

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



**MONDAY, OCTOBER 10, 2016**

**6:00 P.M.**

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, October 10, 2016 at 6:00 P.M., 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 and 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.

- 1.0 Call to Order
- 2.0 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.]*
- 3.0 Reports and Announcements
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of September 12, 2016.
- 5.0 New Business:
  - 5.1 Consideration to Approve Preliminary Plat of **AMELIA ACRES**: A subdivision of 1.5955 Acres (69,500.00 Square Feet) being out of the Joseph House Survey,

A-34, The City of Tomball, Harris County, Texas.

- 5.2 Consideration to Approve Final Plat of **LSP TOMBALL DEVELOPMENT**: A subdivision of 11.8981 Acres (518,279.72 Square Feet) of land, Tract 1 situated in the Sam Lewis Survey, Abstract No.1704, City of Tomball, Harris County, Texas.
- 5.3 Consideration to Approve Re-Plat of **TOMBALL TOWNSITE PARTIAL REPLAT BLOCK 79**: A subdivision of 0.4132 Acres, (18,000.00 Square Feet), of land situated in the William Hurd Survey, Abstract No. 371, City of Tomball, Harris County, Texas.
- 5.4 Consideration to approve **Zoning Case P16-0140**: Request by Robert Chandler, on behalf of Lone Star Partners, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.898 acres of land, legally described as 11.898 acres of land situated in the Sam Lewis Survey, Abstract Number 1704, City of Tomball, Harris County, Texas, being a portion of that certain called 160.3 acres of land described in deed and recorded under Volume 942, Page 191 of the Deed Records of Harris County, Texas, generally located at the southeast corner of SH 249 Bypass and Alice Rd., from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P16-0140**

- 5.5 Consideration to approve **Zoning Case P16-0142**: Request by Scott McKinzie, on behalf of BCDE, LTD., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 70 acres of land, legally described as a 70.3604 acre tract of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; being a portion of Unrestricted Reserve "C" of Tomball Greens Final Plat as shown on a plat filed for record under Film Code Number 440128 of the Harris County Map Records, being the remainder of a called 78.4754 acre tract conveyed to BCDE, LTD. by Special Warranty Deed With Vendor's Lien dated December 30, 2002 and filed for record under Clerk's File No. W332593 of the Harris County Official Public Records of Real Property and being all of a called 4.882 acres conveyed to Eibsen & Associates, Inc. by Warranty Deed dated March 31, 2014 and filed for record under Clerk's File No. 20140133968 of the Harris County Official Public Records of Real Property, within the City of Tomball, Harris County, Texas, generally located on the east side of Hufsmith-Kohrville Road, north Spell Road, from the Single-Family 9 District to the Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P16-0142**

6.0 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 6th day of October, 2016 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer

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Doris Speer  
City Secretary, TRMC

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](http://www.ci.tomball.tx.us).

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: October 10, 2016

**Topic:**

**Background:**

**Origination:**

**Recommendation:**

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

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |



Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: October 10, 2016

**Topic:**

**Background:**

**Origination:**

**Recommendation:**

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

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

# Regular Planning and Zoning Commission

## Agenda Item

### Data Sheet

Meeting Date: October 10, 2016

**Topic:**

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of September 12, 2016.

**Background:**

**Origination:**

**Recommendation:**

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

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

**ATTACHMENTS:**

9/12/16 Minutes

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

**MONDAY, SEPTEMBER 12, 2016**



**6:00 P.M.**

- 1.0 The meeting was called to order by Chair Barbara Tague at 6:00 p.m. Other members present were:

Commissioner Dane Dunagin  
Commissioner Richard Anderson  
Commissioner Darrell Roquemore  
Commissioner Will Benson, Jr.

Others present:

Community Development Director/ City Engineer – Craig Meyers  
Assistant City Engineer – Beth Jones  
City Planner – Harold Ellis  
Community Development Coordinator – Kim Chandler  
City Attorney – Loren Smith

- 2.0 No Public Comments were received.
- 3.0 Harold Ellis, City Planner, announced the following:

- Introduced Will Benson, Jr. as the new Planning & Zoning Commissioner.

Craig Meyers, Community Development Director/ City Engineer, announced the following:

- Harold Ellis is leaving the City of Tomball as City Planner to pursue a new position in Washington, DC. Tonight will be his last Planning & Zoning Commission meeting.

- 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 August 8, 2016.

Motion carried unanimously.

**draft**

5.0 New Business:

- 5.1 Consideration to Approve Preliminary Plat of **CORNER STORE NO. 1917**: A subdivision of 16.5772 Acres (722,104.31 Square Feet) out of the Chancey Goodrich Survey, Abstract No. 311, Tract 7C-1, 7F and 7H, Harris County, Texas.

Beth Jones, Assistant City Engineer, presented recommendation of approval with contingencies.

Motion was made by Commissioner Roquemore, second by Commissioner Dunagin, to approve **CORNER STORE NO. 1917**, with contingencies.

Motion carried unanimously.

- 5.2 Consideration to Approve Final Plat of **FOURTEEN SIX HUNDRED BUSINESS PARK**: A subdivision of a 2.7164 Acre Tract (118,325.76 Square Feet) in the Joseph House Survey, Abstract-34, Harris County, Texas.

Beth Jones, Assistant City Engineer, presented recommendation of approval with contingencies.

Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve **FOURTEEN SIX HUNDRED BUSINESS PARK**, with contingencies.

Motion carried unanimously.

- 5.3 Consideration to Approve Re-Plat of a Partial Re-Plat of **LESLIE'S PARK**: 1.7225 Acres, (75,032.05 Square Feet), located in the J. House Survey, A-34, Harris County, Texas, containing 1 Block, 1 Restricted Reserves and 5 Residential Lots.

Beth Jones, Assistant City Engineer, presented recommendation of approval with contingencies.

Motion was made by Commissioner Roquemore, second by Commissioner Anderson, to approve **LESLIE'S PARK**, with contingencies.

Motion carried unanimously.

- 5.4 Consideration to Approve Preliminary Plat of **LSP TOMBALL DEVELOPMENT**: A subdivision of 11.8981 Acres (518,279.72 Square Feet) of land situated in the Sam Lewis Survey, Abstract No. 1704, City of Tomball, Harris County, Texas.

Beth Jones, Assistant City Engineer, presented recommendation of approval with contingencies.

Motion was made by Commissioner Dunagin, second by Commissioner Benson, to approve **LSP TOMBALL DEVELOPMENT**, with contingencies.

Motion carried unanimously.

- 5.5 Consideration to Approve Re-Plat of **PERSIMMON PROPERTIES**: Being a subdivision of 10.4091 Acres (453,420.3960 Square Feet) of land being a re-plat of Outlots 335, 336, and 0.6342 Acre Tract out of Outlot 337 of the corrected map of Tomball Outlots, recorded in Volume 4, Page 75, situated in the Jesse Pruitt Survey, Abstract 629, Harris County, Texas, containing 1 Lot, 2 Blocks, 1 Restricted Reserve.

Beth Jones, Assistant City Engineer, presented recommendation of approval with contingencies.

Motion was made by Commissioner Roquemore, second by Commissioner Anderson, to approve **PERSIMMON PROPERTIES**, with contingencies.

Motion carried unanimously.

- 5.6 Consideration to Approve Preliminary Plat of **TKC CCXXVII LLC**: A subdivision of 4.8064 Acres or 209,366.29 Sq. Ft. of land, situated in the Joseph House Survey, Abstract No. 34, City of Tomball, Harris County, Texas.

Beth Jones, Assistant City Engineer, presented recommendation of approval with contingencies.

Motion was made by Commissioner Anderson, second by Commissioner Benson, to approve **TKC CCXXVII LLC**, with contingencies.

Motion carried unanimously.

- 5.7 Consideration to approve **ZONING CASE P16-0123**: Request by Justin Cottle for a Conditional Use Permit to operate an amusement, commercial (indoor) facility at 701 E. Main Street. The property is approximately 1 acre, located on the north side of Main Street, east of Willow Street, legally described as Lots 1 and 2, Block 1 McCraw Acres and is zoned General Retail.

Harold Ellis, City Planner, presented the case and recommendation of approval.

Justin Cottle, Applicant and Owner of Arclight Gaming, LLC, (1108 Sir Alex Drive, Tomball, TX 77375) was introduced and spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:25 p.m.

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

Motion was made by Commissioner Dunagin, second by Commissioner Roquemore, to approve **Zoning Case P16-0123** with the condition that **No** wagering takes place on site. Vote was as follows:

|                          |            |
|--------------------------|------------|
| Chair Tague              | <u>Nay</u> |
| Commissioner Dunagin     | <u>Aye</u> |
| Commissioner Anderson    | <u>Aye</u> |
| Commissioner Roquemore   | <u>Aye</u> |
| Commissioner Benson, Jr. | <u>Aye</u> |

Motion Failed; 4 Votes Aye, 1 Vote Nay

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

Motion carried unanimously.

The meeting was adjourned at 6:46 p.m.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

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Kim Chandler  
Commission Secretary

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Barbara Tague  
Commission Chair

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: October 10, 2016

**Topic:**

Consideration to Approve Preliminary Plat of AMELIA ACRES: A subdivision of 1.5955 Acres (69,500.00 Square Feet) being out of the Joseph House Survey, A-34, The City of Tomball, Harris County, Texas.

**Background:**

**Origination:**

Community Development Department

**Recommendation:**

Approval

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

Engineering Division

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

**ATTACHMENTS:**

Amelia Acres



STATE OF TEXAS  
COUNTY OF HARRIS

WE, ROYAL OAKS ENTERPRISES, LLC, ACTING BY AND THROUGH ZAHER BURGHJI, PRESIDENT AND DEANNA G. BURGHJI, VICE PRESIDENT, BEING OFFICERS OF ROYAL OAKS ENTERPRISES, LLC, OWNERS IN THIS SECTION AFTER REFERRED TO AS OWNERS OF THE 1.5955 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF AMELIA ACRES, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE 20 FEET ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

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 COURSES LOCATED AND DEPICTED UPON 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 OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

IN TESTIMONY WHEREOF, THE ROYAL OAKS ENTERPRISES, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ZAHER BURGHJI, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY ITS VICE PRESIDENT, DEANNA G. BURGHJI, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_.

ROYAL OAKS ENTERPRISES, LLC

BY: \_\_\_\_\_  
ZAHER BURGHJI, PRESIDENT

BY: \_\_\_\_\_  
DEANNA G. BURGHJI, VICE PRESIDENT

THE STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ZAHER BURGHJI, PRESIDENT AND DEANNA G. BURGHJI, VICE PRESIDENT, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND IN THIS SECTION STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES ON \_\_\_\_\_

I, RICHARD FUSSELL, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER INCH AND A LENGTH OF NOT LESS THAN THREE FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

RICHARD FUSSELL  
REGISTERED PROFESSIONAL LAND SURVEYOR #4148

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY HAS APPROVED THIS PLAT AND SUBDIVISION OF AMELIA ACRES IN CONFORMANCE WITH THE LAWS OF THE STATE AND THE ORDINANCES OF THE CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT  
THIS \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_.

BARBARA TEAGUE, CHAIRMAN

DARRELL ROQUEMORE, VICE-CHAIRMAN

I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON \_\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., AND DULY RECORDED ON \_\_\_\_\_ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

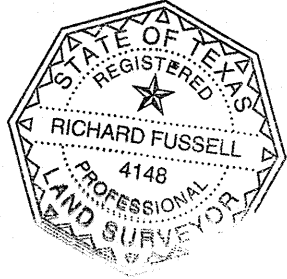
WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

STAN STANART  
COUNTY CLERK  
OF HARRIS COUNTY, TEXAS

DEPUTY

I, RICHARD FUSSELL, DO HEREBY CERTIFY THAT ALL EXISTING ENCUMBRANCES, SUCH AS VARIOUS TYPES OF EASEMENTS BOTH PUBLIC AND PRIVATE, FEE STRIPS, AND ALL SIGNIFICANT TOPOGRAPHICAL FEATURES WHICH WOULD AFFECT THE PHYSICAL DEVELOPMENT OF THE PROPERTY ILLUSTRATED ON THIS PLAT ARE ACCURATELY IDENTIFIED AND LOCATED AND FURTHER CERTIFY THAT THIS PLAT REPRESENTS ALL OF THE CONTIGUOUS LAND WHICH THE (OWNER OF SUBDIVIDER) OWNS OR HAS A LEGAL INTEREST IN.

