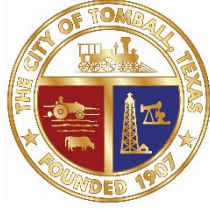


**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR
MEETING
CITY OF TOMBALL, TEXAS**



**Monday, June 14, 2021
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, June 14, 2021 at 6:00 PM, City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- A. Call to Order
- B. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*
- C. Reports and Announcements
- D. Approval of Minutes
 - 1. Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 10, 2021.
- E. New Business
 - 2. Consideration to Approve Re-Plat of **PYE PLAT TWO**: Being a 0.5290 acre tract and being a replat of a portion of Lot 91 of Five Acre Tracts, Tomball Townsite, an addition in the Ralph Hubbard Survey (A-383), Harris County, Texas, according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas.
 - 3. Consideration to Approve **Zoning Case P21-257**: Request by Historymaker Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 19.33 acres of land legally described as Tracts 14H, 14H-

1, 14H-1A, 14H-1B, 14H-2 & 14H-3 (AG-USE) and Tract 14H-4 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Planned Development (PD-16) District. The property is generally located on the north side of Holderrieth Road at 11922 Holderrieth Road, within the City of Tomball, Harris County, Texas.

Conduct Public Hearing on **Zoning Case P21-257**

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 10th day of June 2021 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kimberly Chandler
Community Development Coordinator

F. Adjournment

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

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

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

MONDAY, MAY 10, 2021



6:00 P.M.

1.0 The meeting was Called to Order by Chair Tague at 6:09 p.m. Other members present were:

Commissioner Darrell Roquemore
Commissioner Richard Anderson
Commissioner Dane Dunagin

Commissioner Tana Ross – Excused Absence

Others present:

Craig Meyers – Community Development Director
Loren Smith – City Attorney
Wesley Stolz – City Engineer
Kim Chandler – Community Development Coordinator

Draft

2.0 No Public Comments were received.

3.0 Reports and Announcements:

- Craig Meyers, Community Development Director, announced the following:
 - **Zoning Case P21-121**, Request by the City of Tomball to amend the Comprehensive Plan by revising the Future Land Use and Major Thoroughfare Plan Maps, was approved at City Council.

4.0 Motion was made by Commissioner Anderson, second by Commissioner Dunagin, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of April 12, 2021.

Roll call vote was called by Commission Secretary Kim Chandler.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration to Approve Final Plat of **BRTR-ONE:** Being a 4.3437 acre tract situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and being out of and part of a called 44.787 acre tract as described in deed recorded in Clerk’s File Number 20080043179, of the Real Property Records of Harris County, Texas.

Wesley Stolz, City Engineer, presented a recommendation of approval.

Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve.

Roll call vote was called by Commission Secretary Kim Chandler.

Motion carried unanimously.

- 5.2 Consideration to Approve Preliminary Plat of **PINE TRAILS:** A subdivision of 13.3775 acres of land out of the Joseph House League Survey, Abstract 34, City of Tomball, Harris County, Texas.

Wesley Stolz, City Engineer, presented a recommendation of approval with contingencies.

Motion was made by Commissioner Roquemore, second by Commissioner Dunagin, to approve with contingencies.

Roll call vote was called by Commission Secretary Kim Chandler.

Motion carried unanimously.

- 5.3 Consideration to Approve **Zoning Case P21-168:** Request by Southwest Momentum Properties LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.208 acres of land legally described as Tracts 81 81A 89A & 90D Tomball Outlots, from the Agricultural District to the Commercial District. The property is generally located at the southwest corner of East Hufsmith Road and Hospital Road, within the City of Tomball, Harris County, Texas.

Craig Meyers – Community Development Director, presented the case and recommendation of denial.

Neal McCraw, Applicant (31515 Helen Lane, Tomball, TX 77375) spoke on behalf of the request.

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

Sallie Fisher, (723 Hospital Street, Tomball, TX 77375) spoke in opposition of the request.

Sandy Shaver, (622 Hospital Street, Tomball, TX 77375) spoke in opposition of the request.

Robin Davidson, (612 Hospital Street, Tomball, TX 77375) spoke in opposition of the request.

Marine Valadez, (510 E. Hufsmith Road, Tomball, TX 77375) spoke in opposition of the request.

Hearing no additional comments, the Public Hearing was closed at 6:33 p.m.

Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to approve **Zoning Case P21-168**.

Roll call vote was called by Commission Secretary Kim Chandler.

Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Roquemore	<u>Nay</u>
Commissioner Dunagin	<u>Nay</u>
Commissioner Anderson	<u>Nay</u>

Motion failed unanimously 0-4.

- 5.4

Consideration to Approve **Zoning Case P21-169**: Request by Prakash Patel for a Conditional Use Permit to operate a *mini warehouse / self-storage* facility at 601 Malone Street. The property is approximately 0.3214 acres, legally described as Lot 1 Block 1 Patel Plaza, within the City of Tomball, Harris County, Texas, generally located at the northwest corner of Malone Street and Magnolia Street, within the City of Tomball, Harris County, Texas, and is zoned Old Town & Mixed Use District. Amelia Lindley, City Planner, presented the case and recommendation of approval.

Craig Meyers – Community Development Director, presented the case and recommendation of denial.

Prakash Patel, Applicant (22002 Holly Lakes Drive, Tomball, TX 77377) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:39 p.m.

Mark Olson, Representing Valerie Whitehead (6315 Craigway, Spring, TX 77379) spoke in opposition of the request.

Hearing no additional comments, the Public Hearing was closed at 6:41 p.m.

Motion was made by Commissioner Roquemore, second by Commissioner Anderson, to approve **Zoning Case P21-169**.

Roll call vote was called by Commission Secretary Kim Chandler.

Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Roquemore	<u>Nay</u>
Commissioner Dunagin	<u>Nay</u>
Commissioner Anderson	<u>Nay</u>

Motion failed unanimously 0-4.

6.0 Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to adjourn.

Roll call vote was called by Commission Secretary Kim Chandler.

Motion carried unanimously.

The meeting adjourned at 6:43 p.m.

PASSED AND APPROVED this _____ day of _____ 2021.

Kim Chandler
Community Development Coordinator/
Commission Secretary

Barbara Tague
Commission Chair

CITY OF TOMBALL

Plat Name: PYE PLAT TWO Plat Type: Replat

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: June 14, 2021

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

- Provide updated title report
- Add City of Tomball utility easement
- Improve area accuracies
- Reference existing easements
- Update the legal description

Community Development recommends approval of this plat with contingencies.

STATE OF TEXAS
COUNTY OF HARRIS

We, Aloysius and Colleen Pye, hereinafter referred to as owners of the 0.5400 acre tract described in the above and foregoing plat of "PYE PLAT TWO", do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said map or plat and hereby dedicate to the use of the public forever, all streets (except private), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations herein expressed, and do hereby bind ourselves and our heirs, successors, and assigns to warrant and defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents dedicate to the use of the public for public utility purposes an unobstructed aerial easement five feet in width from a plane twenty feet above the ground upward, located adjacent to all public utility easements shown hereon.

