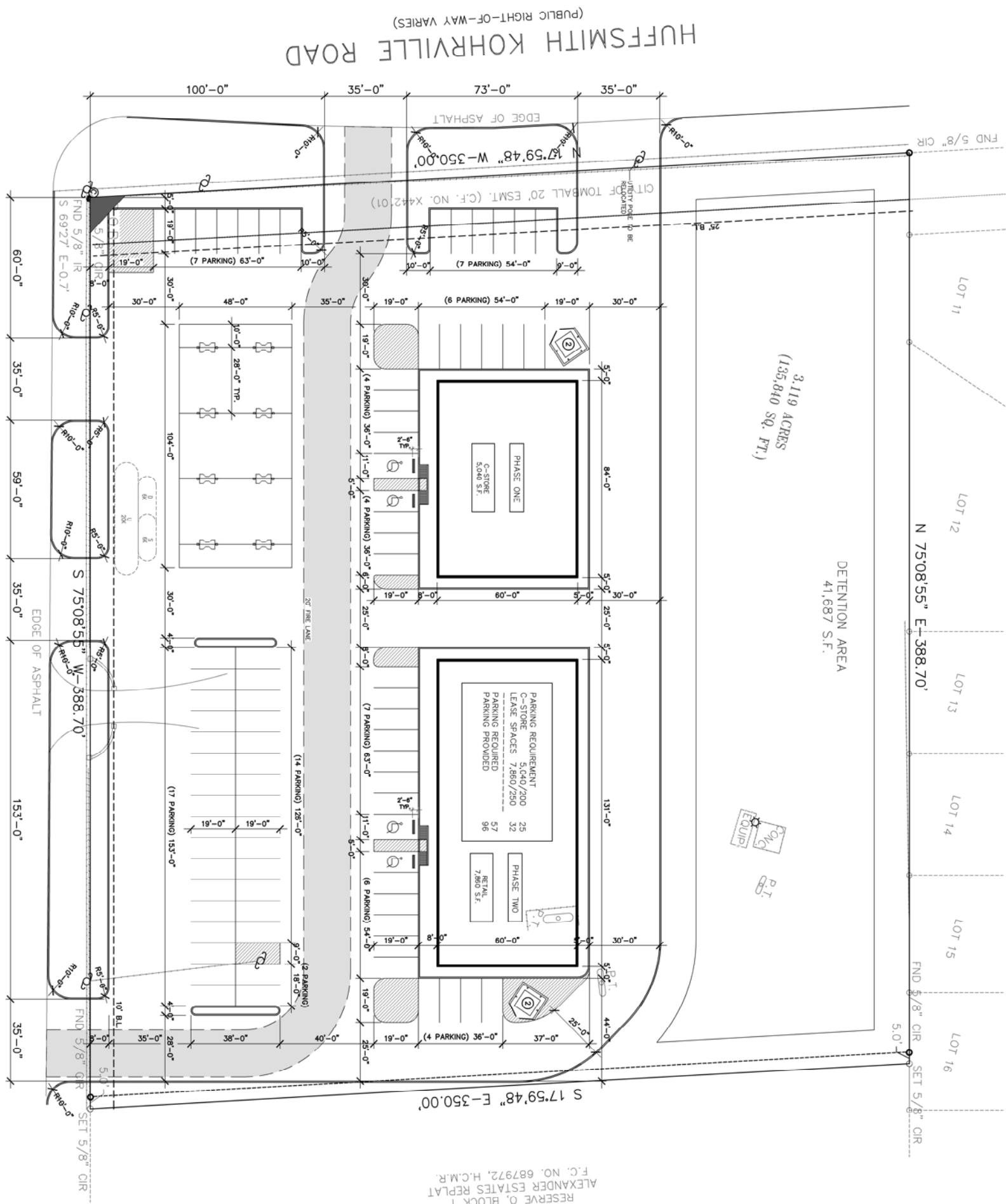
ROGER D. PICKERING, R.P.L.S.
TEXAS REGISTRATION NO. 5879



BLOCK 1
ALEXANDER ESTATES REPLAT
F.C. NO. 687972, H.C.M.R.

DETENTION AREA
41,687 S.F.

3.119 ACRES
(135,810 sq. ft.)



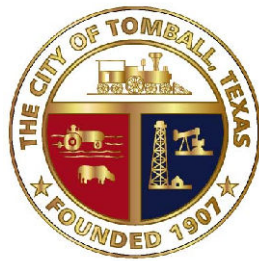
RESERVE O, BLOCK 1
ALEXANDER ESTATES REPLAT
F.C. NO. 687972, H.C.M.R.

(PUBLIC RIGHT-OF-WAY VARIES)

HUFFSMITH KOHRVILLE ROAD

SPELL ROAD
(60' PUBLIC RIGHT-OF-WAY)
VOL. 1072, PG. 303, H.C.D.R.

- LEGEND:**
- ☐ - ELECTRIC BOX
 - ☐ - TELEPHONE BOX
 - ☐ - CABLE TELEVISION BOX
 - ☐ - GAS METER
 - ☐ - WATER METER
 - ☐ - LIGHT POLE
 - ☐ - SANITARY SEWER MANHOLE
 - ☐ - STORM SEWER MANHOLE
 - ☐ - TELEPHONE MANHOLE
 - ☐ - ELECTRIC MANHOLE
 - ☐ - SAMPLE WELL
 - ☐ - WATER WELL
 - ☐ - DRAINAGE INLET
 - ☐ - FIBEROPTICS MARKER
 - ☐ - UNDERGROUND TELEPHONE MARKER
 - ☐ - GAS MARKER
 - ☐ - PIPELINE MARKER
 - ☐ - FIRE HYDRANT
 - ☐ - WATER VALVE
 - ☐ - GAS VALVE
 - ☐ - MONITORING WELL
 - ☐ - UTILITY POLE
 - ☐ - TRAFFIC SIGNAL POLE
 - ☐ - TRAFFIC CONTROL BOX
 - ☐ - BENCHMARK
 - ☐ - FILM CODE
 - ☐ - CLERK'S FILE NUMBER
 - ☐ - HARRIS COUNTY DEED RECORDS
 - ☐ - HARRIS COUNTY MAP RECORDS
 - ☐ - POINT OF BEGINNING
 - ☐ - POINT OF COMMENCING
 - ☐ - SQUARE SEWER EASEMENT
 - ☐ - SANITARY SEWER EASEMENT
 - ☐ - STORM SEWER EASEMENT
 - ☐ - HOUSTON LIGHTING & POWER
 - ☐ - EASEMENT
 - ☐ - UTILITY EASEMENT
 - ☐ - OVERHEAD UTILITY LINES
 - ☐ - BARBED WIRE FENCE
 - ☐ - CHAIN LINK FENCE
 - ☐ - WOODEN FENCE
 - ☐ - WROUGHT IRON FENCE
 - ☐ - PROPANE TANK



Legend

- Water Main
- Water Fire Line
- WW Manhole
- WW Force Main
- WW Gravity Main
- WW Service Line
- Gas Main
- Gas Service Line
- Property Boundary



PROPOSED VOLUNTARY/OWNER-PETITIONED ANNEXATION - post-HB 347 – 11234 Spell Road

Council approves annexation request on 12/21/2020 by adopting Resolution No. 2020-44 and sets 1/18/2021 as date for public hearing (regular Council meeting). Send to paper on 12/22 to run in paper on 12/30 (19 days' notice for 1/18/2021 meeting). Development Agreement to continue agricultural use is not required, as advised by property owner that planned development will be Office and Commercial.