RICHARD FUSSELL  
REGISTERED PROFESSIONAL LAND SURVEYOR #4148

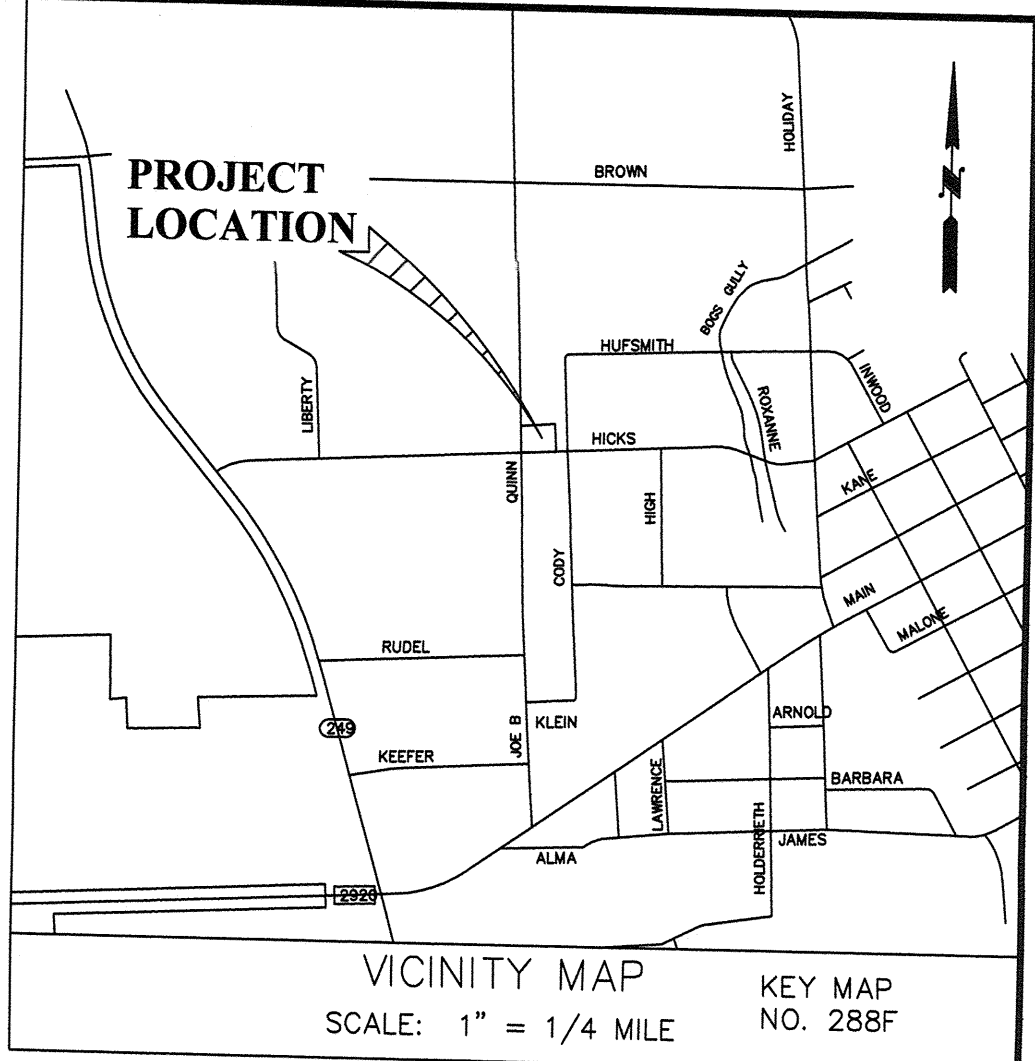
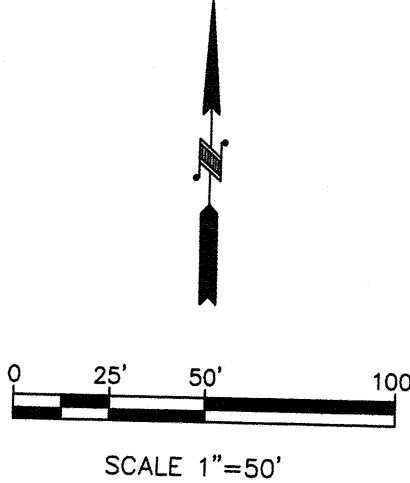


GENERAL NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS AND HARRIS COUNTY.
- THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON TEXAS SOUTH CENTRAL ZONE 4204 (NAD 83). COORDINATES ARE GRID AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR 0.99995172208. POINTS (A) & (B) WERE HELD FOR HORIZONTAL CONTROL.
- FIVE-EIGHTHS INCH (5/8") IRON RODS THREE FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
- BENCHMARK: PUBLISHED ELEVATION - 181.93  
DESCRIPTION: FLOODPLAIN REFERENCE MARK NUMBER 100370 IS A BRASS DISK LOCATED FROM THE INTERSECTION OF US 290 AND FIELD STORE, NORTH ALONG FIELD STORE 5.3 MILES TO THE BENCHMARK ON THE LEFT. (NAVD 1988, 2001 ADJ)  
TEMPORARY BENCHMARK ELEVATION - 191.17  
MAG NAIL SET IN THE SOUTH RIGHT-OF-WAY LINE OF HICKS ROAD (A.K.A. HUFSMITH ROAD) S 38°45'35" W, A DISTANCE OF 51.63' FROM THE SOUTHEAST CORNER OF SUBJECT TRACT.
- ACCORDING TO FEMA FIRM PANEL NO. 48201C0210L (EFFECTIVE DATE APRIL 20, 2000), THIS PROPERTY IS IN ZONE "X" AND IS NOT IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- 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 OF FIFTEEN (15) FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND THIRTY (30) FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM MAINTAINING AND ADDING TO OR REMOVING ALL OR PART 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.

LEGEND:

- |            |                                         |
|------------|-----------------------------------------|
| B.L.       | = BUILDING LINE                         |
| U.E.       | = UTILITY EASEMENT                      |
| A.E.       | = AERIAL EASEMENT                       |
| D.E.       | = DRAINAGE EASEMENT                     |
| W.L.E.     | = WATER LINE EASEMENT                   |
| S.S.E.     | = SANITARY SEWER EASEMENT               |
| STM.S.E.   | = STORM SEWER EASEMENT                  |
| H.C.M.R.   | = HARRIS COUNTY MAP RECORDS             |
| H.C.D.R.   | = HARRIS COUNTY DEED RECORDS            |
| O.P.R.H.C. | = OFFICIAL PUBLIC RECORDS HARRIS COUNTY |
| I.P.       | = IRON PIPE                             |
| I.R.       | = IRON ROD                              |
| R.O.W.     | = RIGHT OF WAY                          |
| VOL.       | = VOLUME                                |
| PG.        | = PAGE                                  |
| P.O.B.     | = POINT OF BEGINNING                    |
| ①          | = BLOCK NUMBER                          |
| ②          | = SET 1/2" IR W/CAP MARKED "SURVEY 1"   |
| ③          | = TEMPORARY BENCHMARK                   |



DESCRIPTION OF A TRACT OF LAND CONTAINING 1.5955 ACRES (69,500.00 SQUARE FEET) SITUATED IN THE JOSEPH HOUSE SURVEY, ABSTRACT 34 HARRIS COUNTY, TEXAS

BEING A 1.5955 ACRE TRACT OF LAND IN THE JOSEPH HOUSE SURVEY, ABSTRACT NO. 34, IN HARRIS COUNTY, TEXAS, CONSISTING OF PARTS OF THOSE CERTAIN THREE TRACTS OF LAND DESCRIBED UNDER CLERK'S FILE NO. N1 90256 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, SAID 1.595 ACRES IS HEREAFTER REFERRED TO AS "THE SUBJECT TRACT" AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND IN THE NORTH RIGHT-OF-WAY LINE OF HICKS STREET (60 FOOT R-O-W), AND MARKING THE SOUTHEAST CORNER OF THE SUBJECT TRACT, AND THE SOUTHWEST CORNER OF THE HICKORY HILL APARTMENTS TRACT (5.29 ACRES/HCCF NO. N918572);

THENCE SOUTH 88°33'36" WEST, WITH THE NORTH LINE OF HICKS STREET, A DISTANCE OF 386.17 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE LOWER SOUTHWEST CORNER OF THE SUBJECT TRACT, AT A FORTY-FIVE-DEGREE CUT-BACK CORNER AT THE INTERSECTION OF THE NORTH LINE OF HICKS STREET, AND THE EAST RIGHT-OF-WAY LINE OF QUINN ROAD (80 FOOT R-O-W);

THENCE NORTH 46°50'31" WEST, WITH THE SAID CUT-BACK CORNER, A DISTANCE OF 21.25 FEET TO A 5/8 INCH IRON ROD FOUND LYING IN THE EAST LINE OF QUINN ROAD, AND MARKING THE UPPER SOUTHWEST CORNER OF THE SUBJECT TRACT;

THENCE NORTH 03°31'02" WEST, WITH THE EAST LINE OF QUINN ROAD, A DISTANCE OF 70.78 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE MOST WESTERLY NORTHWEST CORNER OF THE SUBJECT TRACT, AND THE SOUTHWEST CORNER OF THAT CERTAIN 0.27 ACRE TRACT OF LAND RECORDED UNDER CLERK'S FILE NO. W143668;

THENCE NORTH 88°21'30" EAST, DEPARTING THE EAST LINE OF QUINN ROAD, A DISTANCE OF 154.51 FEET TO A 1 INCH IRON PIPE FOUND MARKING AN INTERIOR CORNER OF THE OF THE SAID 0.27 ACRE TRACT;

THENCE NORTH 01°39'51" WEST, A DISTANCE OF 77.50 FEET TO A POINT IN CONCRETE AT CHAIN-LINK FENCE CORNER POST LYING IN THE SOUTH LINE OF THAT CERTAIN 0.36 ACRE TRACT RECORDED UNDER HCCF NO. R078690, AND MARKING THE MIDDLE NORTHWEST CORNER OF THE SUBJECT TRACT, AND THE NORTHEAST CORNER OF THE SAID 0.27 ACRE TRACT;

THENCE NORTH 87°43'41" EAST, A DISTANCE OF 55.96 FEET TO A 5/8 INCH IRON PIPE FOUND MARKING AN INTERIOR CORNER OF THE SUBJECT TRACT, AND THE SOUTHEAST CORNER OF THE SAID 0.36 ACRE TRACT;

THENCE NORTH 01°38'33" WEST, A DISTANCE OF 83.92 FEET TO A 2 INCH IRON ROD FOUND MARKING THE MOST NORTHERLY NORTHWEST CORNER OF THE SUBJECT TRACT, AND THE SOUTHWEST CORNER OF THAT CERTAIN 1.542 ACRE TRACT OF LAND RECORDED UNDER CLERK'S FILE NO. 20130451949;

THENCE NORTH 89°30'02" EAST, A DISTANCE OF 189.92 FEET TO A 5/8 INCH IRON ROD FOUND LYING IN THE WEST LINE OF THE SAID HICKORY HILL APARTMENT TRACT, AND MARKING THE NORTHEAST CORNER OF THE SUBJECT TRACT, AND THE SOUTHEAST CORNER OF THE SAID 1.542 ACRE TRACT;

THENCE SOUTH 02°23'57" EAST, WITH THE WEST LINE OF THE SAID HICKORY HILL APARTMENTS TRACT, A DISTANCE OF 245.34 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.5955 ACRES OF LAND, MORE OR LESS

# AMELIA ACRES

A SUBDIVISION OF 1.5955 ACRES (69,500.00 SQ. FT.) BEING OUT OF THE JOSEPH HOUSE SURVEY SURVEY, A-34, THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS

1 BLOCKS 4 LOTS  
OCTOBER 3, 2016

www.survey1inc.com  
survey1@survey1inc.com  
**Survey 1, Inc.**  
Your Land Survey Company  
Firm Registration No. 100758-00  
P.O. Box 2543 | Alvin, TX 77512 | (281)393-1282  
PROJECT NO. 9-48702-16

OWNER:  
ROYAL OAKS ENTERPRISES, LLC  
4615 N. FREEWAY  
HOUSTON, TX 77022  
713-691-3948



Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: October 10, 2016

**Topic:**

Consideration to Approve Final Plat of **LSP TOMBALL DEVELOPMENT**: A subdivision of 11.8981 Acres (518,279.72 Square Feet) of land, Tract 1 situated in the Sam Lewis Survey, Abstract No.1704, City of Tomball, Harris County, Texas.

**Background:**

**Origination:**

Community Development Department

**Recommendation:**

Approval

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

Engineering Division

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

**ATTACHMENTS:**

LSP

STATE OF TEXAS

COUNTY OF HARRIS

We, JPMorgan Chase Bank, N.A., f/k/a Texas Commerce Bank, N.A., Trustee of the Kaiser-Frapart Irrevocable Trust, acting by and through Anita Corbello, Real Estate Asset Manager of Cassidy Turley Commercial Real Estate Services, Inc., d/b/a Cushman & Wakefield, Its Agent, and We, Jules Dorfman Frapart, Ross Lewis Frapart, David Joel Frapart, Carolyn Shapiro Frapart Krause, Marsha Lynn Frapart Cohen Richard Ray Frapart and Randall Jay Frapart, Owners, hereinafter referred to as Owners of the 11.8981 acre tract described in the above and foregoing plat of LSP TOMBALL DEVELOPMENT, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the 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 directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the JPMorgan Chase Bank, N.A., f/k/a Texas Commerce Bank, N.A., Trustee of the Kaiser-Frapart Irrevocable Trust, has caused these presents to be signed by Anita Corbello, Real Estate Asset Manager of Cassidy Turley Commercial Real Estate Services, Inc., d/b/a Cushman & Wakefield, its Agent, thereunto authorized, this \_\_\_\_ day of \_\_\_\_\_, 2016.