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

FURTHER, owners do hereby dedicate to the public a strip of land 15 feet wide on each side of the centerline of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage course located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

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

WITNESS our hand, this _____ day of _____, 20____.

Aloysius Pye

Colleen Pye

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Aloysius and Colleen Pye, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they have executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said owner.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

Notary Public in and for the State of Texas

My Commission expires on the _____ day of _____, 20____.

I, Tony P. Swonke, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that the elevation benchmark reflected on the face of the plat was established as required by regulation; that all corners and angle points of the boundaries of the original tract to be subdivided of reference have been marked with iron rods having a diameter of not less than three-quarters of an inch (3/4") and a length of not less than three feet (3') and that the plat boundary corners have been tied to the nearest survey corner.

Tony P. Swonke
Registered Professional Land Surveyor No. 4767

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of "PYE PLAT TWO", in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat on this _____ day of _____, 20____.

Barbara Tague
Chairman

Darrell Roquemore
Vice-Chairman

I, Teneshia Hudspeth, Clerk of the County Court of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the _____ day of _____, 20____, at _____ o'clock ____ M., and was duly recorded on the _____ day of _____, 20____, at _____ o'clock, ____ M. and filed under Film Code No. _____ of the Map Records of Harris County, Texas.

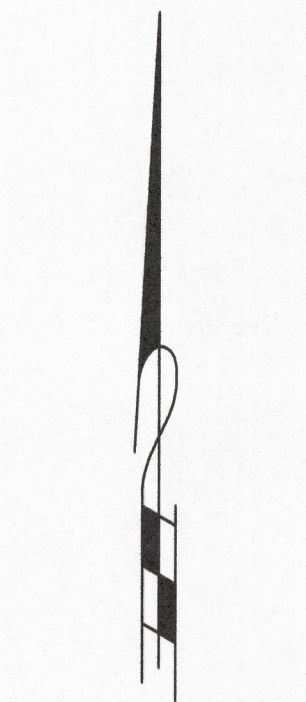
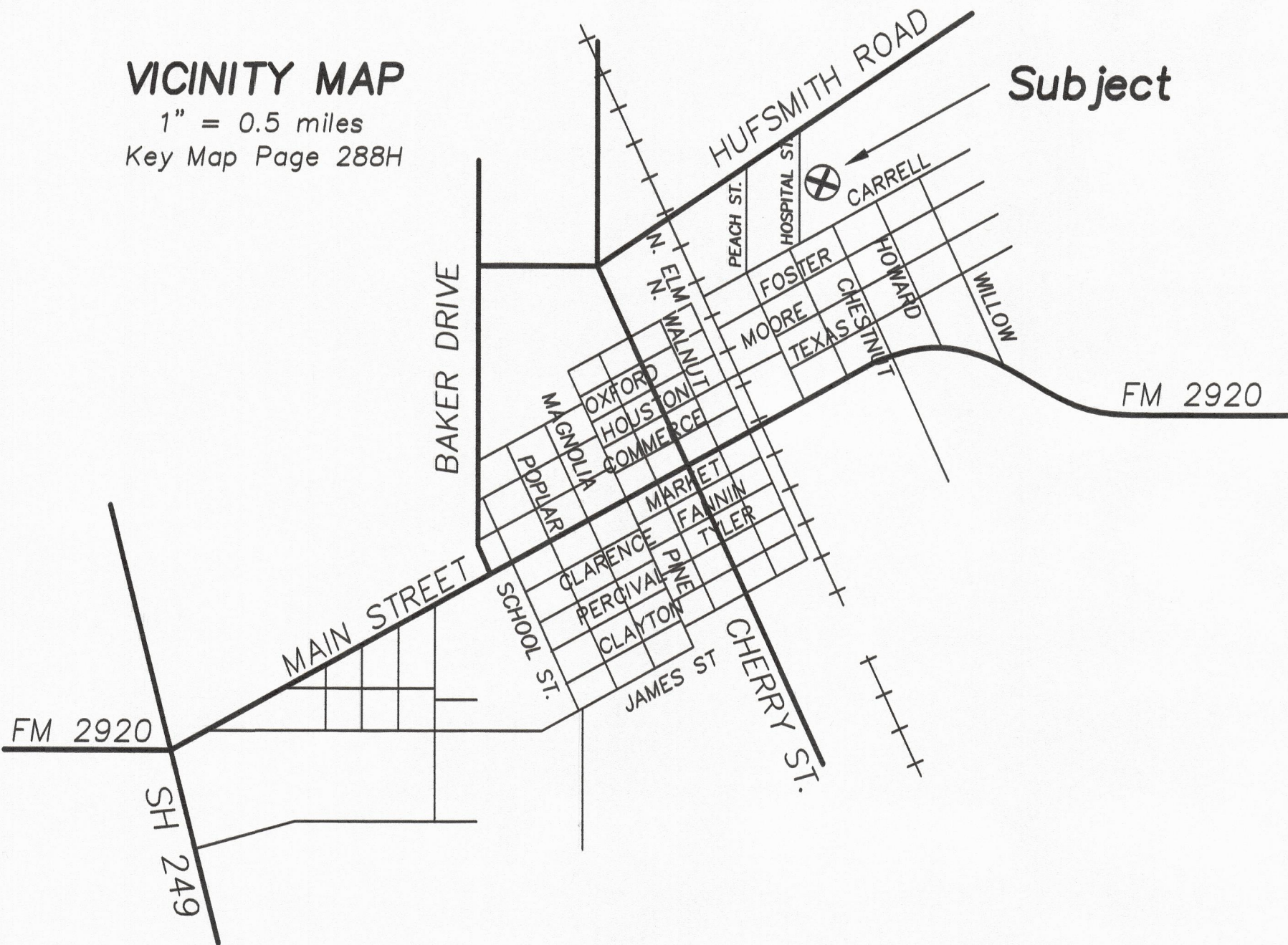
WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THE DATE AND DATE LAST ABOVE WRITTEN.