Publish Dates & Public Hearing Dates – Complete Annexation on 2/1/2021				
	Publish Date	One Public Hearing at Regular Meeting	First Reading of Ordinance at Regular Meeting	Second Reading of Ordinance at Regular Meeting
Council approves annexation on 12/21 and sets date for Public Hearing as 1/18/2021:	12/30/2020	Regular Mtg 1/18/2021	1/18/2021	2/1/2021
Public hearing to 2nd reading of the Ordinance is 14 days total to complete annexation from resolution approval	19 days' notice to 1/18/2021 PH			
42 days from Resolution approval.	To paper 12/22 to run on 12/30			
(19 days from first publication notice to first reading/institution of proceedings)	(-19 days) to 1 st reading	(Day 0)	(Day 0)	(+14 days)

Publication date – more than 10 days' notice, less than 20 days' notice for public hearings [LGC, Sec. 43.063(c)] – **19 days' notice for P.H.**

Annexation must be completed within 90 days of 1st reading of ordinance [*institution of proceedings*, LGC, Sec. 43.064] – 14 days after 1st reading

City must give notice regarding intention to annex area 30 days before first public hearing to public and private entities – county, fire department, emergency services districts, utility companies [LGC, Sec. 43.062(b)] – **Requirement is not mandatory if we annex by request, but it is City policy to notify entities.**

Resolution will be presented on the 12/21/2020 agenda for Council to approve and to set public hearing on 1/18/2021.

Municipality must post notice of the hearings on the municipality's Internet website if the municipality has an Internet website and publish notice of the hearings in a newspaper of general circulation in the municipality and in the area proposed for **annexation**. Notice for hearing be published at least once on or after the 20th day but before the 10th day before the date of the hearing. Requires that the notice for hearing be posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and remain posted until the date of the hearing.

City Council Meeting Agenda Item Data Sheet

Meeting Date: December 21, 2020

Topic:

Consideration and possible action to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Power Now, LLC to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the relocation of its corporate headquarters to 215 South Persimmon Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$45,000.00.

Background:

All expenditures of the Tomball Economic Development Corporation (TEDC) sales tax revenue must first be approved as a “Project.” At its meeting on December 10, 2020, the TEDC Board of Directors did take formal action to approve, as a Project of the TEDC, an agreement with Power Now, LLC for the creation or retention of primary jobs associated with the relocation of the company’s corporate headquarters. The Tomball City Council has final approval authority over all projects and agreements of the TEDC.

Origination: Brian Northway, General Manager, Power Now, LLC

Recommendation:

Approval of the Performance Agreement with Power Now, LLC.

Party(ies) responsible for placing this item on agenda: Kelly Violette

FUNDING (IF APPLICABLE)

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

Yes: Yes No: If yes, specify Account Number: # Project Grants

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

Signed	<u>Kelly Violette</u>	Approved by	<u></u>
	Executive Director-TEDC Date		City Manager Date



16203 Ladino Run St

Cypress, TX 77429

Phone: (832) 448-0478

Fax: (281) 256-1487

Tomball Economic Development Corporation
29201 Quinn Road, Suite B
Tomball, TX 77375

Dear TEDC Board of Directors,

We are requesting grant support from the Tomball EDC for our relocation to 215 South Persimmon St. Tomball, TX 77375. We are bringing 15 full time employees to our new location and have plans to triple this number within 18 months. With this project, we will be investing \$500,000 in capital to outfit the current facility to meet our business needs.

A little about who we are:

Power Now, LLC was established in 2003. We were one of the first companies in Houston to offer residential standby back-up generators. We pride ourselves on our outstanding customer service and our ability to meet all your generator needs.

We sell and service all major brands of generators as well as keep enough stock in equipment and parts to service our customers. Currently we service approximately 1000 generator customers in the greater Houston area.

At Power Now LLC we believe in giving back to our community. Donating several generators to Hurricane victims, charities events, and our shop local policy, we support the community that supports us.

Power Now, a family owned and operated business, continued success comes from a knowledgeable, dedicated group of employees who are committed to innovative approaches, technical excellence and first-class customer service.

On Staff, we have a Master Electrician, Master Plumber and all our Techs are certified. We're also members of the National Fire Protection Agency (NFPA), Code making panel 13 of the NEC and have a technically oriented Sales Staff.

We have recently opened Power Solutions Specialist L.L.C. in the fourth quarter of 2020. Power Solutions Specialist LLC, will distribute generators throughout the southern region of the U.S. Along with distribution PSS LLC, will factory train and educate dealers in the operation and always evolving technology. Power Solutions Specialist will be a tier II service facility and technical support for the southern region.



16203 Ladino Run St

Cypress, TX 77429

Phone: (832) 448-0478

Fax: (281) 256-1487

Our mission is to bring Power Solution Specialist LLC, to the great City of Tomball as the main headquarters. Once established we continue to give back to our community through vocational schooling and hands on technical training for the up and coming future of our kids.

Thank you,

A handwritten signature in blue ink, appearing to read "Brian Northway", is written over a faint, larger version of the same signature.

Brian Northway
General Manager

AGREEMENT

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS §

This Agreement (the “Agreement”) is made and entered into by and between the **Tomball Economic Development Corporation**, an industrial development corporation created pursuant to the Development Corporation Act, now Chapter 501 et seq of the Texas Local Government Code, located in Harris County, Texas (the “TEDC”), and **Power Now, LLC** (the “Company”), 16203 Ladino Run Street, Cypress, TX 77429.