JPMorgan Chase Bank, N.A., f/k/a Texas Commerce Bank, N.A., Trustee of the Kaiser-Frapart Irrevocable Trust  
By: Cassidy Turley Commercial Real Estate Services, Inc., d/b/a Cushman & Wakefield, its Agent

By: \_\_\_\_\_  
Anita Corbello, Real Estate Asset Manager

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Anita Corbello, Real Estate Asset Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS my hand, in Brownsville, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Jules Dorfman Frapart

STATE OF TEXAS

COUNTY OF CAMERON

BEFORE ME, the undersigned authority, on this day personally appeared, Jules Dorfman Frapart, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS my hand, in San Antonio, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Ross Lewis Frapart

STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared, Ross Lewis Frapart, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS my hand, in Baciiff, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
David Joel Frapart

STATE OF TEXAS

COUNTY OF GALVESTON

BEFORE ME, the undersigned authority, on this day personally appeared, David Joel Frapart, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS my hand, in Dallas, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Carolyn Shapiro Frapart Krause

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared, Carolyn Shapiro Frapart Krause, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS my hand, in Houston, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Marsha Lynn Frapart Cohen

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Marsha Lynn Frapart Cohen, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS my hand, in Plano, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Richard Ray Frapart

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared, Richard Ray Frapart, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS my hand, in Houston, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Randall Jay Frapart

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Randall Jay Frapart, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

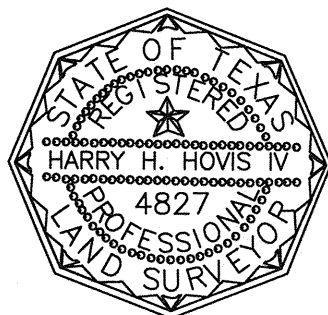
Notary Public in and for the State of Texas

My Commission expires:

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of LSP TOMBALL DEVELOPMENT in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_ By: \_\_\_\_\_  
Barbara Tague Dorrell Roquemore  
Chairman Vice Chairman

I, Harry H. Hovis IV, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'), except where corners were found; and that the plot boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.



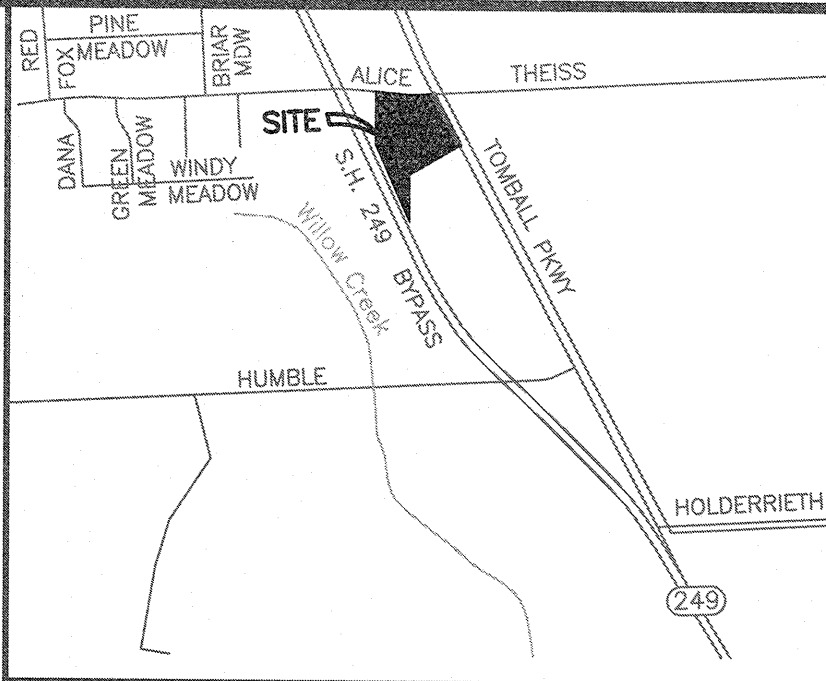
\_\_\_\_\_  
Harry H. Hovis IV  
Texas Registration No. 4827

I, Stan Stanart, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on \_\_\_\_\_, 2016, at \_\_\_\_ o'clock \_\_\_\_M., and duly recorded on \_\_\_\_\_, 2016, at \_\_\_\_ o'clock \_\_\_\_M., and at Film Code Number \_\_\_\_\_ of the Map Records of Harris County for said county.

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

\_\_\_\_\_  
Stan Stanart  
County Clerk  
of Harris County, Texas

By: \_\_\_\_\_  
Deputy



60 0 60 120 180 Feet

SCALE = 1"=60'

OWNERS:

JPMORGAN CHASE BANK, N.A., F/K/A  
TEXAS COMMERCE BANK, N.A., TRUSTEE  
OF THE KAISER-FRAPART IRREVOCABLE TRUST  
708 MAIN STREET, SUITE 710  
HOUSTON, TEXAS 77002  
(832) 460-7362

JULES DORFMAN FRAPART  
355 CALLE JACARANDA  
BROWNSVILLE, TEXAS 78520  
(956) 345-5607

ROSS LEWIS FRAPART  
5 MARELLA DRIVE  
SAN ANTONIO, TEXAS 78248  
(210) 269-6522

DAVID JOEL FRAPART  
202 HARDY STREET  
BACLIFF, TEXAS 77518  
(832) 385-1692

CAROLYN SHAPIRO FRAPART KRAUSE  
5200 KELLER SPRINGS RD., #1316  
DALLAS, TEXAS 75248  
(972) 644-2299

MARSHA LYNN FRAPART COHEN  
5203 PAISLEY STREET  
HOUSTON, TEXAS 77096  
(713) 723-9773

RICHARD RAY FRAPART  
2009 BRIDGE VIEW LANE  
PLANO, TEXAS 75093  
(972) 964-3683

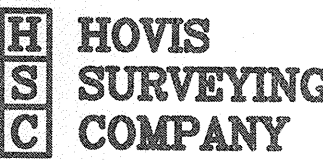
RANDALL JAY FRAPART  
5325 McCULLOCH CIRCLE  
HOUSTON, TEXAS 77056  
(713) 249-6469

## LSP TOMBALL DEVELOPMENT

A SUBDIVISION OF 11.8981 ACRES  
(518,279.72 SQ.FT.) OF LAND TRACT 1  
SITUATED IN THE SAM LEWIS SURVEY,  
ABSTRACT NO. 1704, CITY OF TOMBALL,  
HARRIS COUNTY, TEXAS

1 LOT, 1 BLOCK

PREPARED BY:



HOVIS  
SURVEYING  
COMPANY

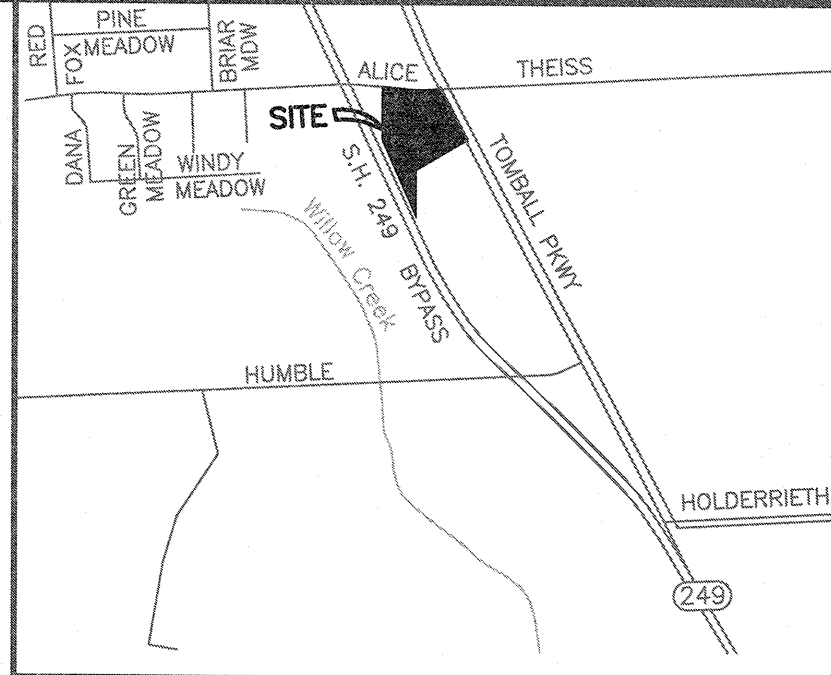
Land Surveys - Computer Mapping  
5000 Cabbage - Spring, Texas 77376  
(281) 320-9591 hovis@hovissurveying.com  
Acreage - Residential - Industrial - Commercial  
Texas Firm Registration No. 10030400

DATE: SEPTEMBER 30, 2016 SCALE: 1" = 60' JOB NO. 02-025-120

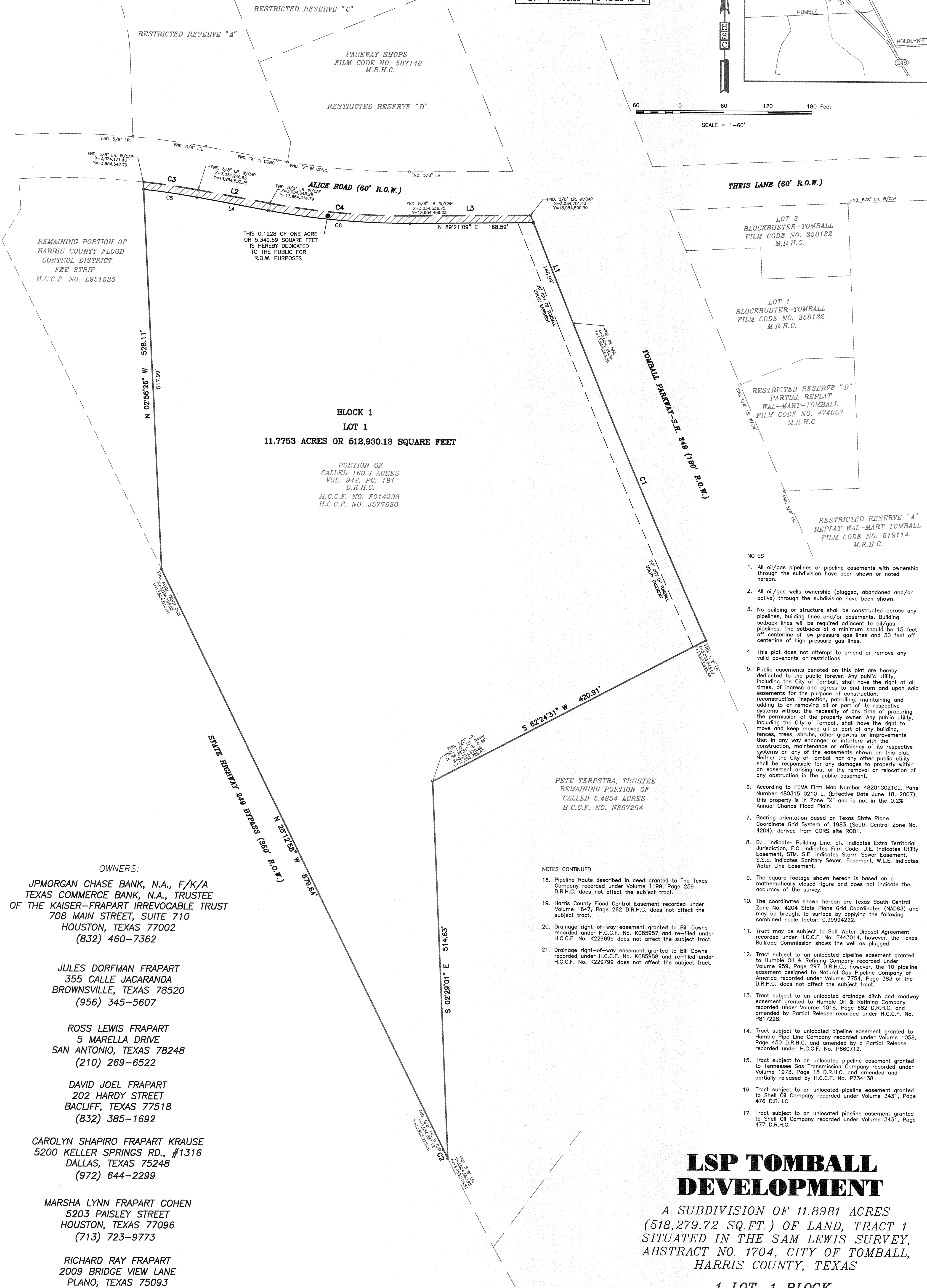


| CURVE | RADIUS   | DELTA     | ARC    | TANGENT | BEARING       | CHORD  |
|-------|----------|-----------|--------|---------|---------------|--------|
| C1    | 11549.16 | 02°19'27" | 468.47 | 234.27  | S 23°03'17" E | 468.44 |
| C2    | 3644.72  | 00°12'24" | 13.15  | 6.58    | N 26°19'10" W | 13.15  |
| C3    | 1040.96  | 04°11'23" | 76.12  | 38.08   | S 82°02'21" E | 76.10  |
| C4    | 1030.00  | 10°42'11" | 192.41 | 96.48   | S 85°17'45" E | 192.13 |
| C5    | 1030.96  | 04°06'13" | 73.84  | 36.93   | S 81°59'46" E | 73.82  |
| C6    | 1040.00  | 10°42'11" | 194.28 | 97.42   | S 85°17'45" E | 193.99 |

| LINE | DISTANCE | BEARING       |
|------|----------|---------------|
| L1   | 157.71'  | S 21°53'34" E |
| L2   | 100.00'  | S 79°56'40" E |
| L3   | 164.70'  | N 89°21'09" E |
| L4   | 100.00'  | S 79°56'40" E |