Chris Hollins
Clerk of the County Court
Harris County, Texas

Deputy

VICINITY MAP

1" = 0.5 miles
Key Map Page 288H



SCALE: 1" = 20 Ft.
0 5 10 15 20

Subject

2.4242 Acres
"Rhino Machine Shop, Inc."
HCCFNo. V127178

- Note #1 All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- Note #2 All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- Note #3 No building or structure shall be constructed across any pipelines building lines, and/or easements. Building setback lines will be required, adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- NOTE #4: This plat does not attempt to amend or remove any valid restrictions or covenants.
- NOTE #5: A ten foot wide City of Tomball utility easement is hereby dedicated by this plat and centered on the gas main extension from the City of Tomball right-of-way or City of Tomball utility easement up to and around the gas meter

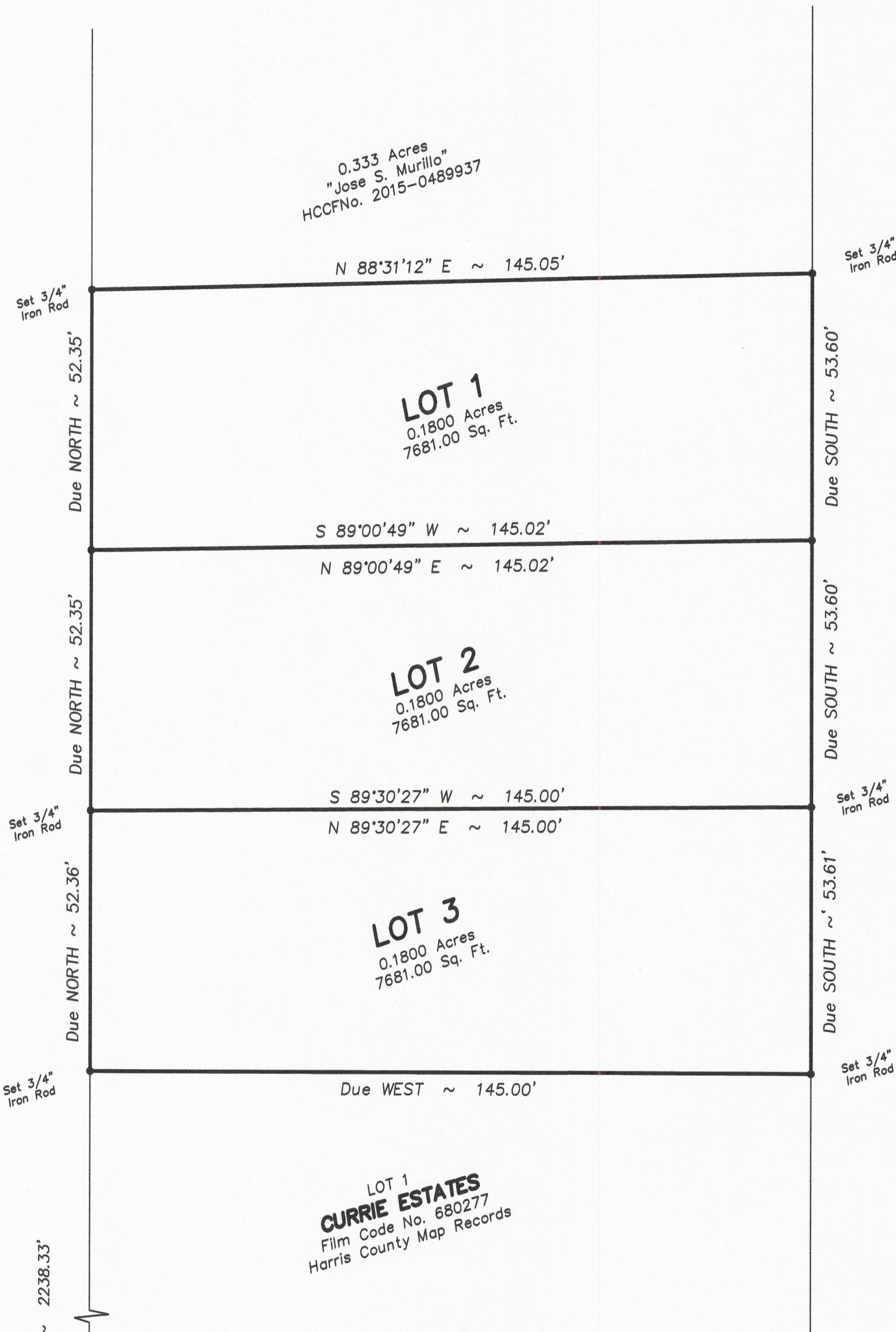
FLOOD INFORMATION: According to FEMA Firm Panel No. 48201C0230 L (Dated June 18, 2007), this property is in Zone "X" and not in the 0.2% Annual Chance Flood Plain.

PUBLIC EASEMENT:

Public easements denoted on this plat are hereby dedicated to the use of the public forever. Any public utility, including the City of Tomball, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

HOSPITAL STREET

(60 FL. R-O-W per Vol. 1818, Pg. 303, Vol. 1847, Pg. 201, & Vol. 1968, Pg. 254, HCCR)



CARRELL STREET

"PYE PLAT TWO"

A replat of two called 0.2645 acre tracts of land out of Lot 91 of FIVE ACRE TRACTS, TOMBALL TOWNSITE, an addition in the Ralph Hubbard Survey (A-383), Harris County, Texas, according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas, Said two called 0.2645 acre tracts being described in deed recorded under Clerk's File No. 2017-126569 of the Official Public Records of Real Property of Harris County, Texas.

Containing: 3 Lots / 1 Block

PREPARED BY:
Tony Swonke Land Surveying
700 Kane Street
Tomball, TX 77375
281.351.7789

DATE: June 3, 2021

OWNER:
Aloysius Pye and Colleen Pye
207 Florence Street
Tomball, TX 77375
281.932.2784

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JUNE 14, 2021
&
CITY COUNCIL
JUNE 21, 2021**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 14, 2021, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, June 21, 2021, 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 P21-250: Request by 3 ORB LLC c/o Lori Klein Quinn, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.27 acres of land legally described as Tracts 24M ABST 34 J House, from the Multi-Family District to the Commercial District. The property is generally located at the southwest corner of Rudel Road and Buvinghausen Road, within the City of Tomball, Harris County, Texas.

Zoning Case P21-257: Request by Historymaker Homes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 19.33 acres of land legally described as Tracts 14H, 14H-1, 14H-1A, 14H-1B, 14H-2 & 14H-3 (AG-USE) and Tract 14H-4 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Planned Development (PD-17) District. The property is generally located on the north side of Holderrieth Road at 11922 Holderrieth Road, within the City of Tomball, Harris County, Texas.

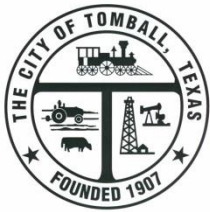
At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, 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.

