

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

**MONDAY, JUNE 8, 2009**



**6:00 P.M.**

1.0 Call to Order

The meeting was called to order by Vice Chairman Wallace at 6:00 p.m. Other members present were:

Commissioner O'Donnell  
Commissioner Hallmark  
Commissioner Mottershaw

Commissioner Crofoot – Excused Absence

Others present:

City Planner/Community Development Coordinator – Kelly Violette  
Engineering & Planning Administrative Assistant – Brandy Pate  
Assistant City Planner – Rodney Schmidt  
Assistant City Engineer – Lori Lakatos  
City Attorney – Scott Bounds

1.1 Election of Chairman and Vice Chairman:

Commissioner O'Donnell nominated Tom Crofoot as Chairman; second by Commissioner Mottershaw.

Motion carried unanimously.

Commissioner Hallmark nominated Lori Wallace as Vice Chairman; second by Commissioner O'Donnell.

Motion carried unanimously.

2.0 No Public Comments were received.

3.0 Kelly Violette announced upcoming Comprehensive Plan meeting dates:

3.1 June 23, 2009 Comprehensive Plan Elected/Appointed Officials Workshop, 6:00 p.m. to 9:00 p.m. - Tomball Community Center

- 3.2 June 24, 2009 Comprehensive Plan Alternatives Workshop (Public), 6:00 p.m. to 9:00 p.m. - Tomball Community Center
- 3.3 Announcement of resignation of Commissioner Hallmark from the Planning & Zoning Commission.
- 4.0 Motion was made by Commissioner O'Donnell to Approve the Minutes of the Regular Planning Commission Meeting of May 11, 2009; second by Commissioner Mottershaw.

Motion carried unanimously.

Discussion/Action of the Following Items:

5.0 New Business:

- 5.1 Consideration and Possible Action Regarding: **ZONING CASE P09-125**: Request by Robert G. Smith to amend the Comprehensive Zoning Ordinance to rezone approximately 5.051 acres of land, legally described as Tracts 81, 81A, 89A, 90D, 89A-1, 89B, 89B-2, 89F, 90G, & 90-G-2 of Tomball Outlots, recorded in Volume 2, Page 65 of the Map Records of Harris County, Texas within the City of Tomball, Harris County, Texas, generally located on the westerly side of Hospital Road, southerly of Hufsmith Road, from the AG-Agricultural & SF-6 Single-Family Residential-6 Districts to the C-Commercial District.

The Public Hearing was opened by Vice Chairman Wallace at 6:05 p.m.

Kelly Violette, City Planner provided staff report.

Owners Representative, Paul Gonzalez spoke on behalf of the request.

The following residents spoke in opposition of **ZONING CASE P09-125**:

James Dunagin - 535 E. Hufsmith  
Sallie Fisher - 723 Hospital Rd.  
Rhondee Damon - 644 Hospital Rd.  
Robin Davidson - 612 Hospital Rd.  
Sandy Shaver - 622 Hospital Rd.  
Bill Sumner - 12321 Zion Rd.

Mr. Gonzalez was give three minutes to rebut.

The Public Hearing was closed at 6:36 p.m.

Commissioner Mottershaw made a motion to DENY **ZONING CASE P09-125**; second by Commissioner O'Donnell.

Vote was as follows:

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

Motion carried 4-0

- 5.2 Consideration and Possible Action Regarding **EVERHEALTH TRACT**: Being a Replat of a 3.0906 acre tract of land in the Jesse Pruitt Survey, Abstract No. 629, in Harris County, Texas, out of and a part of Lot 197 of Five Acre Tracts – Tomball, Townsite, Harris County, Texas according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas.

Vice Chairman Wallace abstained from voting and a conflict of interest form was filed with the City Secretary.

The Public Hearing was opened by Vice Chairman Wallace at 6:37 p.m.

Lori Lakatos, Assistant City Engineer presented comment recommendations.

The Public Hearing was closed at 6:39 p.m.

Commissioner Mottershaw made a motion to Approve **EVERHEALTH TRACT**; with contingencies; second by Commissioner Hallmark.

Vote was as follows:

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

Motion carried 3-0

- 5.3 Consideration and Possible Action Regarding **CROFOOT FARMS REPLAT**: To create 2 lots (4.2676 acres) out of the Residue of Outlot 34 of Tomball Outlots according to the Map or Plat thereof recorded in Vol. 2, Pg. 65, Map Records, Harris County, Texas; situated in the Ralph Hubbard Survey, Abstract 383, Harris County, Texas.

Vice Chairman Wallace announced that although Commissioner Crofoot was absent, he had filed a conflict of interest form with the City Secretary.

Lori Lakatos, Assistant City Engineer presented comment recommendations.

Commissioner O'Donnell made a motion to Approve **CROFOOT FARMS REPLAT**, with contingencies; second by Commissioner Mottershaw.

Motion carried unanimously.

- 6.0 Receipt of Capital Projects Comments and Recommendations from the Planning and Zoning Commission for City Council Consideration regarding Budget of Five Year CIP 2010 – 2014

Commissioner O'Donnell made a motion to recommend the Five Year Capital Improvement Projects List; second by Commissioner Hallmark.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned at 6:44 p.m.

PASSED AND APPROVED this 13th day of July 2009.

Brandy Pate  
Brandy Pate  
P&Z Commission Secretary

Tom Crofoot  
Tom Crofoot  
Chairman