SCALE = 1" = 60'



**OWNERS:**

JPMORGAN CHASE BANK, N.A., F/K/A  
TEXAS COMMERCE BANK, N.A., TRUSTEE  
OF THE KAISER-FRAPART IRREVOCABLE TRUST  
708 MAIN STREET, SUITE 710  
HOUSTON, TEXAS 77002  
(832) 460-7362

JULES DORFMAN FRAPART  
355 CALLE JACARANDA  
BROWNSVILLE, TEXAS 77820  
(956) 345-5607

ROSS LEWIS FRAPART  
5 MARELLA DRIVE  
SAN ANTONIO, TEXAS 78248  
(210) 269-6522

DAVID JOEL FRAPART  
202 HARDY STREET  
BACLIFF, TEXAS 77518  
(832) 385-1692

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5200 KELLER SPRINGS RD., #1316  
DALLAS, TEXAS 75248  
(972) 644-2299

MARSHA LYNN FRAPART COHEN  
5203 PAISLEY STREET  
HOUSTON, TEXAS 77096  
(713) 723-9773

RICHARD RAY FRAPART  
2009 BRIDGE VIEW LANE  
PLANO, TEXAS 75093  
(972) 964-3683

RANDALL JAY FRAPART  
5325 McCULLOCH CIRCLE  
HOUSTON, TEXAS 77056  
(713) 249-6469

PETE TERPSTRA, TRUSTEE  
REMAINING PORTION OF  
CALLED 5.4854 ACRES  
H.C.C.F. NO. N357294

- NOTES**
- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown or noted hereon.
  - All oil/gas wells ownership (plugged, abandoned and/or active) through the subdivision have been shown.
  - 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.
  - This plat does not attempt to amend or remove any valid covenants or restrictions.
  - Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
  - According to FEMA Firm Map Number 48201C0210L, Panel Number 480315 0210 L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
  - Bearing orientation based on Texas State Plane Coordinate Grid System of 1983 (South Central Zone No. 4204), derived from CORS site R0D1.
  - B.L. indicates Building Line, E.T. indicates Extra Territorial Jurisdiction, F.C. indicates Film Code, U.E. indicates Utility Easement, S.T. indicates Storm Sewer Easement, S.S.E. indicates Sanitary Sewer, Easement, W.L.E. indicates Water Line Easement.
  - The square footage shown hereon is based on a mathematically closed figure and does not indicate the accuracy of the survey.
  - The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor: 0.99994222.
  - Tract may be subject to Salt Water Disposal Agreement recorded under H.C.C.F. No. E443014, however, the Texas Railroad Commission shows the well as plugged.
  - Tract subject to an unlocated pipeline easement granted to Humble Oil & Refining Company recorded under Volume 959, Page 297 D.R.H.C., however, the 10 pipeline easement assigned to Natural Gas Pipeline Company of America recorded under Volume 7754, Page 383 of the D.R.H.C. does not affect the subject tract.
  - Tract subject to an unlocated drainage ditch and roadway easement granted to Humble Oil & Refining Company recorded under Volume 1018, Page 682 D.R.H.C. and amended by Partial Release recorded under H.C.C.F. No. P817228.
  - Tract subject to unlocated pipeline easement granted to Humble Pipe Line Company recorded under Volume 1058, Page 450 D.R.H.C. and amended by a Partial Release recorded under H.C.C.F. No. P660712.
  - Tract subject to an unlocated pipeline easement granted to Tennessee Gas Transmission Company recorded under Volume 1973, Page 18 D.R.H.C. and amended and partially released by H.C.C.F. No. P734138.
  - Tract subject to an unlocated pipeline easement granted to Shell Oil Company recorded under Volume 3431, Page 476 D.R.H.C.
  - Tract subject to an unlocated pipeline easement granted to Shell Oil Company recorded under Volume 3431, Page 477 D.R.H.C.

- NOTES CONTINUED**
- Pipeline Route described in deed granted to The Texas Company recorded under Volume 1199, Page 259 D.R.H.C. does not affect the subject tract.
  - Harris County Flood Control Easement recorded under Volume 1647, Page 262 D.R.H.C. does not affect the subject tract.
  - Drainage right-of-way easement granted to Bill Downs recorded under H.C.C.F. No. K085957 and re-filed under H.C.C.F. No. K229699 does not affect the subject tract.
  - Drainage right-of-way easement granted to Bill Downs recorded under H.C.C.F. No. K085958 and re-filed under H.C.C.F. No. K229799 does not affect the subject tract.

**LSP TOMBALL DEVELOPMENT**

A SUBDIVISION OF 11.8981 ACRES  
(518,279.72 SQ.FT.) OF LAND, TRACT 1  
SITUATED IN THE SAM LEWIS SURVEY,  
ABSTRACT NO. 1704, CITY OF TOMBALL,  
HARRIS COUNTY, TEXAS

**1 LOT, 1 BLOCK**

PREPARED BY:

**HOVIS SURVEYING COMPANY**

Land Surveys - Computer Mapping  
5000 Cabbage - Spring, Texas 77378  
(281) 320-9591 hovis@hovisurveying.com  
Acreage - Residential - Industrial - Commercial  
Texas Firm Registration No. 10030400

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: October 10, 2016

**Topic:**

Consideration to Approve Re-Plat of **TOMBALL TOWNSITE PARTIAL REPLAT BLOCK 79**: A subdivision of 0.4132 Acres, (18,000.00 Square Feet), of land situated in the William Hurd Survey, Abstract No. 371, City of Tomball, Harris County, Texas.

**Background:**

**Origination:**

Community Development Department

**Recommendation:**

Approval

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

Engineering Division

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

**ATTACHMENTS:**

Tomball Townsite



STATE OF TEXAS  
COUNTY OF HARRIS

We, Rogelio E. Valladares and Rogelio Valladares, and We, Bert B. Alexander and Jackie N. Alexander, Owners, hereinafter referred to as Owners of the 0.4132 acre tract described in the above and foregoing plat of TOMBALL TOWNSITE PARTIAL REPLAT NO 79, do hereby make and establish said subdivision of said property according to all laws, ordinances, restrictions, and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the 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 directly into this easement except by means of an approved drainage structure.

WITNESS, our hand in the City of Tomball, Harris County, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_ By: \_\_\_\_\_  
Rogelio E. Valladares, Owner Rogelio Valladares, Owner

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Rogelio E. Valladares & Rogelio Valladares, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

WITNESS, our hand in the City of Tomball, Harris County, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_ By: \_\_\_\_\_  
Bert B. Alexander, Owner Jackie N. Alexander, Owner

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Bert B. Alexander & Jackie N. Alexander, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public in and for the State of Texas

My Commission expires:

We, David L. Merritt and Leslie L. Lagerquist, owners and holders of a lien against the property described in the plat known as TOMBALL AUTO GLASS EXPANSION, said lien being evidenced by instruments recorded in Clerk's File Nos. 20090007045 and 20090007050 of the O.P.R.O.R.P. of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and We hereby confirm that We are the present owners of said plat and have not assigned the same nor any part thereof.

By: \_\_\_\_\_ By: \_\_\_\_\_  
David L. Merritt Leslie L. Lagerquist

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, David L. Merritt, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

We, First National Acceptance Company, owners and holders of a lien against the property described in the plat known as TOMBALL TOWNSITE PARTIAL REPLAT BLOCK 79, said lien being evidenced by instruments recorded in Clerk's File Nos. 20150441321 & RP-2016-191859 of the O.P.R.O.R.P. of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and We hereby confirm that We are the present owners of said plat and have not assigned the same nor any part thereof.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, \_\_\_\_\_, First National Acceptance Company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2016

Notary Public in and for the State of Texas

My Commission expires:

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of TOMBALL TOWNSITE PARTIAL REPLAT BLOCK 79 in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_ By: \_\_\_\_\_  
Barbara Tague Darrell Raquemore  
Chairman Vice Chairman

I, Stan Stanart, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded on \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and at Film Code Number \_\_\_\_\_ of the Map Records of Harris County for said county.

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

Stan Stanart  
County Clerk  
of Harris County, Texas

By: \_\_\_\_\_  
Deputy



Mary M. McKenzie  
Texas Registration No. 6123

#### NOTES

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells ownership (plugged, abandoned and/or active) through the subdivision have been shown.
- 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.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing oil or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved oil or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- According to FEMA Firm Map Number 48201C0230L, Panel Number 480315 0230 L, (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- Bearing orientation based on Texas State Plane Coordinate Grid System of 1983 (South Central Zone No. 4204), derived from CORS site WLA1.
- B.L. indicates Building Line, E.T. indicates Extra Territorial Jurisdiction, F.C. indicates Film Code, U.E. indicates Utility Easement, S.T.M. S.E. indicates Storm Sewer Easement, S.S.E. indicates Sanitary Sewer, Easement, W.L.E. indicates Water Line Easement.
- The square footage shown hereon is based on a mathematically closed figure and does not indicate the accuracy of the survey.
- The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor: 0.99994522.

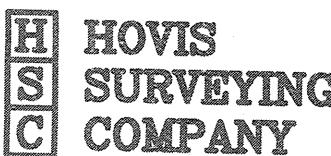
MAIN STREET (100' R.O.W.) (F.M. 2920)  
VOL. 4, PG. 25 M.R.H.C.  
VOL. 3704, PG. 697 M.R.H.C.

## TOMBALL TOWNSITE PARTIAL REPLAT BLOCK 79

A SUBDIVISION OF 0.4132 OF ONE ACRE  
(18,000.00 SQ.FT.) OF LAND SITUATED  
IN THE WILLIAM HURD SURVEY,  
ABSTRACT NO. 371, CITY OF TOMBALL,  
HARRIS COUNTY, TEXAS  
BEING A PARTIAL REPLAT OF LOTS 6 &  
7, BLOCK 79 OF TOMBALL TOWNSITE  
VOLUME 2, PAGE 65 M.R.H.C. & BEING A  
REPLAT OF NEW LOT 25 OF TOMBALL  
AUTO GLASS FILM CODE NO. 629145  
M.R.H.C.

2 LOTS, 1 BLOCK

PREPARED BY:



Land Surveys - Computer Mapping  
5000 Cabbage - Spring, Texas 77379  
(281) 320-9591 hovis@hovissurveying.com  
Acreage - Residential - Industrial - Commercial  
Texas Firm Registration No. 10030400

DATE: SEPTEMBER 30, 2016 SCALE: 1" = 20' JOB NO. 94-066-120

# Regular Planning and Zoning Commission

## Agenda Item

### Data Sheet

Meeting Date: October 10, 2016

#### Topic:

Consideration to approve **Zoning Case P16-0140**: Request by Robert Chandler, on behalf of Lone Star Partners, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.898 acres of land, legally described as 11.898 acres of land situated in the Sam Lewis Survey, Abstract Number 1704, City of Tomball, Harris County, Texas, being a portion of that certain called 160.3 acres of land described in deed and recorded under Volume 942, Page 191 of the Deed Records of Harris County, Texas, generally located at the southeast corner of SH 249 Bypass and Alice Rd., from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P16-0140**

#### Background:

#### Origination:

Community Development Department

#### Recommendation:

Approval

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

Planning Division

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

#### ATTACHMENTS:

Notice of Public Hearing

Property Owner Notification Letter

Staff Report



**NOTICE OF PUBLIC HEARING  
CITY OF TOMBALL  
PLANNING & ZONING COMMISSION (P&Z)  
OCTOBER 10, 2016  
&  
CITY COUNCIL  
OCTOBER 17, 2016**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, October 10, 2016, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, October 17, 2016, 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 P16-0140:** Request by Robert Chandler, on behalf of Lone Star Partners, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.898 acres of land, legally described as 11.898 acres of land situated in the Sam Lewis Survey, Abstract Number 1704, City of Tomball, Harris County, Texas, being a portion of that certain called 160.3 acres of land described in deed and recorded under Volume 942, Page 191 of the Deed Records of Harris County, Texas, generally located at the southeast corner of SH 249 Bypass and Alice Rd., from the Agricultural District to the Commercial District.