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **10th** day of **June 2021** 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

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: P21-257

APPLICANT/OWNER: Historymaker Homes

LOCATION: Generally located on the north side of Holderrieth Road at 11922 Holderrieth Road, within the City of Tomball, Harris County, Texas

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 19.33 acres of land legally described as Tracts 14H, 14H-1, 14H-1A, 14H-1B, 14H-2 & 14H-3 (AG-USE) and Tract 14H-4 Abstract 632 C N Pillot, from the Single-Family 20 Estate District to the Planned Development (PD-17) 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, June 14, 2021 6:00 PM**

**City Council Public Hearing:
*Monday, June 21, 2021 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:

Paola Tavares

(please print)

Address:

11835 Holderness Rd

Tomball TX 77375

Signature:

[Handwritten Signature]

Date:

6/12/21

I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P21-257**. (Please state reasons below)

☒ I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P21-257**. (Please state reasons below)

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

Monday, June 14, 2021 @ 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, June 21, 2021 @ 6:00 PM

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

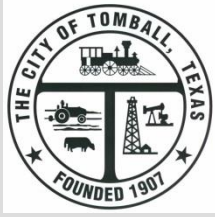
COMMENTS:

I do not agree with this development. Traffic is terrible as it is. Having townhomes causes constant movement of people which turns into increase crime rates. I firmly oppose the rezoning and building of the History Maker townhome 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.



Community Development Department

Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: June 14, 2021

City Council Public Hearing Date: June 21, 2021

Rezoning Case:	P21-257
Property Owner(s):	Karen M. Cox
Applicant(s):	HistoryMaker Homes
Legal Description:	Tracts 14H, 14H-1, 14H-1A, 14H-1B, 14H-2 & 14H-3 (AG-USE) and Tract 14H-4 Abstract 632 C N Pillot
Location:	North side of Holderrieth Road at 11922 Holderrieth Road (Exhibit "A")
Area:	19.65 acres
Comp Plan Designation:	Corridor Commercial (Exhibit "B")
Present Zoning and Use:	Single-Family 20 Estate District (Exhibit "C") / Single-family residence (Exhibit "D")
Request:	Rezone from the Single-Family 20 Estate District to the Planned Development (PD-17) District
Adjacent Zoning & Land Uses:	
North:	Single-Family 20 Estate District / Undeveloped
South:	Agricultural District / Single-Family residences
West:	Single-Family 20 Estate District / Single-family residence
East:	Single-Family 20 Estate District / Undeveloped

BACKGROUND

City Staff met with the applicant to discuss the development of the subject site in March 2021. The applicant submitted a Rezoning Application for the Multi-Family District, however, after discussions with City Staff, it was determined the Planned Development District was a more appropriate district.

ANALYSIS

The subject site is approximately 19.65 acres located on Holderrieth Road, just west of the Burlington Northern railroad tracks. According to the Planned Development Application (Exhibit "E"), the applicant is proposing "single-family residential attached townhomes to be sold as fee simple lots and will include a mix of three-unit, four-unit, five-unit, and six-unit townhomes".

According to Section 50-80 (*Planned Development District*), the nature of a Planned Development District is to accommodate “planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., Single-Family, Multifamily, Duplex (Two-family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD Planned Development District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts”.

Surrounding zoning districts in the area include Single-Family 20 Estate District to the north, west and east. Most of the south side of Holderrieth Road is outside the City limits of Tomball; however, there is one single-family residence zoned Agricultural District to the south of the subject site. Properties east of the railroad track are zoned Light Industrial include Houston Poly Bag and the TEDC Business and Technology Park. There is also a multi-family development on Holderrieth Road – HomeTowne at Tomball and an approved multi-family development, which was approved at the northeast corner of Holderrieth Road and SH 249 as part of Planned Development 8.

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”. Appropriate land use types “include regional commercial, personal service offices, multi-family, retail, entertainment, dining, hotels, and brew pubs/distilleries. Planned Development Districts are an appropriate zoning district in this category.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 200 feet of the project site were mailed notification of this proposal on June 2, 2021. 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 P21-257.

- The proposed rezoning is in conformance with the City’s Future Land Use Map.
- The proposed development meets the intent of the Planned Development District;
- There are two multi-family developments on Holderrieth Road in this area: HomeTowne at Tomball, which is developed on the northeast corner of Holderrieth Road and South Cherry Street, and another multi-family development was approved at the northeast corner of Holderrieth Road and SH 249 as part of a Planned Development (PD-8).