WITNESSETH:

WHEREAS, it is the established policy of the TEDC to adopt such reasonable measures from time-to-time as are permitted by law to endeavor to attract industry, create and retain primary jobs, expand the growth of the City of Tomball (the “City”), and thereby enhance the economic stability and growth of the City; and

WHEREAS, the Company proposes to lease 9,000 square-feet of existing office and warehouse space located at 215 South Persimmon Street, Tomball, Texas 77375 (the “Property”), and more particularly described in Exhibit “A,” attached hereto and made a part hereof; and

WHEREAS, the Company, currently located at 16203 Ladino Run Street, Cypress, TX 77429, proposes to relocate its corporate headquarters to the Property, and as part of the process, plans to make capital investments including building improvements, fixed machinery and equipment and tangible personal property (the “Improvements”) in an amount equal to at least Five Hundred Thousand Dollars (\$500,000.00) as are necessary to occupy the Property and grow the business; and

WHEREAS, the Company also proposes to relocate fifteen (15) full-time employees to the Property and to create fifteen (15) new jobs in Tomball within its first two years of operations at the Property; and

WHEREAS, the TEDC agrees to provide to the Company the sum of Forty-Five Thousand Dollars (\$45,000.00) to assist in the construction of the Improvements, the relocation of the fifteen (15) employees, and the creation of fifteen (15) new full-time jobs at the Property; and

WHEREAS, the Company has agreed, in exchange and as consideration for the funding, to satisfy and comply with certain terms and conditions; and

WHEREAS, this expenditure is found by the Board of Directors of the TEDC to be suitable for the relocation of the corporate headquarters to the property, to promote and develop new business enterprises on the Property, and in furtherance of the creation and retention of primary jobs;

NOW, THEREFORE, in consideration of the premises and the mutual benefits and obligations set forth herein, including the recitals set forth above, the TEDC and the Company agree as follows:

1.

Except as provided by paragraph 4, the Company covenants and agrees that it will operate and maintain the proposed business for a term of at least five (5) years and will maintain thirty (30) full-time employees on the Property.

2.

The construction of the Improvements, relocation of the fifteen (15) employees, and creation of fifteen (15) new full-time jobs and the obtaining of all necessary occupancy permits from the City must occur within twenty-four (24) months from the Effective Date of this

Agreement. Extensions of these deadlines may be granted by the Board of Directors of the TEDC due to any extenuating circumstance or uncontrollable delay.

3.

The Company further covenants and agrees that it does not and will not knowingly employ an undocumented worker. An “undocumented worker” shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized by law to be employed in that manner in the United States.

4.

In consideration of the Company's representations, promises, and covenants, TEDC agrees to grant to the Company Forty-Five Thousand Dollars (\$45,000.00) to fund a portion of the cost of the Improvements, the relocation of the fifteen (15) employees, and the creation of fifteen (15) new employees to the Tomball operation. The TEDC agrees to distribute such funds to the Company within thirty (30) days of receipt of a letter from the Company requesting such payment, which letter shall also include: (a) a copy of the City’s occupancy permit for the Improvements to the Property, if applicable; (b) proof that the company has added the number of employees indicated above to the Tomball operation as evidenced by copies of Texas Workforce Commission form C-3 or Internal Revenue Service form 941; (c) a letter from the City acknowledging that all necessary plats, plans, and specifications have been received, reviewed, and approved; (d) certification that the Improvements have been constructed in accordance with the approved plans and specifications; (e) an affidavit stating that all contractors and subcontractors providing work and/or materials in the construction of the Improvements have been paid and any and all liens and claims regarding such work have been released; and (f) Proof of payment to all contractors and subcontractors providing work and/or materials in the construction of the Improvements, proof of

payment must include copies of canceled checks and/or credit card receipts and copies of paid invoices from all contractors and subcontractors.

In the event the number of jobs originally projected is not met or maintained, the amount of the funding provided to the Company by TEDC will be reduced on a pro-rata basis to reflect the actual number of jobs at the time of the request for disbursement of funds.

5.

It is understood and agreed by the parties that, in the event of a default by the Company on any of its obligations under this Agreement, the Company shall reimburse the TEDC the full amount paid to the Company by the TEDC, with interest at the rate equal to the 90-day Treasury Bill plus $\frac{1}{2}\%$ per annum, within 120 days after the TEDC notifies the Company of the default. It is further understood and agreed by the parties that if the Company is convicted of a violation under 8 U.S.C. Section 1324a(f), the Company will reimburse the TEDC the full amount paid to the Company, with interest at the rate equal to the 90-day Treasury Bill plus $\frac{1}{2}\%$ per annum, within 120 days after the TEDC notifies the Company of the violation.

The Company shall also reimburse the TEDC for any and all reasonable attorney's fees and costs incurred by the TEDC as a result of any action required to obtain reimbursement of such funds. Such reimbursement shall be due and payable thirty (30) days after the Company receives written notice of default accompanied by copies of all applicable invoices.

It is understood and agreed by the parties that, in the event of a default by the TEDC on any of its obligations under this Agreement, the Company's sole and exclusive remedy shall be limited to either a) the termination of this Agreement or b) a suit for specific performance.

6.

Personal Liability of Public Officials: To the extent permitted by law, no director, officer, employee or agent of the TEDC, and no officer, employee or agent of the City of Tomball, shall be personally responsible for any liability arising under or growing out of this Agreement.

7.

This Agreement shall inure to the benefit of and be binding upon the TEDC and the Company, and upon the Company's successors and assigns, affiliates, and subsidiaries, and shall remain in force whether the Company sells, assigns, or in any other manner disposes of, either voluntarily or by operation of law, all or any part of the Property and the agreements herein contained shall be held to be covenants running with the Property for so long as this Agreement, or any extension thereof, remains in effect.

8.

Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (i) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, return receipt requested; or (ii) by delivering the same in person to such party; or (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or (iv) by facsimile; provided a copy of such notice is sent within one (1) day thereafter by another method provided above. The initial addresses of the parties for the purpose of notice under this Agreement shall be as follows:

If to City:

Tomball Economic Development Corporation
401 W. Market Street
Tomball, Texas 77375
Attn: President, Board of Directors

If to Company: Power Now, LLC
16203 Ladino Run, Street
Cypress, TX 77429
Attn: Brian Northway, General Manager

9.

This Agreement shall be performable and enforceable in Harris County, Texas, and shall be construed in accordance with the laws of the State of Texas.

10.

Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment or modification only in writing, and by the signatures and mutual consent of the parties hereto.

11.

The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.

12.

This Agreement shall bind and benefit the respective Parties and their legal successors and shall not be assignable, in whole or in part, by any party without first obtaining written consent of the other party.

13.

In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement, or the application thereof to any person, firm, corporation, or circumstance, shall be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity or unconstitutionality of such words, phrases,

clauses, sentences, paragraphs, sections, or other parts of this Agreement shall be deemed to be independent of and severable from the remainder of this Agreement, and the validity of the remaining parts of this Agreement shall not be affected thereby.

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the parties on this _____ day of _____ 2021 (the “Effective Date”).

Power Now, LLC

By: _____

Name: Brian Northway

Title: General Manager

ATTEST:

By: _____

Name: _____

Title: _____

TOMBALL ECONOMIC DEVELOPMENT CORPORATION

By: _____

Name: Gretchen Fagan

Title: President, Board of Directors

ATTEST:

By: _____

Name: _____

Title: Secretary, Board of Directors

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the ____ day of _____
2021, by Brian Northway, General Manager, Power Now, LLC, for and on behalf of said company.

Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the ____ day of _____
2020, Gretchen Fagan, President of the Board of Directors of the Tomball Economic Development
Corporation, for and on behalf of said Corporation.

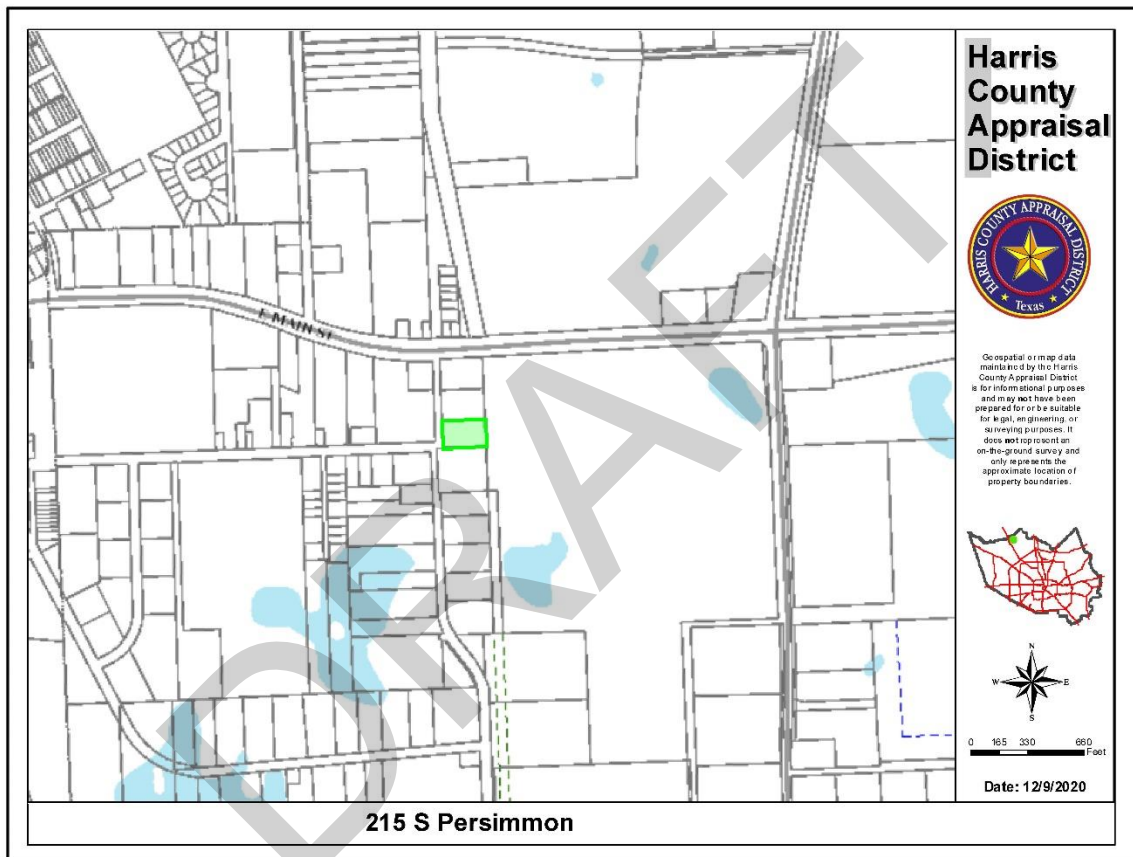
Notary Public in and for the State of Texas

My Commission Expires: _____

(SEAL)

Exhibit A
Description of Property

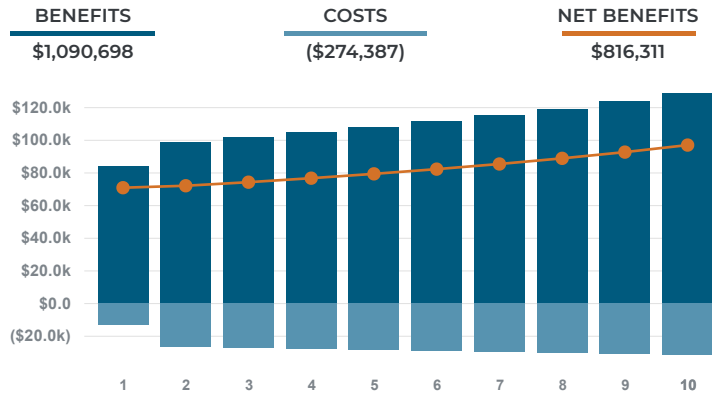
Legal Description: LT 3 BLK 1, PERSIMMON FLATS
Property Address: 215 S PERSIMMON ST, TOMBALL TX 77375



IMPACT REPORT
POWER NOW LLC
Summary Analysis

Recruitment

City of Tomball



JOBS



50.4 Total
30.0 Direct
20.4 Spin-off

SALARIES



\$33,101 Avg
\$38,000 Direct
\$25,893 Spin-off

CAPITAL INVEST.



\$500,000
Buildings + FF&E

RESIDENTIAL DEV.



0.2 Homes
1.5 Relocations

NET BENEFITS

\$816,311

Present Value \$621,381

BENEFITS

Sales Taxes	\$718,194
Real Property Taxes	\$6,169
FF&E Property Taxes	\$6,348
Inventory Property Taxes	\$14,955
New Residential Property Taxes	\$1,727
Hotel Occupancy Taxes	\$79,539
Building Permits and Fees	\$0
Utility Revenue	\$189,985
Utility Franchise Fees	\$17,994
Miscellaneous Taxes and User Fees	\$55,787

Benefits Subtotal \$1,090,698

COSTS

Cost of Government Services	(\$73,452)
Cost of Utility Services	(\$200,935)

Costs Subtotal (\$274,387)

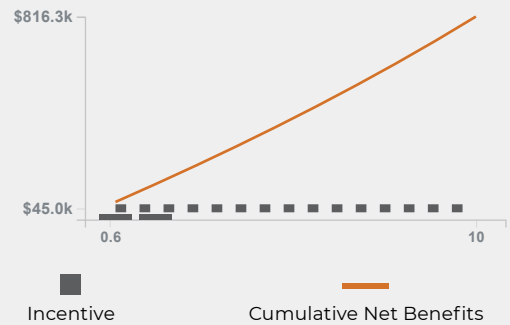
INCENTIVE ANALYSIS

\$45,000
Total Incentive

\$1,500
Per Job

181.4%
Rate of Return

0.6 Yrs
Payback Period



NET BENEFITS OVER 10 YEARS

CITY	\$816,311
COUNTY	\$42,315
SCHOOL DISTRICT	\$25,846
OTHER	\$48,476

Summary Analysis

Project Type: Recruitment
Prepared By: Tomball EDC

Purpose & Limitations

This report presents the results of an economic and fiscal analysis undertaken by Tomball EDC using Impact DashBoard, a customized web application developed by Impact DataSource, LLC.