**Zoning Case P16-0142:** Request by Scott McKinzie, on behalf of BCDE, LTD., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 70 acres of land, legally described as a 70.3604 acre tract of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; being a portion of Unrestricted Reserve "C" of Tomball Greens Final Plat as shown on a plat filed for record under Film Code Number 440128 of the Harris County Map Records, being the remainder of a called 78.4754 acre tract conveyed to BCDE, LTD. by Special Warranty Deed With Vendor's Lien dated December 30, 2002 and filed for record under Clerk's File No. W332593 of the Harris County Official Public Records of Real Property and being all of a called 4.882 acres conveyed to Eibsen & Associates, Inc. by Warranty Deed dated March 31, 2014 and filed for record under Clerk's File No. 20140133968 of the Harris County Official Public Records of Real Property, within the City of Tomball, Harris County, Texas, generally located on the east side of Hufsmith-Kohrville Road, north Spell Road, from the Single-Family 9 District to the Single-Family 6 District.

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 Assistant City Planner, Amelia Lindley, at (281) 290-1410 or at [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov).

### CERTIFICATION

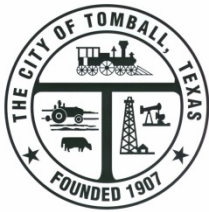
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **6<sup>th</sup>** day of **October 2016** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

*Kim Chandler*

Kim Chandler  
Secretary of the Board

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](http://www.tomballtx.gov).





## Notice of Public Hearing

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

**CASE NUMBER:** P16-0140

**APPLICANT/OWNER:** Request by Robert Chandler, on behalf of Lone Star Partners

**LOCATION:** Generally located at the southeast corner of SH 249 Bypass and Alice Rd.

**PROPOSAL:** To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.898 acres of land, legally described as 11.898 acres of land situated in the Sam Lewis Survey, Abstract Number 1704, City of Tomball, Harris County, Texas, being a portion of that certain called 160.3 acres of land described in deed and recorded under Volume 942, Page 191 of the Deed Records of Harris County, Texas, from the Agricultural District to the Commercial District

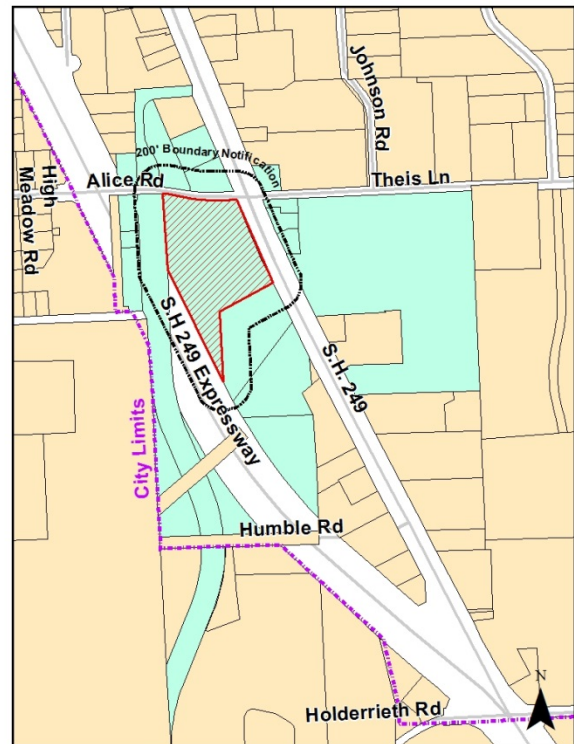
**CONTACT:** Amelia Lindley

**PHONE:** (281) 290-1410

**E-MAIL:** [alindley@tomballtx.gov](mailto: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, October 10, 2016, 6:00 PM**

**City Council Public Hearing:  
\*Monday, October 17, 2016, 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.



## Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: October 10, 2016

City Council Public Hearing Date: October 17, 2016

**Rezoning Case:** P16-0140

**Property Owner(s):** Kaiser-Frapart Trust c/o JP Morgan Bank Trust Department / Anita Corbello

**Applicant(s):** Robert Chandler for Lone Star Partners LLC

**Legal Description:** 11.898 acres of land situated in the Sam Lewis Survey, Abstract Number 1704, City of Tomball, Harris County, Texas, being a portion of that certain called 160.3 acres of land described in deed and recorded under Volume 942, Page 191 of the Deed Records of Harris County, Texas

**Location:** Southeast corner of SH 249 Bypass and Alice Rd.

**Area:** 11.898 acres

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

**Present Zoning and Use:** Agricultural (Exhibit "C") / Undeveloped land with a portion used for mobile home sales (Exhibit "D")

**Request:** Rezone from Agricultural to Commercial

**Adjacent Zoning & Land Uses:**

- North:** General Retail / Retail Development (Prosperity Bank, Boiling Cajun Restaurant, Applebee's Restaurant, Nail Salon, Batteries + Bulbs, Pediatric Healthcare, MS Pharmacy)
- South:** Commercial / Retail Development (Just Brakes, Auto Glass, Tomball Tinter, Texas Robotics, Treasure Pools)
- West:** Not applicable – Outside City Limits / SH 249
- East:** Commercial / Retail Development (Wal-Mart, Katz, Cash Store, Dumas's Tacos, Super Cuts, Murphy gas station)

### **BACKGROUND**

In August 2016, City Staff met with the applicant to discuss a proposed a retail development on the particular site in question. Staff informed the applicant that the property is currently zoned Agricultural and would need to be rezoned in order to accommodate the proposed use.

City staff received a rezoning application for the property on August 26, 2016.

## **ANALYSIS**

The subject site in question is located along a main corridor in the City of Tomball. The primary zoning district along this corridor is Commercial, with General Retail being secondary. The proposed retail development will bring services to the area and be similar to existing development in the area but will also be held to new development standards to ensure guided, quality development.

The Comprehensive Plan designates the property and most nearby properties located within the city limits as Commercial. A general description taken from the Comprehensive Plan regarding the Commercial designation is below:

*Neighborhood or community oriented commercial with a variety including shopping centers, convenience stores, auto dealers, department stores, grocery and drug stores, entertainment facilities, food and beverage purveyors, salons, and small repair shops. Small Professional offices, such as dentists, legal, real estate, etc. could be included in this land use category. Traffic patterns typical of ingress/egress morning through evening.*

The proposed request appears to be in conformance with the Comprehensive Plan.

## **ZONING CONSIDERATIONS**

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

**A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole.**

The proposed rezoning appears to be appropriate in the immediate area and the City as a whole. There are multiple similar retail developments in the area.

**B. Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.**

The proposed rezoning is not anticipated to negatively impact any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area. All public utility mains will be extended, at the developer's expense, to serve the properties.

**C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.**

There is vacant land in the City currently zoned Commercial. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

**D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.**

There has been consistent developed city-wide in the Commercial district.

**E. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved.**

If the proposed rezoning is approved, few, if any effects on other areas designated for similar developments are anticipated.

**F. Any other factors that will substantially affect the public health, safety, morals, or general welfare.**

The proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare.

**G. Whether the request is consistent with the Comprehensive Plan.**

The Future Land Use plan designates the property Commercial. Commercial would include corresponding zoning districts of Office, General Retail, and Commercial. Therefore, the Commercial request is consistent with the Comprehensive Plan.

**PUBLIC COMMENT**

Property owners within 200 feet of the project site were mailed notification of this proposal on September 23, 2016. Notice of Public Hearing was published in the paper and a sign was placed on the property on September 28, 2016. No public comment forms have been received as of the date of this report.

**RECOMMENDATION**

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P16-0140.