EXHIBITS

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

Exhibit "A"
Aerial Photo

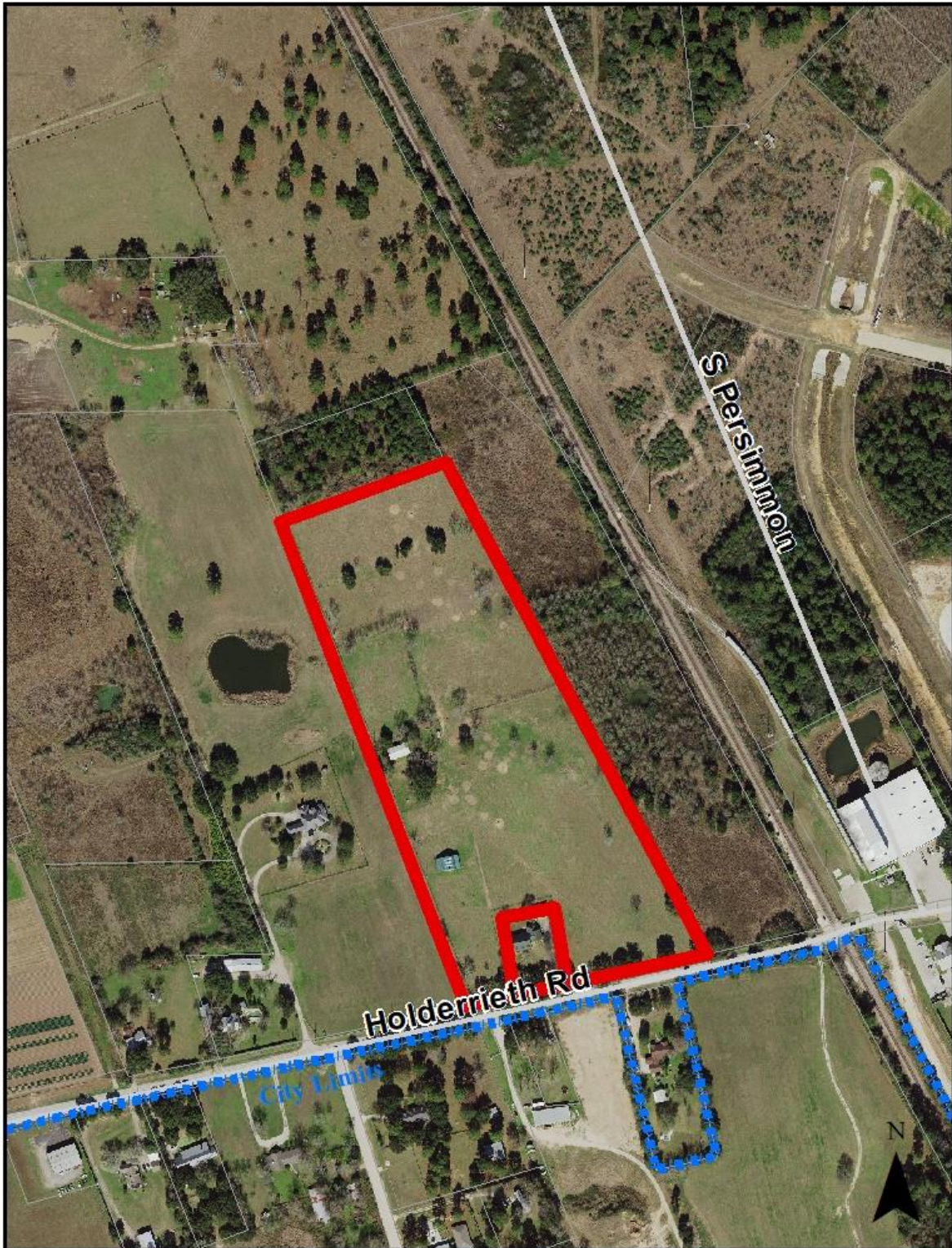
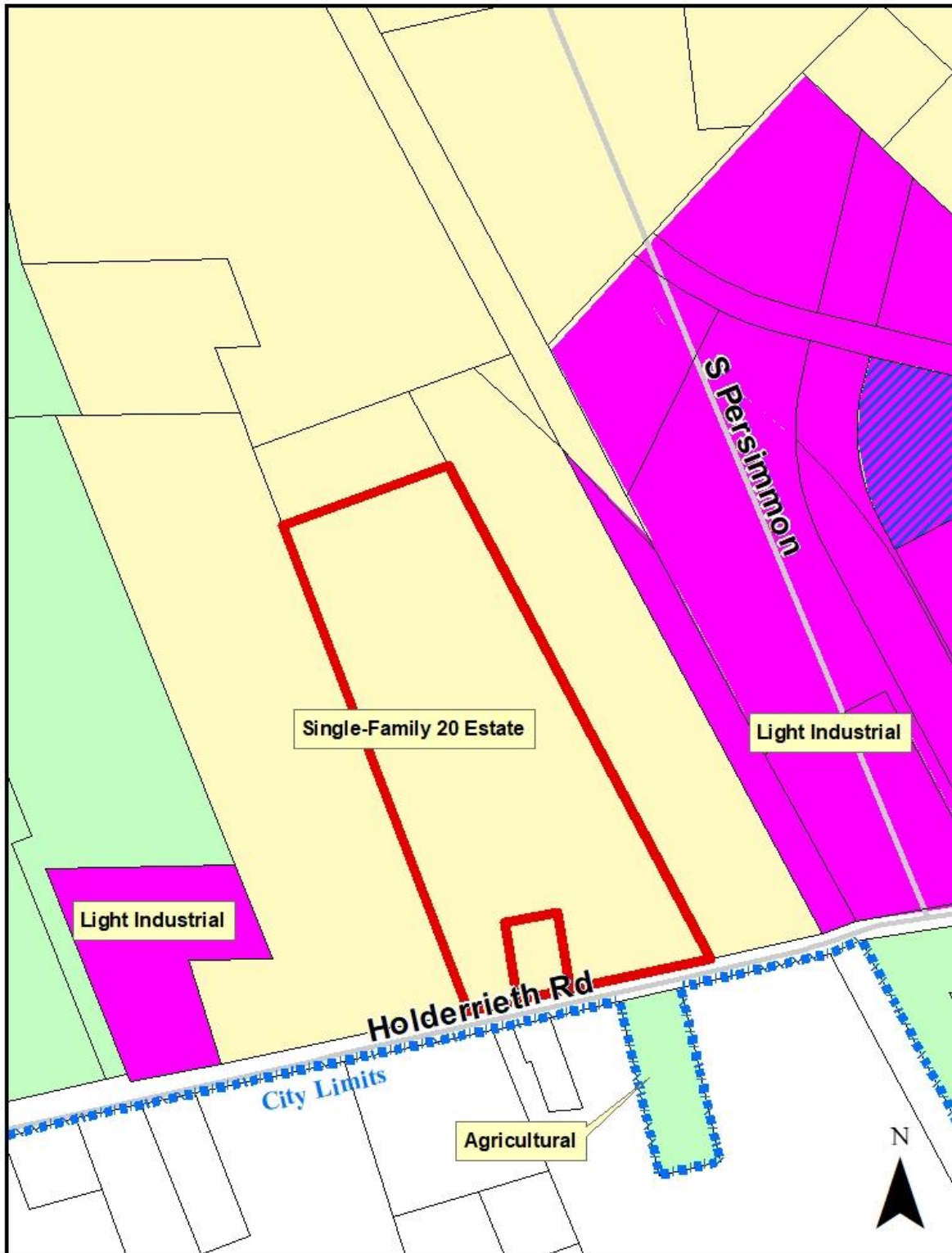


Exhibit "B" Comprehensive Plan



Exhibit "C" Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"

Planned Development Application



RECEIVED (KC)
05/20/2021 3:06:46 PM

Revised 5/19/15
P&Z #P21-257

APPLICATION FOR PLANNED DEVELOPMENT

Community Development Department
Planning Division

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planned Development is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

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: BGE, Inc. (Contact: Andrew Lang) Title: Planner
Mailing Address: 10777 Westheimer Road, Ste. #400 City: Houston State: TX
Zip: 77042
Phone: (281) 558-8700 Fax: (281) 558-9701 Email: alang@bgeinc.com

Owner

Name: Karen M. Cox Title: _____
Mailing Address: 11922 Holderrieth Road City: Tomball State: TX
Zip: 77375
Phone: (281) 451-6080 Fax: (____) _____ Email: kmc821@yahoo.com

Engineer/Surveyor (if applicable)

Name: BGE, Inc. (Contact: Bill Kotlan) Title: Director
Mailing Address: 1450 Lake Robbins Drive, Ste. #310 City: The Woodlands State: TX
Zip: 77380
Phone: (281) 210-5570 Fax: (281) 210-0141 Email: bkotlan@bgeinc.com

Description of Proposed Project: Townhome Development - Fee Simple for Sale

Physical Location of Property: 1/2 Mile west of intersection of Holderrieth Road and Huffsmith-Kohrville Road

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

Legal Description of Property: TRS-14H, 14H1, 14H-1A, 14H-1B, 14H-2, 14H-3, & 14H-4 Abst. 632 CN Pilot
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
 HCAD Identification Number: 0440580000104 & 0440580000266 Acreage: 19.65 Ac.

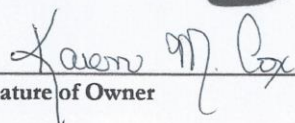
Current Use of Property: Rural Residential

Proposed Use of Property: Townhome Development - SFR Fee Simple for Sale

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  5/18/2021
 Signature of Applicant Date

X  5/18/2021
 Signature of Owner Date

**COX TRACT
PLANNED DEVELOPMENT DISTRICT**

May 19, 2021

A. Introduction

1. Description of the Property

The subject property consists of 19.65 acres and is located in south Tomball at the southernmost portion of the city limits, along the north side of Holderrieth Road. The legal description of the property is shown on **Exhibit "A"**.