Impact DashBoard utilizes estimates, assumptions, and other information developed by Impact DataSource from its independent research effort detailed in a custom user guide prepared for Tomball EDC.

This report, generated by the Impact DashBoard application, has been prepared by Tomball EDC to assist economic development stakeholders in making an evaluation of the economic and fiscal impact of business activity in the community. This report does not purport to contain all of the information that may be needed to conclude such an evaluation. This report is based on a variety of assumptions and contains forward-looking statements concerning the results of operations of the subject firm. Tomball EDC made reasonable efforts to ensure that the project-specific data entered into Impact DashBoard reflects realistic estimates of future activity. Estimates of future activity involve known and unknown risks and uncertainties that could cause actual results, performance, or events to differ materially from those expressed or implied in this report.

Tomball EDC and Impact DataSource make no representation or warranty as to the accuracy or completeness of the information contained herein, and expressly disclaim any and all liability based on or relating to any information contained in, or errors or omissions from, this information or based on or relating to the use of this information.

Introduction

This report presents the results of an economic impact analysis performed using Impact DashBoard, a model developed by Impact DataSource. The report estimates the impact that a potential project will have on the local economy and estimates the costs and benefits for local taxing districts over a 10-year period.

Economic Impact Overview

The table below summarizes the economic impact of the project over the first 10 years in terms of job creation, salaries paid to workers, and taxable sales.

SUMMARY OF ECONOMIC IMPACT OVER 10 YEARS IN CITY OF TOMBALL			
IMPACT	DIRECT	SPIN-OFF	TOTAL
Jobs	30.0	20.4	50.4
Annual Salaries/Wages at Full Ops (Yr 2)	\$1,162,800	\$538,544	\$1,701,344
Salaries/Wages over 10 Years	\$11,912,682	\$5,517,293	\$17,429,975
Taxable Sales/Purchases in City of Tomball	\$35,395,302	\$68,966	\$35,464,268

Totals may not sum due to rounding

The Project may result in new residents moving to the community and potentially new residential properties being constructed as summarized below.

SUMMARY OF POPULATION IMPACT OVER 10 YEARS IN CITY OF TOMBALL			
IMPACT	DIRECT	SPIN-OFF	TOTAL
Workers who will move to City of Tomball	0.9	0.6	1.5
New residents in City of Tomball	2.3	1.6	3.9
New residential properties constructed in City of Tomball	0.1	0.1	0.2
New students to attend local school district	0.5	0.3	0.8

Totals may not sum due to rounding

The new taxable property to be supported by the Project over the next 10 years is summarized in the following table.

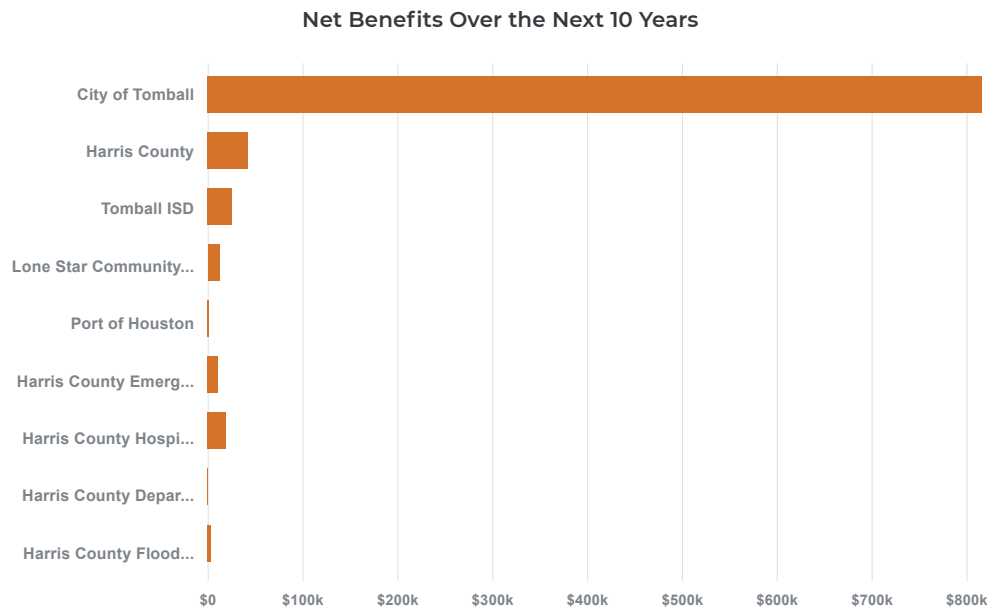
SUMMARY OF TAXABLE PROPERTY OVER THE FIRST 10 YEARS IN CITY OF TOMBALL							
YR.	NEW RESIDENTIAL PROPERTY	LAND	BUILDINGS...	FF&E	INVENTORIES	NON-RESIDENTIAL PROPERTY	TOTAL PROPERTY
1	\$24,195	\$0	\$165,000	\$250,000	\$400,000	\$815,000	\$839,195
2	\$49,358	\$0	\$168,300	\$310,000	\$408,000	\$886,300	\$935,658
3	\$50,345	\$0	\$171,666	\$276,500	\$416,160	\$864,326	\$914,671
4	\$51,352	\$0	\$175,099	\$243,000	\$424,483	\$842,583	\$893,935
5	\$52,379	\$0	\$178,601	\$209,500	\$432,973	\$821,074	\$873,453
6	\$53,427	\$0	\$182,173	\$176,000	\$441,632	\$799,806	\$853,232
7	\$54,495	\$0	\$185,817	\$142,500	\$450,465	\$778,782	\$833,277
8	\$55,585	\$0	\$189,533	\$109,000	\$459,474	\$758,007	\$813,593
9	\$56,697	\$0	\$193,324	\$75,500	\$468,664	\$737,488	\$794,185
10	\$57,831	\$0	\$197,190	\$67,000	\$478,037	\$742,227	\$800,058

Fiscal Impact Overview

The Project will generate additional benefits and costs, a summary of which is provided below. The source of specific benefits and costs are provided in greater detail for each taxing district on subsequent pages.