**EXHIBITS**

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



Exhibit "A"  
Aerial Photo

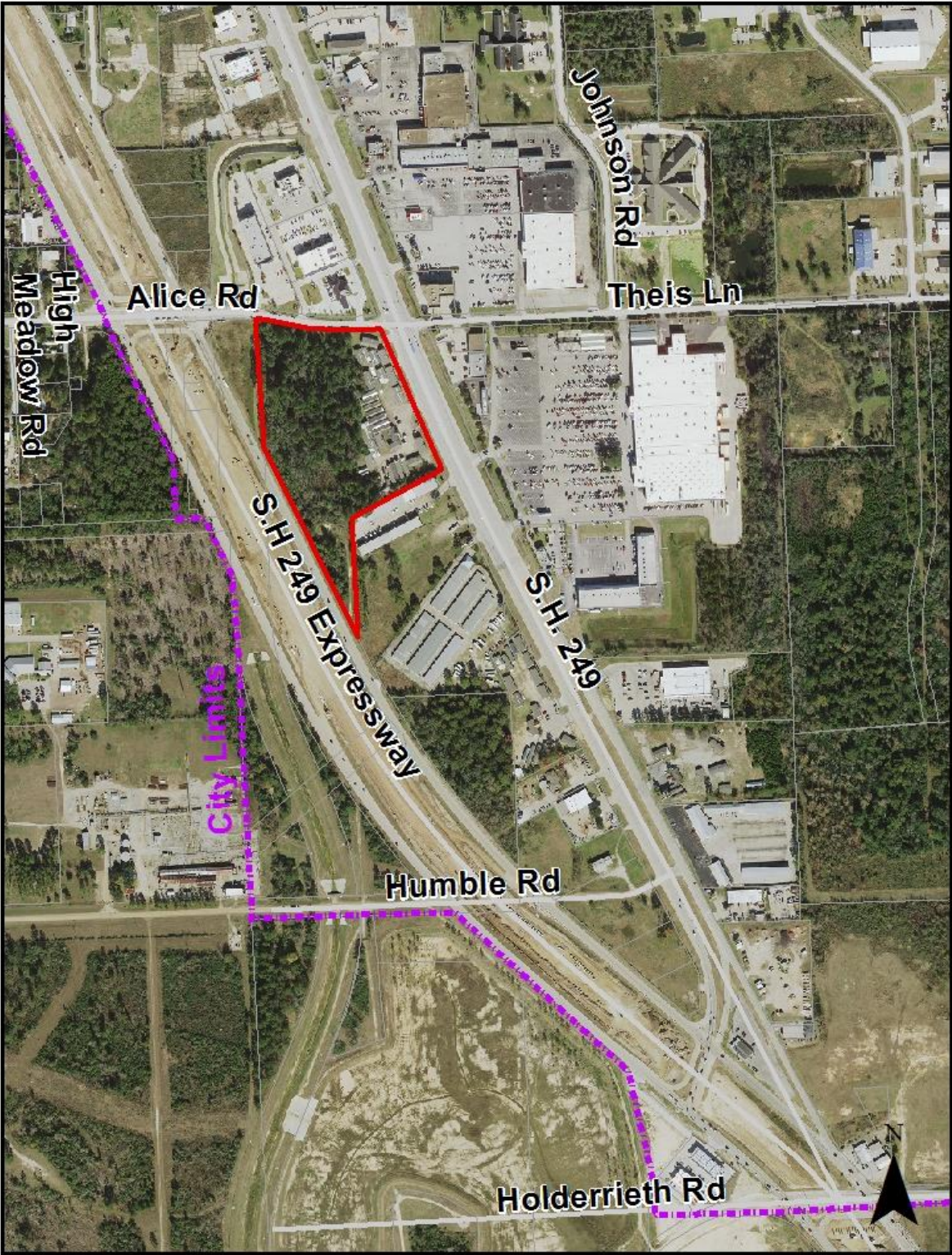




Exhibit "B"  
Comprehensive Plan

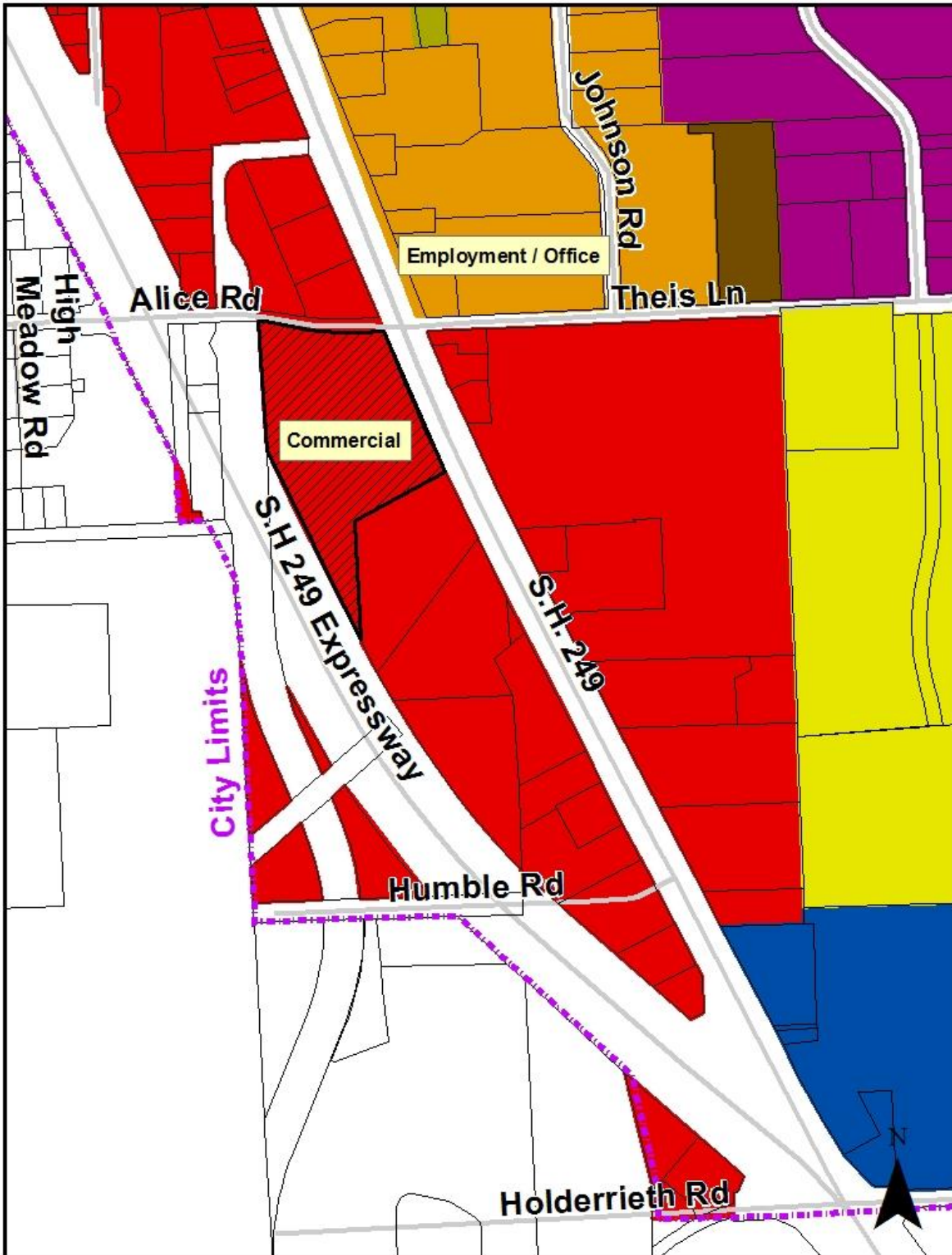
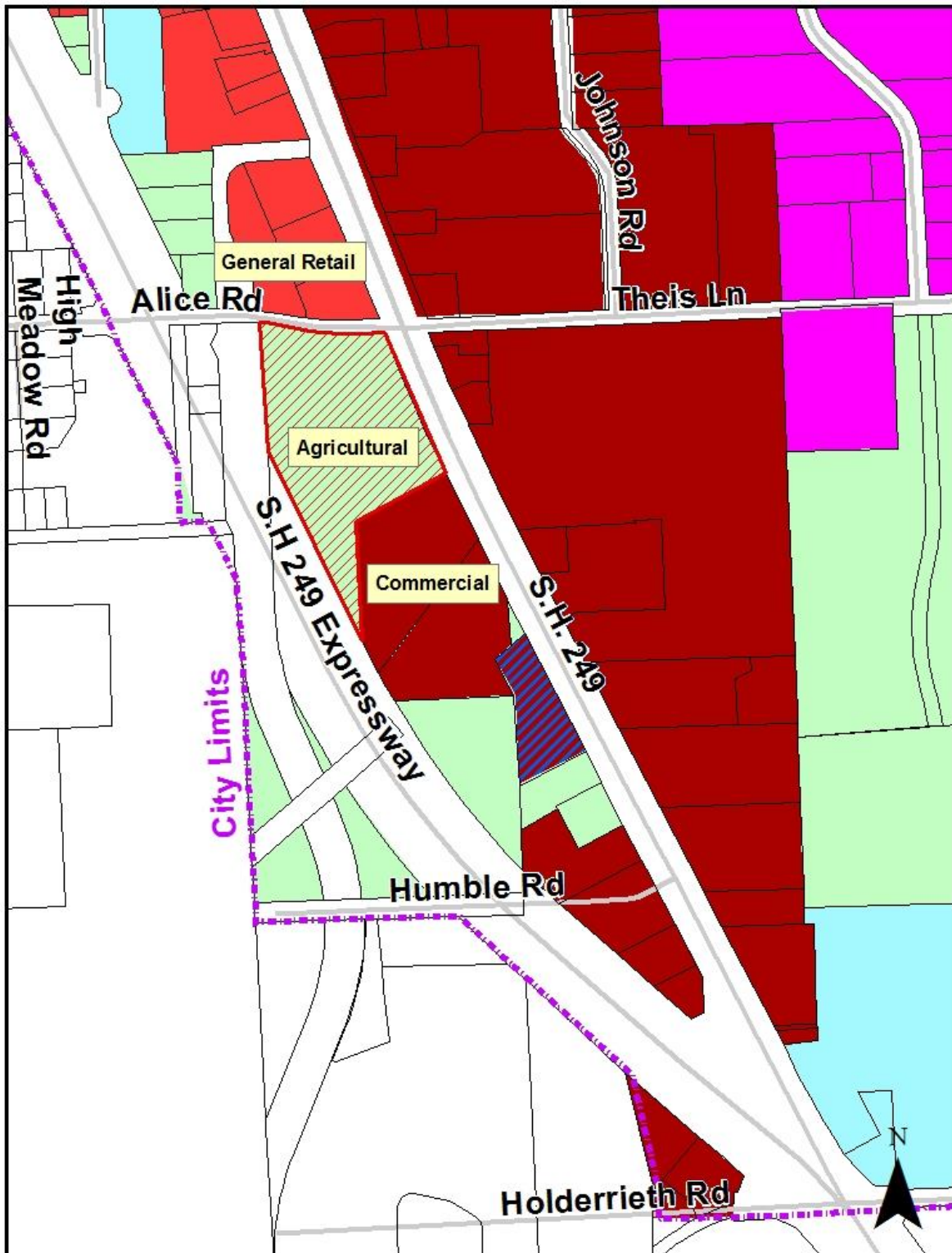


Exhibit "C"  
Zoning Map



**Exhibit “D”  
Site Photos**



*Subject Site along SH 249 Business*



*Subject Site along Alice Road*





*Subject Site along SH 249*



## Exhibit "E" Application



August 23, 2016

### Request for Rezoning

Community Development Department  
City of Tomball  
401 Market St.  
Tomball, TX 77375

**Re: Rezoning of a certain 11.898 acre tract of land at the southeast corner of State  
Highway 249 Bypass Rd and Alice Rd in the City of Tomball**

The purpose of this letter is to state the reasons for the rezoning application and issues associated with the current zoning district for the above referenced land, which is further described on the attached Exhibit "A". The details of the reasons are outlined as follows:

- The subject property is currently zoned AG-Agricultural District, and is subject to the use and development standards of that zoning district.
- The Applicant intends to develop the subject property for general retail and commercial uses. Future uses could include, but are not limited to grocery store, restaurant (with and without drive through), bank, multitenant strip center, hotel, or medical. The current zoning district does not permit the proposed uses for the Applicants development plans.
- The types of land uses that are permitted under the zoning district C-Commercial District are consistent with the Applicants proposed development project. Other zoning districts, such as GR-General Retail District, do not expressly permit the land use of eating establishments (with drive through service), which would require a Conditional Use Permit and are consistent with the Applicants potential future land use.

Sincerely,

Clay Roper, CCIM  
Caldwell Companies  
On behalf of Applicant

Commercial Development • Residential Development • Brokerage • Property Management  
7904 N. Sam Houston Pkwy. W., 4<sup>th</sup> Floor Houston, Texas 77064 Toll-Free: 877.527.SALE Fax: 713.690.0490 CaldwellCos.com



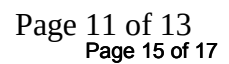


Exhibit "A"



Commercial Development • Residential Development • Brokerage • Property Management  
7904 N. Sam Houston Pkwy. W., 4<sup>th</sup> Floor Houston, Texas 77064 Toll-Free: 877.527.SALE Fax: 713.690.0490 CaldwellCos.com





**Community Development Department  
Planning Division**

Applicant: Robert Chandler for Low Star CRE Partners LLC  
 Name: Robert Chandler Title: Manager  
 Mailing Address: 9219 Katy Freeway #193 City: Houston State: TX  
 Zip: 77024  
 Phone: (281) 772 5333 Fax: ( ) N/A Email: rchandler@lowstarpartners.com

**Owner** c/o Anita Corbello  
**Name:** The Kaiser-Frapart Trust **Title:** Real Estate Asset Manager  
**Mailing Address:** 708 Main Street, Suite 710 **City:** Houston **State:** TX  
**Zip:** 77002  
**Phone:** (832) 460-7362 **Fax:** (877) 338-1604 **Email:** anita.corbello@cushwake.com

Engineer/Surveyor (if applicable)  
Name: Lester Jones, P.E. Title: Engineer  
Mailing Address: 6111 FM 1460 West, ste 208 City: Houston State: TX  
Zip: 77069  
Phone: (281) 361-5955 Fax: ( ) N/A Email: LJones@ajlindsey.com  
ext 1002

Description of Proposed Project: Retail Development

Physical Location of Property: 11.898 ACRES at the Southwest corner of SH 244  
(General Location - approximate distance to nearest existing street corner) Bypass & Ave 80

Legal Description of Property: Situated in the Sam Lewis Survey, Abstract # 1704  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block] City of...

Current Zoning District: AG - Agricultural District

Current Use of Property: Vacant land w/a portion being leased & used by a

Proposed Zoning District: C-Commercial District

Proposed Use of Property: Retail Development (eg. Grocery store, bank, fast food/restaurant, hotel, medical)

HCAD Identification Number: \_\_\_\_\_ Acreage: 11.898

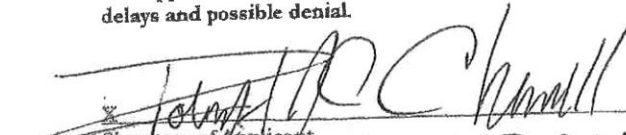
HCAD Identification Number: \_\_\_\_\_ Acreage: 11.898  
City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 [www.tomballtx.gov](http://www.tomballtx.gov)

HCAD currently has ID numbers for each of 18 undivided interests in the 11.848 Acres. Survey attached to serve as a reference for the subject property.



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.

 8/24/16  
Signature of Applicant Date  
Cassidy Turley Commercial Real Estate, Inc.  
Alta Cushman Wakefield, Agent for JPMorgan  
Chase Bank, N.A. Trustee of the Trust 8/25/16  
Signature of Owner Trust Trust Date  
Alta Cushman  
Real Estate Asset Manager

CITY OF TOMBALL  
281-351-5484

REC#: 00943495 8/29/2016 8:16 AM  
OPER: RS TERM: 002  
REF#: W148

TRAN: 130.0000 PLANNING AND ZONING  
SE CORNER SH249 BYPASS/ALICE  
ROBERT CHANDLER  
100-5441  
REZONING APPLICATIO 519.00CR

TENDERED: 519.00 CHECK  
APPLIED: 519.00-

CHANGE: 0.00

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

[www.tomballtx.gov](http://www.tomballtx.gov)

# Regular Planning and Zoning Commission

## Agenda Item

### Data Sheet

Meeting Date: October 10, 2016

#### Topic:

Consideration to approve **Zoning Case P16-0142**: Request by Scott McKinzie, on behalf of BCDE, LTD., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 70 acres of land, legally described as a 70.3604 acre tract of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; being a portion of Unrestricted Reserve "C" of Tomball Greens Final Plat as shown on a plat filed for record under Film Code Number 440128 of the Harris County Map Records, being the remainder of a called 78.4754 acre tract conveyed to BCDE, LTD. by Special Warranty Deed With Vendor's Lien dated December 30, 2002 and filed for record under Clerk's File No. W332593 of the Harris County Official Public Records of Real Property and being all of a called 4.882 acres conveyed to Eibsen & Associates, Inc. by Warranty Deed dated March 31, 2014 and filed for record under Clerk's File No. 20140133968 of the Harris County Official Public Records of Real Property, within the City of Tomball, Harris County, Texas, generally located on the east side of Hufsmith-Kohrville Road, north Spell Road, from the Single-Family 9 District to the Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P16-0142**

#### Background:

#### Origination:

Community Development Department

#### Recommendation:

Approval

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

Planning Division

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

#### ATTACHMENTS:

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Property Owner Notification Letter

Staff Report

**NOTICE OF PUBLIC HEARING  
CITY OF TOMBALL  
PLANNING & ZONING COMMISSION (P&Z)  
OCTOBER 10, 2016  
&  
CITY COUNCIL  
OCTOBER 17, 2016**



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**Zoning Case P16-0142:** Request by Scott McKinzie, on behalf of BCDE, LTD., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 70 acres of land, legally described as a 70.3604 acre tract of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; being a portion of Unrestricted Reserve "C" of Tomball Greens Final Plat as shown on a plat filed for record under Film Code Number 440128 of the Harris County Map Records, being the remainder of a called 78.4754 acre tract conveyed to BCDE, LTD. by Special Warranty Deed With Vendor's Lien dated December 30, 2002 and filed for record under Clerk's File No. W332593 of the Harris County Official Public Records of Real Property and being all of a called 4.882 acres conveyed to Eibsen & Associates, Inc. by Warranty Deed dated March 31, 2014 and filed for record under Clerk's File No. 20140133968 of the Harris County Official Public Records of Real Property, within the City of Tomball, Harris County, Texas, generally located on the east side of Hufsmith-Kohrville Road, north Spell Road, from the Single-Family 9 District to the Single-Family 6 District.

