

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

**MONDAY, MAY 11, 2009**



**6:00 P.M.**

1.0 Call to Order

The meeting was called to order by Chairman Crofoot at 6:06 p.m. Other members present were:

Commissioner Wallace  
Commissioner O'Donnell  
Commissioner Hallmark  
Commissioner Mottershaw

Others present:

Assistant City Manager – Mary Coker  
Director of Engineering & Planning – Mark McClure  
City Planner/Community Development Coordinator – Kelly Violette  
Assistant City Planner – Rodney Schmidt  
Engineering & Planning Administrative Assistant – Brandy Pate  
City Attorney – Scott Bounds

2.0 No Public Comments were received.

3.0 Kelly Violette provided update on Comprehensive Plan.

4.0 Motion was made by Commissioner O'Donnell to Approve the Minutes of the Regular Planning Commission Meeting of April 13, 2009; second by Commissioner Hallmark

Motion carried unanimously.

Discussion/Action of the Following Items:

5.0 New Business:

5.1 Consideration and Possible Action Regarding **ZONING CASE P09-118**: Request by Joe Serna, to amend the Comprehensive Zoning Ordinance to rezone approximately 6.21 acres of land, legally described as Parts of Tracts 283, 284, 284A, 286, and 286B of Tomball Outlots recorded in Volume 4, Page 75 and Volume 2, Page 65 of the Harris County Map Records, generally located on the northerly side of Agg Road, westerly of South Persimmon Street, from the SF-20-E-Single-Family 20 Estate

District to the C-Commercial District.

The Public Hearing was opened by Chairman Crofoot at 6:10 p.m.

Rodney Schmidt, Assistant City Planner provided staff report.

Rudy Svetlik of 11918 Westlock Drive spoke in opposition.

John Ford of 930 Agg Rd. spoke in opposition.

The Public Hearing was closed at 6:19 p.m.

Commissioner Wallace made a motion to DENY **ZONING CASE P09-118**; second by Commissioner Hallmark.

Vote was as follows:

Commissioner Crofoot	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>
Commissioner Hallmark	<u>Aye</u>
Commissioner O'Donnell	<u>Aye</u>
Commissioner Mottershaw	<u>Aye</u>

Motion carried 5-0

- 5.2 Consideration and Possible Action Regarding **ZONING CASE P09-119**: Request by Greystar GP, LLP, on behalf of Tomball Spring Creek Commons, LP, to amend the Comprehensive Zoning Ordinance to rezone approximately 13.392 acres of land, situated in the Joseph House Survey, Abstract 34, being all of Lot 3 together with part of Lots 1 and 2 of The Shoppes at Spring Creek Commons, Section One, a subdivision according to the map or plat thereof recorded in Film Code Number 622107 of the Map Records of Harris County, TX, generally located on the north side of Brown-Hufsmith Road, easterly of S.H. 249, from the GR-General Retail District to the MF-Multi-Family Residential District.

The Public Hearing was opened by Chairman Crofoot at 6:21 p.m.

Kelly Violette, City Planner provided staff report.

Applicant, Trent Connor of Greystar spoke on behalf of the request.

Owners Representative, Jeff Presnal, of 14405 Brown Rd. spoke on behalf of the request.

The following residents spoke in opposition of **ZONING CASE P09-119**:

Gary Smith - 31422 Rigel Ct.  
Bill Sumner - 12321 Zion Rd  
Rick Tomlinson - 1720 Baker Dr.

Derek Townsend – 30618 William Jurgens Dr.  
Don Cotterman – 14211 Buckingham Ln.  
Kevin Barron – 29606 Liberty Ln.  
Jack Rigly – 14134 Caster St.  
Mark Stoll – 31314 Capella Cr.  
Unknown Resident  
Marilyn O’Neal – 14235 Turnervine  
William O’Neal – 14235 Turnervine  
Barbara Meyers – 14159 Turnervine Dr.  
Donnie Luebek – 835 Baker  
Tom Harrison – 23010 Red Oak Trl.  
Jo Ann Anderson – 14227 Turnervine

The Public Hearing was closed at 7:38 p.m.

Commissioner O’Donnell made a motion to DENY **ZONING CASE P09-119**; second by Commissioner Mottershaw.

Vote was as follows:

Commissioner Crofoot	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>
Commissioner Hallmark	<u>Aye</u>
Commissioner O’Donnell	<u>Aye</u>
Commissioner Mottershaw	<u>Aye</u>

Motion carried 5-0

- 5.3 **JANSEP INVESTMENTS**: A preliminary plat of 3.8468 acres, containing 1 lot, 1 block, located in the Jesse Pruitt Survey, A-629, Harris County, Texas.

The Public Hearing was opened by Chairman Crofoot at 7:40 p.m.

Mark McClure, Director of Engineering and Planning presented comment recommendations.

The Public Hearing was closed at 7:41 p.m.

Commissioner Hallmark made a motion to Approve **JANSEP INVESTMENTS**, with contingencies; second by Commissioner Mottershaw.

Vote was as follows:

Commissioner Crofoot	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>
Commissioner Hallmark	<u>Aye</u>
Commissioner O’Donnell	<u>Aye</u>
Commissioner Mottershaw	<u>Aye</u>

Motion carried 5-0

6.0 Review and presentation of five year CIP 2010 – 2015

Mark McClure, Director of Engineering and Planning provided presentation on Capital Improvement Projects.

7.0 Motion was made by Commissioner Wallace to adjourn; second by Commissioner Hallmark.

Motion carried unanimously.

Meeting adjourned at 8:29 p.m.

PASSED AND APPROVED this 8th day of June 2009.

Brandy Pate  
Brandy Pate  
P&Z Commission Secretary

Tom Crofoot  
Tom Crofoot  
Chairman