FISCAL NET BENEFITS OVER THE NEXT 10 YEARS				
	BENEFITS	COSTS	NET BENEFITS	PRESENT VALUE*
City of Tomball	\$1,090,698	(\$274,387)	\$816,311	\$621,381
Harris County	\$105,243	(\$62,928)	\$42,315	\$31,992
Tomball ISD	\$145,973	(\$120,126)	\$25,846	\$19,985
Lone Star Community College	\$12,620	\$0	\$12,620	\$9,734
Port of Houston	\$1,257	\$0	\$1,257	\$970
Harris County Emergency Services District 8	\$11,321	\$0	\$11,321	\$8,732
Harris County Hospital District	\$19,423	\$0	\$19,423	\$14,982
Harris County Department of Education	\$585	\$0	\$585	\$451
Harris County Flood Control	\$3,269	\$0	\$3,269	\$2,521
Total	\$1,390,389	(\$457,442)	\$932,948	\$710,748

*The Present Value of Net Benefits expresses the future stream of net benefits received over several years as a single value in today's dollars. Today's dollar and a dollar to be received at differing times in the future are not comparable because of the time value of money. The time value of money is the interest rate or each taxing entity's discount rate. This analysis uses a discount rate of 5.0% to make the dollars comparable.



Public Support Overview

A summary of the total Public Support modeled in this analysis is shown below.

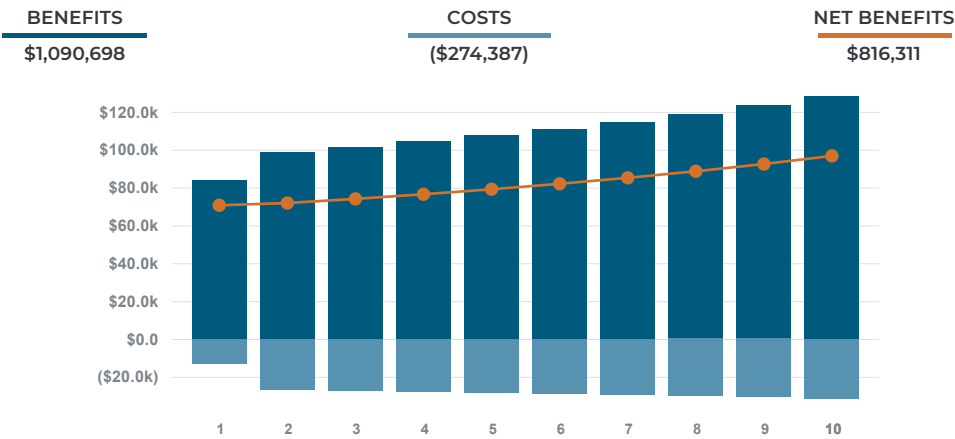
VALUE OF PUBLIC SUPPORT UNDER CONSIDERATION		
	NON-TAX INCENTIVE	TOTAL
City of Tomball	\$45,000	\$45,000
Harris County	\$0	\$0
Tomball ISD	\$0	\$0
Lone Star Community College	\$0	\$0
Port of Houston	\$0	\$0
Harris County Emergency Services District 8	\$0	\$0
Harris County Hospital District	\$0	\$0
Harris County Department of Education	\$0	\$0
Harris County Flood Control	\$0	\$0
Total	\$45,000	\$45,000

City of Tomball Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by City of Tomball over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: CITY OF TOMBALL			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Sales Taxes	\$713,836	\$4,357	\$718,194
Real Property Taxes	\$6,169	\$0	\$6,169
FF&E Property Taxes	\$6,348	\$0	\$6,348
Inventory Property Taxes	\$14,955	\$0	\$14,955
New Residential Property Taxes	\$0	\$1,727	\$1,727
Hotel Occupancy Taxes	\$79,539	\$0	\$79,539
Building Permits and Fees	\$0	\$0	\$0
Utility Revenue	\$168,658	\$21,326	\$189,985
Utility Franchise Fees	\$15,988	\$2,006	\$17,994
Miscellaneous Taxes and User Fees	\$49,532	\$6,256	\$55,787
Benefits Subtotal	\$1,055,026	\$35,672	\$1,090,698
COSTS	PROJECT	HOUSEHOLDS	TOTAL
Cost of Government Services	(\$65,206)	(\$8,246)	(\$73,452)
Cost of Utility Services	(\$178,377)	(\$22,558)	(\$200,935)
Costs Subtotal	(\$243,583)	(\$30,804)	(\$274,387)
Net Benefits	\$811,443	\$4,868	\$816,311

Annual Fiscal Net Benefits for City of Tomball

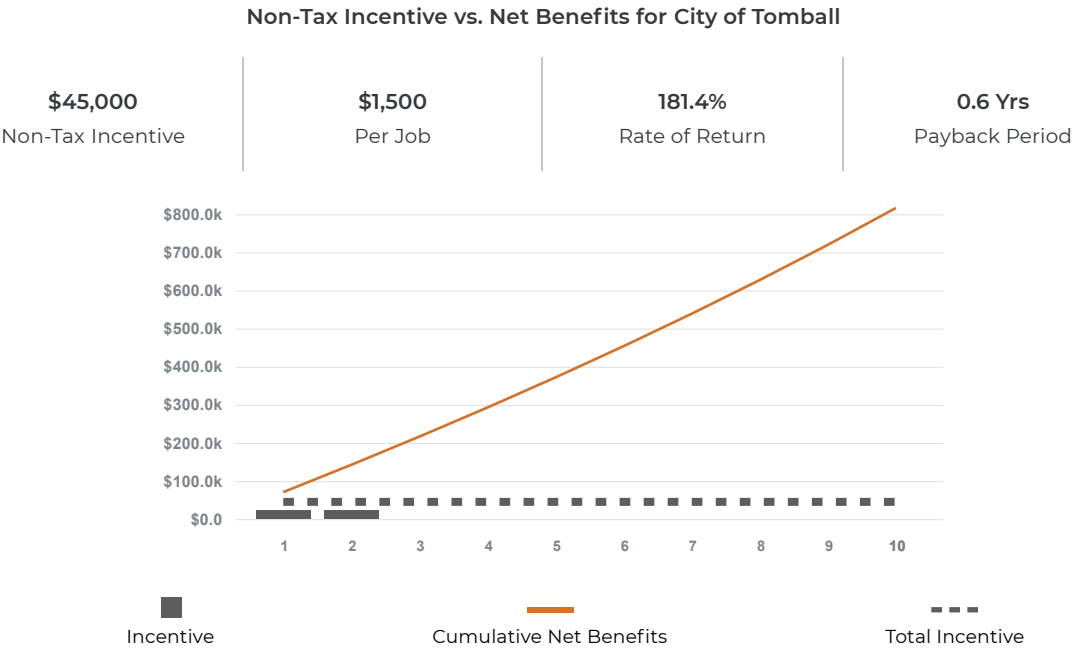


Non-Tax Incentives

City of Tomball is considering the following non-tax incentives for the Project.

NON-TAX INCENTIVES UNDER CONSIDERATION	
YEAR	NON-TAX INCENTIVE
1	\$22,500
2	\$22,500
Total	\$45,000

The graph below depicts the non-tax incentives modeled in this analysis versus the cumulative net benefits to City of Tomball. The intersection indicates the length of time until the incentives are paid back.