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### CERTIFICATION

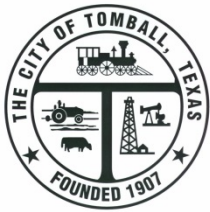
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*Kim Chandler*

Kim Chandler  
Secretary of the Board

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](http://www.tomballtx.gov).





## Notice of Public Hearing

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

**CASE NUMBER:** P16-0142

**APPLICANT/OWNER:** Request by Scott McKinzie, on behalf of BCDE, LTD.

**LOCATION:** Generally located on the east side of Hufsmith-Kohrville Road, north Spell Road

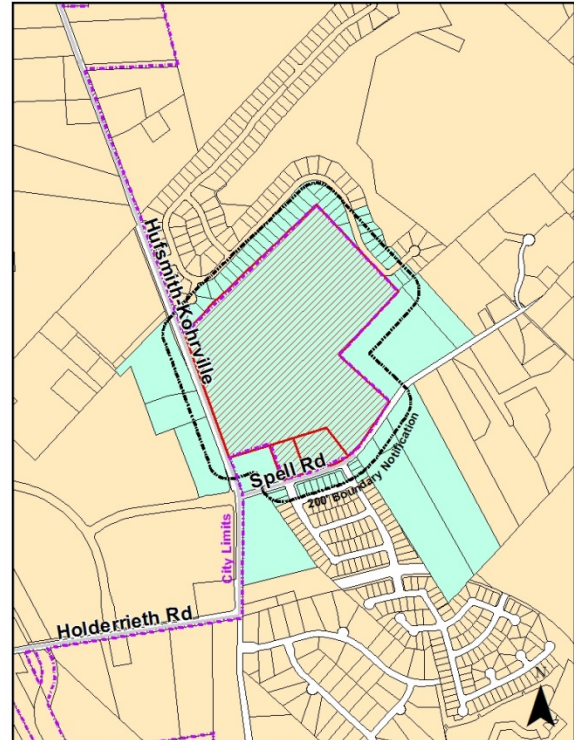
**PROPOSAL:** To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 70 acres of land, legally described as a 70.3604 acre tract of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; being a portion of Unrestricted Reserve "C" of Tomball Greens Final Plat as shown on a plat filed for record under Film Code Number 440128 of the Harris County Map Records, being the remainder of a called 78.4754 acre tract conveyed to BCDE, LTD. by Special Warranty Deed With Vendor's Lien dated December 30, 2002 and filed for record under Clerk's File No. W332593 of the Harris County Official Public Records of Real Property and being all of a called 4.882 acres conveyed to Eibsen & Associates, Inc. by Warranty Deed dated March 31, 2014 and filed for record under Clerk's File No. 20140133968 of the Harris County Official Public Records of Real Property, within the City of Tomball, Harris County, Texas, from the Single-Family 9 District to the Single-Family 6 District.

**CONTACT:** Amelia Lindley

**PHONE:** (281) 290-1410

**E-MAIL:** [alindley@tomballtx.gov](mailto: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.

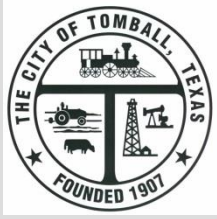


**Planning & Zoning Commission  
Public Hearing:  
Monday, October 10, 2016, 6:00 PM**

**City Council Public Hearing:  
\*Monday, October 17, 2016, 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.



## Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: October 10, 2016  
City Council Public Hearing Date: October 17, 2016

**Rezoning Case:** P16-0142

**Property Owner(s):** Eibsen & Associates Inc. / BCDE, LTD

**Applicant(s):** Scott McKinzie, Jones | Carter

**Legal Description:** A 70.3604 acre tract of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas; being a portion of Unrestricted Reserve "C" of Tomball Greens Final Plat as shown on a plat filed for record under Film Code Number 440128 of the Harris County Map Records, being the remainder of a called 78.4754 acre tract conveyed to BCDE, LTD. by Special Warranty Deed With Vendor's Lien dated December 30, 2002 and filed for record under Clerk's File No. W332593 of the Harris County Official Public Records of Real Property and being all of a called 4.882 acres conveyed to Eibsen & Associates, Inc. by Warranty Deed dated March 31, 2014 and filed for record under Clerk's File No. 20140133968 of the Harris County Official Public Records of Real Property

**Location:** East side of Hufsmith-Kohrville Road, north Spell Road (Exhibit "A")

**Area:** 70.3604 acres

**Comp Plan Designation:** Medium Density Residential (Exhibit "B")

**Present Zoning and Use:** Single-family 9 (Exhibit "C") / Undeveloped land (Exhibit "D")

**Request:** Rezone from Single-family 9 (SF9) to Single-family 6 (SF6)

**Adjacent Zoning & Land Uses:**

- North:** Outside City Limits / Single-family residences (Country Club Greens subdivision)
- South:** Outside City Limits / Spell Road and single-family residences
- West:** Light Industrial / Tomball Business Park and CREACOM, Inc.
- East:** Outside City Limits / Undeveloped

### **BACKGROUND**

In early 2016, City Staff began meeting with the property owner to discuss the possibility of rezoning the property in question. The property was annexed into the City and rezoned from Agricultural to Single-family 9 in August 2014. Since then, the developer has altered the proposed development to include lots ranging from 6,500 – 7,800 square feet (Exhibit "F").

## **ANALYSIS**

There are several land uses in the vicinity of the subject site. To the north are single-family residences in the Country Club Greens subdivision; to the south are Spell Road and single-family residences; to the west are Hufsmith-Kohrville Road, and commercial uses (Tomball Business Park and CREACOM, Inc.), and a single-family residence; and to the east is vacant land. The SF-6 District appears to be consistent and compatible with the existing single-family residences and vacant land in the vicinity. The proposed residential development will bring services to the area and be similar to existing development in the area.

The majority of the properties in the vicinity of the subject site are not zoned because they are not in the City Limits; however, the primary zoning district in the surrounding area is Light Industrial (LI). The incompatibility of the request with the LI District to the west appears to be minimized because of their separation by Hufsmith-Kohrville Road.

The Comprehensive Plan designates the property as Medium Density Residential, which includes lots sizes ranging from 6,000 to 20,000 square feet. The proposed request appears to be in conformance with the Comprehensive Plan.

## **ZONING CONSIDERATIONS**

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

**A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole.**

The proposed rezoning appears to be appropriate in the immediate area and the City as a whole. The uses permitted in the SF-6 District appear to be compatible with the single-family residences in the vicinity. At first glance, the proposed development appears to be inconsistent with the existing commercial uses to the west, however, the incompatibility appears to be minimized because of their separation by Hufsmith-Kohrville Road, which is designated as a Major Arterial in the City's Major Thoroughfare Plan.

**B. Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.**

The proposed rezoning is not anticipated to negatively impact any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area. The property is zoned to Klein ISD. The school district has included this development in their long range projection and they do not foresee issues with accommodating the influx of students. All public utility mains will be extended, at the developer's expense, to serve the properties.

**C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.**

There is vacant land in the City currently zoned Single-family 6. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

**D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.**

There has been consistent residential development city-wide in all residential zoning districts. One subdivision has developed under the SF6 District requirements in recent years.

**E. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved.**

There are no pending plans for similar developments; therefore, if the proposed rezoning is approved, few, if any effects on other areas designated for similar developments are anticipated.

**F. Any other factors that will substantially affect the public health, safety, morals, or general welfare.**

Generally, the proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare. The proposed subdivision will create an increase in traffic flow in the area; however, Harris County's plans to widen Hufsmith-Kohrville Road and to install traffic signals at Spell Road and at Holderrieth Road that will help alleviate this concern.

**G. Whether the request is consistent with the Comprehensive Plan.**

The Future Land Use plan designates the property Medium Density Residential, which would include corresponding zoning districts of Single-family 20, Single-family 9, and Single-family 6. Therefore, the SF6 request is consistent with the Comprehensive Plan.

**PUBLIC COMMENT**

Property owners within 200 feet of the project site were mailed notification of this proposal on September 23, 2016. Notice of Public Hearing was published in the paper and a sign was placed on the property on September 28, 2016. No public comment forms have been received as of the date of this report.

**RECOMMENDATION**

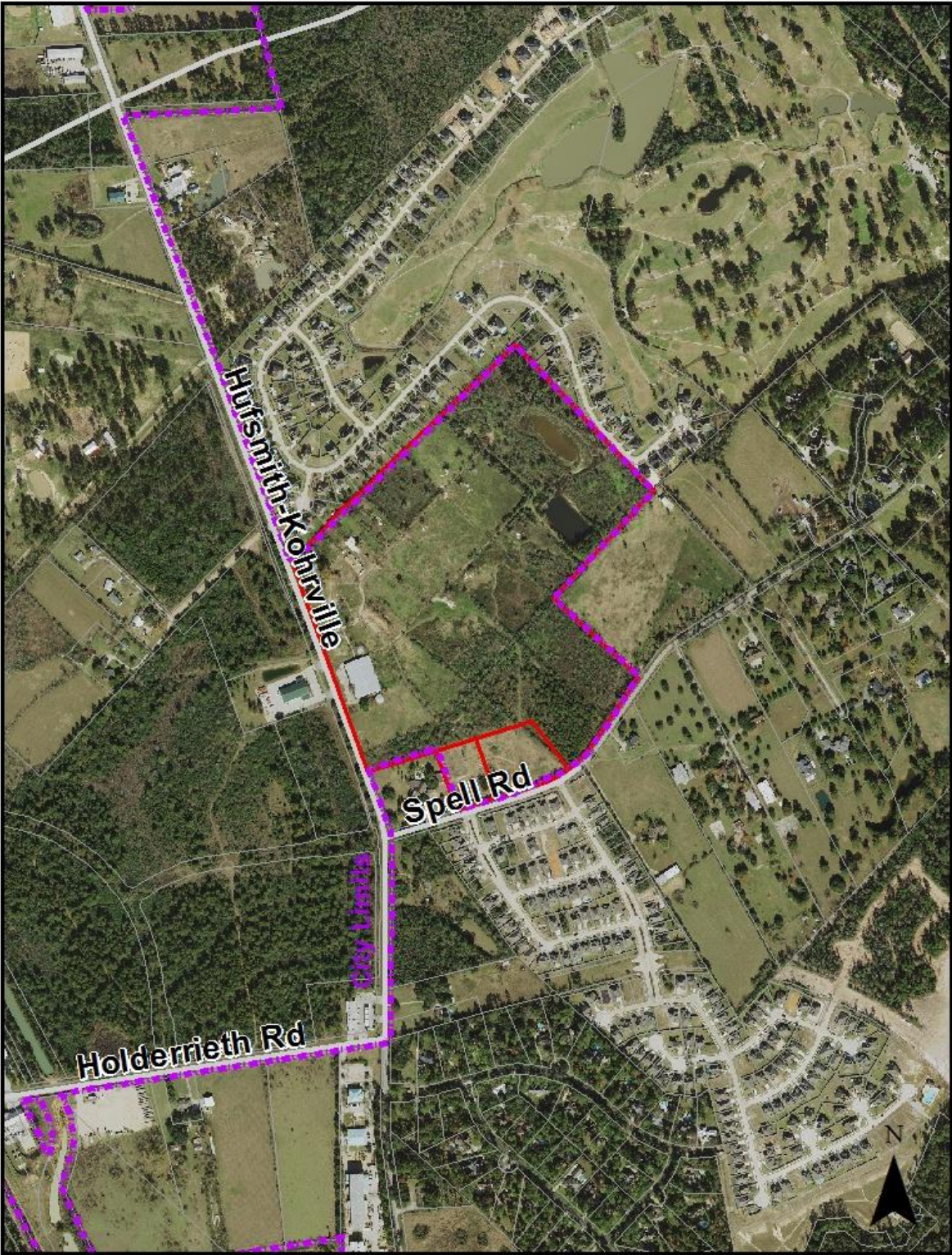
Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P16-0142.