2. Description of Proposed Development

The proposed development will consist of single-family residential attached townhomes to be sold as fee simple lots and will include a mix of three-unit, four-unit, five-unit, and six-unit townhomes. All homes will have public street frontage with vehicular access provided by private alleys. This will allow for an enhanced streetscape and pedestrian environment. In addition, all yards and common areas will be maintained by the Homeowner's Association (HOA) which will ensure that the high-quality appearance of the community will be preserved. **Exhibit "B"** illustrates the proposed conceptual plan for the tract.

3. Description of the Area

The site is located west of the intersection of Huffsmith-Kohrville Road and Holderrieth Road, in an area that is beginning to experience significant development with the Tomball Business and Technology Park and Alexander Estates single family residential community currently under construction. The properties immediately to the north and east of the tract are currently undeveloped. The property to the west is currently being used for single family residential purposes.

4. Purpose

The purpose of the Planned Development is to allow for new or innovative concepts in land utilization not permitted in other zoning districts. In this case, the proposed district will allow for the development of a unique single-family residential housing option for the community.

5. Comprehensive Plan

The proposed PD is consistent with the goals established by the Comprehensive plan by providing a high-quality development that:

- Provides a wider range of residential options to meet the "life-cycle" housing needs of current and future Tomball residents.
- Provides quality design and long-term sustainability of newer residential areas.

- Provides a continued emphasis on Tomball's housing quality and options as a fundamental economic development advantage and benefit for current and prospective residents.

6. Applicability

To be eligible for a PD, a property must be at least four (4) acres in size. The subject tract consists of 19.65 acres.

B. Zoning and Land Use

1. Existing Zoning

The property is currently zoned as "Single Family 20 Estate District" (SF-20-E).

The City's Future Land Use Plan identifies the site as "Corridor Commercial".

The property is entirely within the Tomball Independent School District.

2. Permitted Use(s)

Single Family Attached Townhomes.

C. Design Standards

1. Height Regulations

Maximum Height: Main Buildings – Three (3) stories, not to exceed forty-five (45) feet.

Maximum Height: Accessory Buildings – One (1) story, not to exceed fifteen (15) feet.

2. Area Regulations

Minimum lot area: 1,800 square feet

Minimum lot width: Twenty (20) feet

Minimum lot depth: Eighty (80) feet

3. Size of Yard Regulations

Minimum Front Yard: Ten (10) Feet

Minimum Side Yard: Zero (0) feet for internal (attached) units. Five (5) feet for corner units.

Minimum Rear Yard: Fifteen (15) feet. The minimum rear yard where lots back on a designated arterial street shall not be less than twenty-five (25) feet. However, lots backing up to a twenty (20) foot alley shall have a ten (10) foot minimum rear yard.

4. Landscape Buffers

There shall be a minimum 25-foot-wide landscape buffer along Holderrieth Road.

5. Landscaping Requirements

Per section 50-113 of the Tomball Code of Ordinances.

6. Parking Requirements

Per section 50-112 of the Tomball Code of Ordinances.

7. Screening, Buffering, and Fencing Requirements

Per section 50-115 of the Tomball Code of Ordinances.

8. Building Requirements

Minimum Building Separation –Ten (10) feet for buildings with or without openings

9. Lot Requirements

Maximum lot coverage within the district shall be seventy-five (75) percent combined for main buildings and accessory buildings.

Minimum floor area per dwelling unit for the district shall be one-thousand four-hundred (1,400) square feet of heated and/or air-conditioned floor area per unit.

10. Additional Requirements

Maximum Dwelling Units per Acre: 20

Public Rights-Of-Way serving single-family residential uses within the district shall be permitted to be a minimum of fifty (50) feet wide.

Private Alleys providing vehicular access to single-family residential uses within the district shall be permitted and shall be a minimum of twenty (20) feet wide.

Building length: Buildings shall not exceed one hundred fifty (150) feet in length

D. Exhibits

- a. Metes and Bounds Description
- b. Conceptual Plan
- c. Letter of Intent
- d. Product Renderings

EXHIBIT A

EXHIBIT "A"

BEING 19.6454 acres out of the West 22.1454 acres of land in the C. N. Pillot Survey, Abstract 632, Harris County, Texas and being out of that certain 34.7173 acre tract of land described in deed dated August 9, 1979 and recorded under Harris County Clerk's File No. G196478, Official Public Records of Real Property, Harris County, Texas; said 19.6454 acres being more particularly described as follows:

COMMENCING at a point marking Southeast corner of said 34.7173 acre tract at the intersection of the North line of Holderrieth Road (60 feet wide) the West line of the Burlington Rock Island Railroad (100 feet wide);

THENCE South 80° 02' 34" West, 311.39 feet along the North line of said Holderrieth Road to a 5/8 inch iron rod found marking Southeast corner of said 22.1454 acre tract and the PLACE OF BEGINNING for herein described tract;

THENCE South 80° 02' 34" West, 671.45 feet in the North line of said Holderrieth Road to a 1/2 inch iron rod with a 3/4 inch iron pipe found marking the Southwest corner of said 22.1454 acres, and a 30 feet wide road easement;

THENCE North 18° 38' 19" West, 1463.65 feet along the center line of said road easement to a 1/2 inch iron rod set for the Northwest corner for herein described tract;

THENCE North 72° 23' 22" East, with the South line of a 2.5000 acre tract, part of said 22.1454 acre tract, 476.54 feet to a 1/2 inch iron rod set for corner;

THENCE South 25° 30' 00" East, with the Northeast line of said 22.1454 acre tract, 1567.68 feet to the PLACE OF BEGINNING containing 19.6454 acres of land.