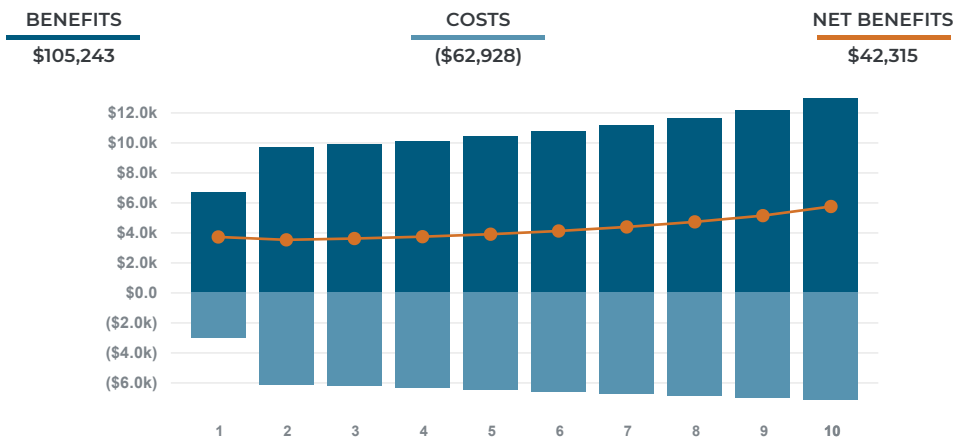


Harris County Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Harris County over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: HARRIS COUNTY			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$7,356	\$0	\$7,356
FF&E Property Taxes	\$7,569	\$0	\$7,569
Inventory Property Taxes	\$17,832	\$0	\$17,832
New Residential Property Taxes	\$0	\$14,907	\$14,907
Hotel Occupancy Taxes	\$22,726	\$0	\$22,726
Miscellaneous Taxes and User Fees	\$14,421	\$20,434	\$34,855
Benefits Subtotal	\$69,902	\$35,341	\$105,243
COSTS	PROJECT	HOUSEHOLDS	TOTAL
Cost of Government Services	(\$26,020)	(\$36,908)	(\$62,928)
Costs Subtotal	(\$26,020)	(\$36,908)	(\$62,928)
Net Benefits	\$43,882	(\$1,567)	\$42,315

Annual Fiscal Net Benefits for Harris County

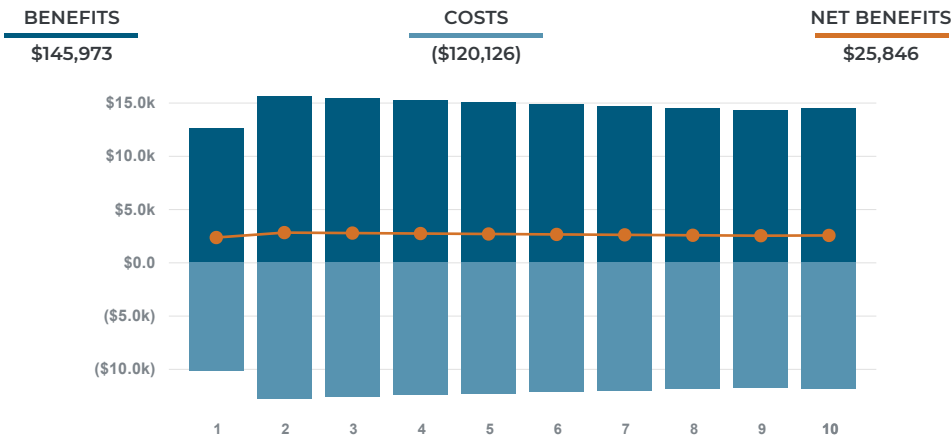


Tomball ISD Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Tomball ISD over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: TOMBALL ISD			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$23,306	\$0	\$23,306
FF&E Property Taxes	\$23,981	\$0	\$23,981
Inventory Property Taxes	\$56,501	\$0	\$56,501
New Residential Property Taxes	\$0	\$16,971	\$16,971
Addtl. State & Federal School Funding	\$0	\$25,213	\$25,213
Benefits Subtotal	\$103,788	\$42,184	\$145,973
COSTS	PROJECT	HOUSEHOLDS	TOTAL
Cost to Educate New Students	\$0	(\$22,794)	(\$22,794)
Reduction in State School Funding	(\$83,653)	(\$13,679)	(\$97,332)
Costs Subtotal	(\$83,653)	(\$36,473)	(\$120,126)
Net Benefits	\$20,135	\$5,711	\$25,846

Annual Fiscal Net Benefits for Tomball ISD



Lone Star Community College Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Lone Star Community College over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: LONE STAR COMMUNITY COLLEGE			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$1,948	\$0	\$1,948
FF&E Property Taxes	\$2,004	\$0	\$2,004
Inventory Property Taxes	\$4,722	\$0	\$4,722
New Residential Property Taxes	\$0	\$3,947	\$3,947
Benefits Subtotal	\$8,673	\$3,947	\$12,620
COSTS	PROJECT	HOUSEHOLDS	TOTAL
None Estimated	\$0	\$0	\$0
Costs Subtotal	\$0	\$0	\$0
Net Benefits	\$8,673	\$3,947	\$12,620

Annual Fiscal Net Benefits for Lone Star Community College



Port of Houston Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Port of Houston over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: PORT OF HOUSTON			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$194	\$0	\$194
FF&E Property Taxes	\$200	\$0	\$200
Inventory Property Taxes	\$470	\$0	\$470
New Residential Property Taxes	\$0	\$393	\$393
Benefits Subtotal	\$864	\$393	\$1,257
COSTS	PROJECT	HOUSEHOLDS	TOTAL
None Estimated	\$0	\$0	\$0
Costs Subtotal	\$0	\$0	\$0
Net Benefits	\$864	\$393	\$1,257

Annual Fiscal Net Benefits for Port of Houston



Harris County Emergency Services District 8 Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Harris County Emergency Services District 8 over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: HARRIS COUNTY EMERGENCY SERVICES DISTRICT 8			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$1,747	\$0	\$1,747
FF&E Property Taxes	\$1,798	\$0	\$1,798
Inventory Property Taxes	\$4,235	\$0	\$4,235
New Residential Property Taxes	\$0	\$3,541	\$3,541
Benefits Subtotal	\$7,780	\$3,541	\$11,321
COSTS	PROJECT	HOUSEHOLDS	TOTAL
None Estimated	\$0	\$0	\$0
Costs Subtotal	\$0	\$0	\$0
Net Benefits	\$7,780	\$3,541	\$11,321