## **EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photos
- E. Application
- F. Conceptual Plan

Exhibit “A”  
Aerial Photo





**Exhibit "B"**  
**Comprehensive Plan**

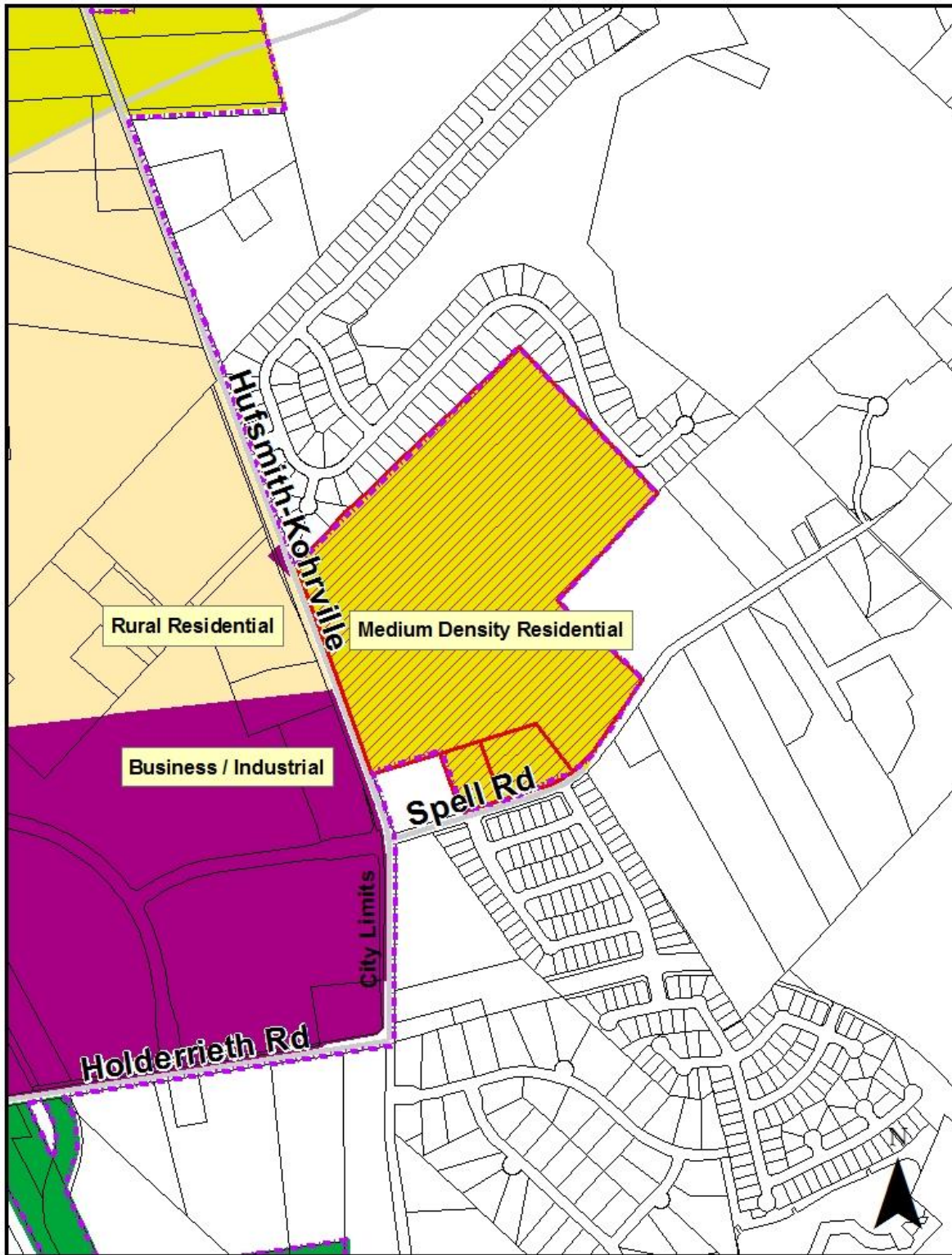
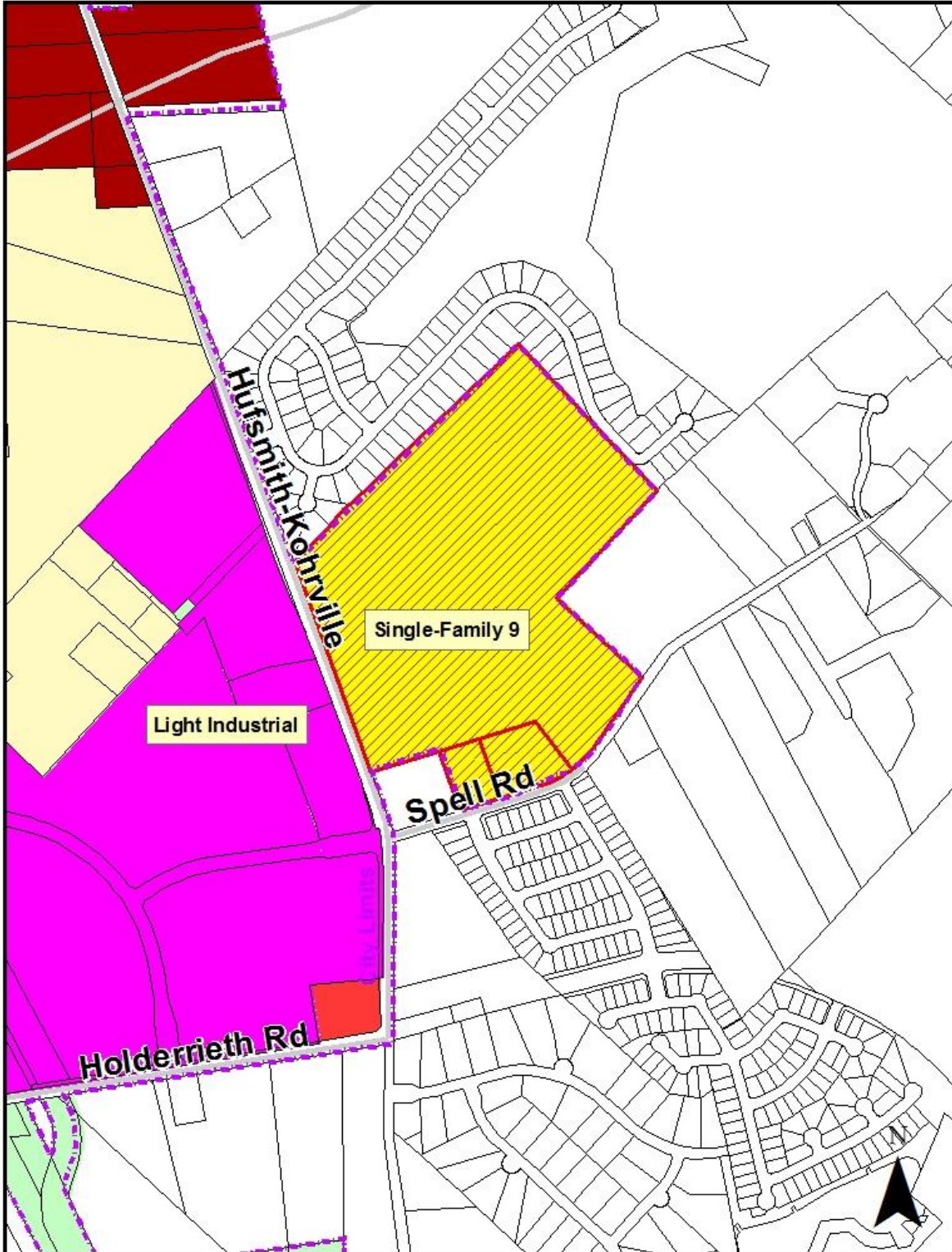


Exhibit "C"  
Zoning Map





**Exhibit “D”  
Site Photos**



*Subject Site along Hufsmith-Kohrville Road*



*West, across Hufsmith-Kohrville Road*





*Subject site along Spell Road*



*South of subject site*

## Exhibit "E" Application

Revised 5/19/15



### 16-142 APPLICATION FOR REZONING

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: Scott McKinzie, Jones|Carter Title: Planner  
Mailing Address: 8701 New Trails Drive, Suite 200 City: The Woodlands State: TX  
Zip: 77381  
Phone: (281) 363-4039 Fax: (281) 363-3459 Email: smckinzie@jonescarter.com

#### Owner

Name: Doug Eibsen, BCDE, LTD / Eibsen & Assoc. Title: General Partner / President  
Mailing Address: 24522 Creekview Dr City: Spring State: TX  
Zip: 77389  
Phone: (713) 628-3628 Fax: ( ) Email: DougEibsen@att.net

#### Engineer/Surveyor (if applicable)

Name: Ryan Wade, Jones|Carter Title: RWade@jonescarter.com  
Mailing Address: 8701 New Trails Drive, Suite 200 City: The Woodlands State: TX  
Zip: 77381  
Phone: (281) 363-4039 Fax: (281) 363-3459 Email: RWade@jonescarter.com

Description of Proposed Project: Alexander Estates, 258 Single-Family Lot Subdivision

Physical Location of Property: Northeast corner of Huffsmith-Kohrville Road and Spell Road  
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: Being a partial replat of Tomball Greens, Unrestricted Reserve C  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-9

Current Use of Property: Vacant/Undeveloped

Proposed Zoning District: SF-6

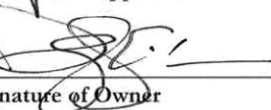
Proposed Use of Property: Single Family Residential

HCAD Identification Number: 1207880000005 Acreage: 70.3574  
1207880000007, 1207880000008  
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  8/30/2014  
Signature of Applicant Date

X  8/30/2016  
Signature of Owner Date

CITY OF TOMBALL  
281-351-5484

REC#: 00944325 8/31/2016 3:40 PM  
OPER: CK TERM: 005  
REF#: W 1877

TRAN: 130.0000 PLANNING AND ZONING  
NE CORNER HUFSMITH-KORV/SPELL  
100-5441  
REZONING APPLICATIO 1,103.57CR

TENDERED: 1,103.57 CHECK  
APPLIED: 1,103.57-

CHANGE: 0.00

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

[www.tomballtx.gov](http://www.tomballtx.gov)



August 31, 2016

Mr. Harold Ellis  
City Planner  
City of Tomball  
501 James Street  
Tomball, TX 77375

8701 New Trails Drive, Suite 200  
The Woodlands, Texas 77381-4241  
Tel: 281.363.4039  
Fax: 281.363.3459  
[www.jonescarter.com](http://www.jonescarter.com)

Re: Request for Rezoning

Mr. Ellis:

This letter serves as a formal rezoning request. The property in question is undeveloped, but is currently zoned Single Family 9 (SF-9) within the corporate limits of Tomball. We are requesting the property be rezoned to Single Family 6 (SF-6).

The property is located at the northeast intersection of Hufsmith-Kohrville Road and Spell Road, and consists of 70.3574 acres. The property is currently platted as Tomball Greens, and the portion proposed for rezoning is part of Unrestricted Reserve "C". The proposed development, Alexander Estates, consists of 251 single family residential lots. The proposed subdivision will consist of two different lot sizes, 50' X 130' and 60' X 130'. The average lot size for the 50'-wide lots will be 6,500 sq. ft. and 7,800 sq. ft. for the 60'-wide lots. The proposed lot sizes exceed the requested zoning district's minimum lot size of 6,000 sq. ft. The typical lot dimensions also exceeds the City's minimum requirements of 50' X 100' for the requested zoning district. Access to the site will be from Spell Road and site detention will be in the form of an amenity lake with associated pedestrian trails. It is not anticipated that the proposed development will adversely impact vehicular or pedestrian access in the area.

This zone change request will be consistent with surrounding properties and developments in the area, as the property is surrounded on three sides with existing single family residential properties.

Attached to this request for reference is the current recorded plat for the property, as well as a conceptual site plan of the proposed neighborhood.

Please feel free to contact me if you have any questions or would like any additional information. We appreciate your assistance and look forward to successfully rezoning the referenced property.

Regards,

A handwritten signature in black ink, appearing to read 'Scott McKinzie'.

Scott McKinzie, Planner





# Exhibit "F" Conceptual Plan

## ALEXANDER ESTATES A Conceptual Site Plan