HOLDERRIETH ROAD

PARCEL No. 23
METES AND BOUNDS DESCRIPTION
13,519 SQUARE FEET
(0.3104 ACRES)
C.N. PILLOT SURVEY, ABSTRACT No. 632
HARRIS COUNTY, TEXAS
Page 1 of 2

Being a 0.3104 acre tract of land situated in the C.N. Pilot Survey, Abstract No. 632, Harris County, Texas, said 0.3104 acre tract of land being a portion of a 22.1454 acre tract of land (by deed) deeded to Franklin L. Cox, Et Ux as recorded in Clerk's File No. M269425 of the Official Public Records of Real Property of Harris County, Texas, said 0.3104 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING (N=13,952,357.860, E=3,044,040.175) at a 5/8 inch iron rod with cap stamped "E.E. Coon" found for the southwest corner of said 22.1454 acre tract of land, said 5/8 inch iron rod with cap stamped "E.E. Coon" being the southeast corner of a 21.361 acre tract of land (by deed) deeded to Frank Leon Denina, Et Ux as recorded in Clerk's File No. E712621 of said Official Public Records of Real Property of Harris County, Texas, said 5/8 inch iron rod with cap stamped "E.E. Coon" also being in the existing northerly right-of-way line of Holderrieth Road (a variable width right-of-way);

THENCE, North 21 degrees 06 minutes 31 seconds West, with the westerly line of said 22.1454 acre tract of land and with the easterly line of said 21.361 acre tract of land, a distance of 20.64 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner in the proposed northerly right-of-way line of said Holderrieth Road;

THENCE, North 77 degrees 37 minutes 37 seconds East, with the proposed northerly right-of-way line of said Holderrieth Road, a distance of 668.55 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner in the easterly line of said 22.1454 acre tract of land;

THENCE, South 27 degrees 58 minutes 12 seconds East, with the easterly line of said 22.1454 acre tract of land, a distance of 20.73 feet to a 5/8 inch iron rod with cap stamped "E.E. Coon" found for the southeast corner of said 22.1454 acre tract of land, said 5/8 inch iron rod with cap stamped "E.E. Coon" being in the southerly line of a 34.7173 acre tract of land (by deed) deeded to Trumix Concrete Company as recorded in Clerk's File No. G196478 of the Official Public Records of Real Property of Harris County, Texas, said 5/8 inch iron rod with cap stamped "E.E. Coon" also being in the existing northerly right-of-way line of said Holderrieth Road, from which a 3/4 inch iron rod found for reference bears North 40 degrees 13 minutes 46 seconds West, a distance of 0.56 feet;

Parcel No. 23

Page 2 of 2

THENCE, South 77 degrees 35 minutes 25 seconds West, with the southerly line of said 24.1454 acre tract of land and with the existing northerly right-of-way line of said Holderrieth Road, a distance of 670.99 feet to the **POINT OF BEGINNING** and containing 13,519 square feet or 0.3104 acres of land, more or less.

Notes:

- (1) This legal description is issued in conjunction with and based on the route survey by Gorrondona & Associates, Inc. Last certified December 14, 2018. Reference is hereby made to that survey as Part 1 of 2.
- (2) ROW markers along proposed line are a 5/8 inch iron rod set with cap stamped "GORRONDONA" unless otherwise noted.
- (3) All bearings are referenced to the Texas Coordinate System, NAD-83, The South Central Zone 4204, all coordinates, distances and areas shown are surface values utilizing a surface scale factor of 1.000058726.



James M. Ewing
James M. Ewing
Registered Professional Land Surveyor
Texas Registration No. 4892
Texas Firm No. 10106902



EXHIBIT C



May 18, 2021

City of Tomball
Community Development Department – Planning Division
501 James Street
Tomball, Texas 77375

Re: Application for rezoning of +/- 19.33 acres located at 11922 Holderrieth Rd.

To whom it may concern,

HistoryMaker Homes is currently under contract to purchase +/- 19.33 acres at 11922 Holderrieth Rd., which is located near the northwest corner of the intersection of Holderrieth Rd. and the Burlington – Rock Island rail line, approximately 1.4 miles east of SH 249.

This property sits between new and existing Single-Family communities to the west and the railroad and new Business and Technology Park immediately to the east. As such, we believe that a higher density residential product is an ideal fit for this transitional location – a natural link between detached Single-Family and Light Industrial land uses.

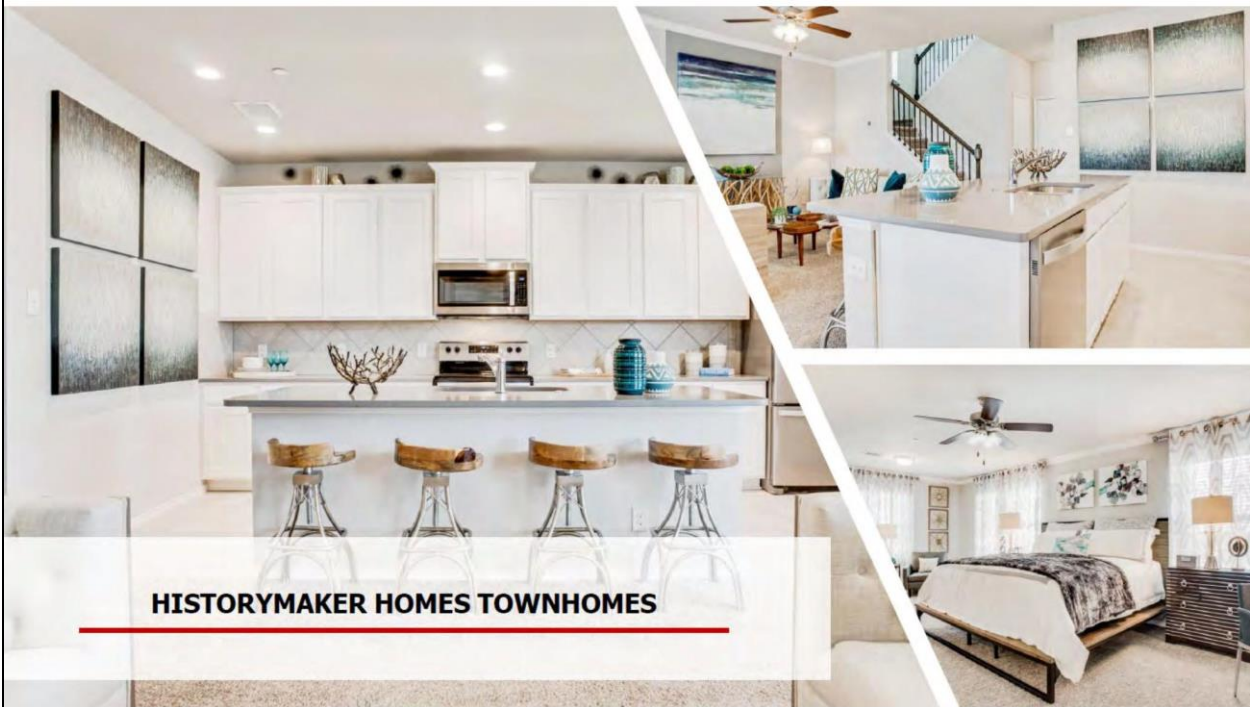
HistoryMaker desires to introduce our attached, alley-served townhome product, which would require Planned Development Zoning. This is a for-sale product that comes in 3-pack, 4-pack, 5-pack and 6-pack building configurations, which will be thoughtfully placed within the site to promote a diverse and appealing street scene. This alley-served product provides an aesthetic advantage over traditional density product – so often overburdened by the garage on a front-loaded elevation.

Please review the attached materials for more information. Thank you for your consideration.