Annual Fiscal Net Benefits for Harris County Emergency Services District 8



Harris County Hospital District Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Harris County Hospital District over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: HARRIS COUNTY HOSPITAL DISTRICT			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$2,998	\$0	\$2,998
FF&E Property Taxes	\$3,084	\$0	\$3,084
Inventory Property Taxes	\$7,267	\$0	\$7,267
New Residential Property Taxes	\$0	\$6,075	\$6,075
Benefits Subtotal	\$13,348	\$6,075	\$19,423
COSTS	PROJECT	HOUSEHOLDS	TOTAL
None Estimated	\$0	\$0	\$0
Costs Subtotal	\$0	\$0	\$0
Net Benefits	\$13,348	\$6,075	\$19,423

Annual Fiscal Net Benefits for Harris County Hospital District



Harris County Department of Education Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Harris County Department of Education over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: HARRIS COUNTY DEPARTMENT OF EDUCATION			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$90	\$0	\$90
FF&E Property Taxes	\$93	\$0	\$93
Inventory Property Taxes	\$219	\$0	\$219
New Residential Property Taxes	\$0	\$183	\$183
Benefits Subtotal	\$402	\$183	\$585
COSTS	PROJECT	HOUSEHOLDS	TOTAL
None Estimated	\$0	\$0	\$0
Costs Subtotal	\$0	\$0	\$0
Net Benefits	\$402	\$183	\$585

Annual Fiscal Net Benefits for Harris County Department of Education



Harris County Flood Control Fiscal Impact

The table below displays the estimated additional benefits, costs, and net benefits to be received by Harris County Flood Control over the next 10 years of the Project.

NET BENEFITS OVER 10 YEARS: HARRIS COUNTY FLOOD CONTROL			
BENEFITS	PROJECT	HOUSEHOLDS	TOTAL
Real Property Taxes	\$504	\$0	\$504
FF&E Property Taxes	\$519	\$0	\$519
Inventory Property Taxes	\$1,223	\$0	\$1,223
New Residential Property Taxes	\$0	\$1,022	\$1,022
Benefits Subtotal	\$2,246	\$1,022	\$3,269
COSTS	PROJECT	HOUSEHOLDS	TOTAL
None Estimated	\$0	\$0	\$0
Costs Subtotal	\$0	\$0	\$0
Net Benefits	\$2,246	\$1,022	\$3,269

Annual Fiscal Net Benefits for Harris County Flood Control



Overview of Methodology

The Impact DashBoard model combines project-specific attributes with community data, tax rates, and assumptions to estimate the economic impact of the Project and the fiscal impact for local taxing districts over a 10-year period.

The economic impact as calculated in this report can be categorized into two main types of impacts. First, the direct economic impacts are the jobs and payroll directly created by the Project. Second, this economic impact analysis calculates the spin-off or indirect and induced impacts that result from the Project. Indirect jobs and salaries are created in new or existing area firms, such as maintenance companies and service firms, that may supply goods and services for the Project. In addition, induced jobs and salaries are created in new or existing local businesses, such as retail stores, gas stations, banks, restaurants, and service companies that may supply goods and services to new workers and their families.

The economic impact estimates in this report are based on the Regional Input-Output Modeling System (RIMS II), a widely used regional input-output model developed by the U. S. Department of Commerce, Bureau of Economic Analysis. The RIMS II model is a standard tool used to estimate regional economic impacts. The economic impacts estimated using the RIMS II model are generally recognized as reasonable and plausible assuming the data input into the model is accurate or based on reasonable assumptions. Impact DataSource utilizes adjusted county-level multipliers to estimate the impact occurring at the sub-county level.

Two types of regional economic multipliers were used in this analysis: an employment multiplier and an earnings multiplier. An employment multiplier was used to estimate the number of indirect and induced jobs created or supported in the area. An earnings multiplier was used to estimate the amount of salaries to be paid to workers in these new indirect and induced jobs. The employment multiplier shows the estimated number of total jobs created for each direct job. The earnings multiplier shows the estimated amount of total salaries paid to these workers for every dollar paid to a direct worker. The multipliers used in this analysis are listed below:

335312 MOTOR AND GENERATOR MANUFACTURING		CITY OF TOMBALL
Employment Multiplier	(Type II Direct Effect)	1.6797
Earnings Multiplier	(Type II Direct Effect)	1.4631

Most of the revenues estimated in this study result from calculations relying on (1) attributes of the Project, (2) assumptions to derive the value of associated taxable property or sales, and (3) local tax rates. In some cases, revenues are estimated on a per new household, per new worker, or per new school student basis.

The company or Project developer was not asked, nor could reasonably provide data for calculating some other revenues. For example, while the city will likely receive revenues from fines paid on speeding tickets given to new workers, the company does not know the propensity of its workers to speed. Therefore, some revenues are calculated using an average revenue approach.

This approach uses relies on two assumptions:

1. The taxing entity has two general revenue sources: revenues from residents and revenues from businesses.
2. The taxing entity will collect (a) about the same amount of miscellaneous taxes and user fees from each new household that results from the Project as it currently collects from existing households on average, and (b) the same amount of miscellaneous taxes and user fees from the new business (on a per worker basis) will be collected as it collects from existing businesses.

In the case of the school district, some additional state and federal revenues are estimated on a per new school student basis consistent with historical funding levels.

Additionally, this analysis sought to estimate the additional expenditures faced by local jurisdictions to provide services to new households and new businesses. A marginal cost approach was used to calculate these additional costs.

This approach relies on two assumptions:

1. The taxing entity spends money on services for two general groups: revenues from residents and revenues from businesses.
2. The taxing entity will spend slightly less than its current average cost to provide local government services (police, fire, EMS, etc.) to (a) new residents and (b) businesses on a per worker basis.

In the case of the school district, the marginal cost to educate new students was estimated based on a portion of the school's current expenditures per student and applied to the headcount of new school students resulting from the Project.

Additionally, this analysis seeks to calculate the impact on the school district's finances from the Project by generally, and at a summary level, mimicking the district's school funding formula.

According to the Texas Education Agency, any property added to local tax rolls, and the local taxes that this generates, reduces the amount of state funding equivalent to local taxes collected for maintenance and operations. The school district retains local taxes received for debt services and the corresponding state funding is not reduced. However, according to the Texas Education Agency, the school district will receive state aid for each new child that moves to the District. The additional revenues for the school district are calculated in this analysis.

About Impact DataSource

Established in 1993, Impact DataSource is an Austin, Texas-based economic consulting firm. Impact DataSource provides high-quality economic research, specializing in economic and fiscal impact analyses. The company is highly focused on supporting economic development professionals and organizations through its consulting services and software. Impact DataSource has conducted thousands of economic impact analyses of new businesses, retention and expansion projects, developments, and activities in all industry groups throughout the U.S.

For more information on Impact DataSource, LLC and our product Impact DashBoard, please visit our website www.impactdatasource.com