Sincerely,

Nicole C. Zimmermann
Director, Land Acquisition & Development
HistoryMaker Homes

EXHIBIT D



STREETSCAPE



Note: color selections subject to change

3 UNIT BUILDING



4 UNIT BUILDING



5 UNIT BUILDING



Note: color selections subject to change

6 UNIT BUILDING



Note: color selections subject to change

EXTERIOR



Note: color selections subject to change

INTERIOR



INTERIOR



ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 3547
HOUSTON, TEXAS 77253-3547
TEL: 713-274-8000



2020 Property Tax Statement
Web Statement

Statement Date:	May 19, 2021
Account Number	
	044-058-000-0104

Additional city sales tax reduced your city ad
valorem tax by: \$4.90



COX KAREN M
11922 HOLDERRIETH RD
TOMBALL TX 77375-7316

Taxing Jurisdiction	Exemptions	Taxable Value	Rate per \$100	Taxes
Harris County	0	2,640	0.391160	\$10.33
Harris County Flood Control Dist	0	2,640	0.031420	\$0.83
Port of Houston Authority	0	2,640	0.009910	\$0.26
Harris County Hospital District	0	2,640	0.166710	\$4.40
Harris County Dept. of Education	0	2,640	0.004993	\$0.13
Lone Star College System	0	2,640	0.107800	\$2.85
City of Tomball	0	2,640	0.337862	\$8.92
Emergency Service Dist #8 (EMS)	0	2,640	0.097000	\$2.56

Property Description	
11922 HOLDERRIETH RD 77375 TRS 14H 14H-1 14H-1A 14H-1B 14H-2 & 14H-3 (AG-USE) ABST 632 C N PILLOT 18.8603 AC	
Appraised Values	
Land - Market Value	821,555
Impr - Market Value	0
Total Market Value	821,555
Less Capped Mkt Value	818,915
Appraised Value	2,640
Exemptions/Deferrals	
Farm Productivity	

Page: 1 of 1

Total 2020 Taxes Due By January 31, 2021:				\$30.28
Payments Applied To 2020 Taxes				\$30.28
Total Current Taxes Due (Including Penalties)				\$0.00
Prior Year(s) Delinquent Taxes Due (If Any)				\$0.00
Total Amount Due For May 2021				\$0.00
Penalties for Paying Late	Rate	Current Taxes	Delinquent Taxes	Total
By February 28, 2021	7%	\$0.00	\$0.00	\$0.00
By March 31, 2021	9%	\$0.00	\$0.00	\$0.00
By April 30, 2021	11%	\$0.00	\$0.00	\$0.00
By May 31, 2021	13%	\$0.00	\$0.00	\$0.00
By June 30, 2021	15%	\$0.00	\$0.00	\$0.00

Tax Bill Increase (Decrease) from 2015 to 2020: Appraised Value 14%, Taxable Value 14%, Tax Rate -3%, Tax Bill 10%.

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.



PAYMENT COUPON

COX KAREN M
11922 HOLDERRIETH RD
TOMBALL TX 77375-7316

Make check payable to:

IF YOU ARE 65 YEARS OF AGE OR OLDER OR
ARE DISABLED AND THE PROPERTY
DESCRIBED IN THIS DOCUMENT IS YOUR
RESIDENCE HOMESTEAD, YOU SHOULD
CONTACT THE APPRAISAL DISTRICT
REGARDING ANY ENTITLEMENT YOU MAY
HAVE TO A POSTPONEMENT IN THE
PAYMENT OF THESE TAXES.

ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 4622
HOUSTON, TEXAS 77210-4622

Account Number
044-058-000-0104
Amount Enclosed
\$ _____

Web Statement - Date Printed: 05-19-2021

04405800001049 2020 000000000 000000000 000000000 000000000

ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 3547
HOUSTON, TEXAS 77253-3547
TEL: 713-274-8000



2020 Property Tax Statement
Web Statement

Statement Date:	May 19, 2021
Account Number	
	044-058-000-0266

Additional city sales tax reduced your city ad
valorem tax by: \$485.14



COX KAREN M
11922 HOLDERRIETH RD
TOMBALL TX 77375-7316

Taxing Jurisdiction	Exemptions	Taxable Value	Rate per \$100	Taxes
Harris County	299,224	51,896	0.391160	\$203.00
Harris County Flood Control Dist	299,224	51,896	0.031420	\$16.31
Port of Houston Authority	299,224	51,896	0.009910	\$5.14
Harris County Hospital District	299,224	51,896	0.166710	\$86.52
Harris County Dept. of Education	230,224	120,896	0.004993	\$6.04
Lone Star College System	80,000	271,120	0.107800	\$292.27
City of Tomball	90,000	261,120	0.337862	\$882.23
Emergency Service Dist #8 (EMS)	50,000	301,120	0.097000	\$292.09

Property Description	
11922 HOLDERRIETH RD 77375 TR 14H-4 ABST 632 C N PILLOT .7900 AC	
Appraised Values	
Land - Market Value	34,412
Impr - Market Value	340,588
Total Market Value	375,000
Less Capped Mkt Value	23,880
Appraised Value	351,120
Exemptions/Deferrals	
Residential Homestead (Multiple)	

Page: 1 of 1

Total 2020 Taxes Due By January 31, 2021:		\$1,783.60		
Payments Applied To 2020 Taxes		\$1,783.60		
Total Current Taxes Due (Including Penalties)		\$0.00		
Prior Year(s) Delinquent Taxes Due (If Any)		\$0.00		
Total Amount Due For May 2021		\$0.00		
Penalties for Paying Late	Rate	Current Taxes	Delinquent Taxes	Total
By February 28, 2021	7%	\$0.00	\$0.00	\$0.00
By March 31, 2021	9%	\$0.00	\$0.00	\$0.00
By April 30, 2021	11%	\$0.00	\$0.00	\$0.00
By May 31, 2021	13%	\$0.00	\$0.00	\$0.00
By June 30, 2021	15%	\$0.00	\$0.00	\$0.00

Tax Bill Increase (Decrease) from 2015 to 2020: Appraised Value 8%, Taxable Value 9%, Tax Rate -3%, Tax Bill -10%.

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.



PAYMENT COUPON

COX KAREN M
11922 HOLDERRIETH RD
TOMBALL TX 77375-7316

Make check payable to:

IF YOU ARE 65 YEARS OF AGE OR OLDER OR
ARE DISABLED AND THE PROPERTY
DESCRIBED IN THIS DOCUMENT IS YOUR
RESIDENCE HOMESTEAD, YOU SHOULD
CONTACT THE APPRAISAL DISTRICT
REGARDING ANY ENTITLEMENT YOU MAY
HAVE TO A POSTPONEMENT IN THE
PAYMENT OF THESE TAXES.

ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 4622
HOUSTON, TEXAS 77210-4622

Account Number
044-058-000-0266
Amount Enclosed
\$ _____

Web Statement - Date Printed: 05-19-2021

04405800002666 2020 0000000000 0000000000 0000000000 0000000000