

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



MONDAY, AUGUST 10, 2020

6:00 P.M.

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, August 10, 2020 at 6:00 P.M., City Hall, 401 Market Street, Tomball, TX 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning & Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

- 1.1 **IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR JULY 13, 2020, 6:00 P.M., AT 401 MARKET STREET, TOMBALL, TEXAS, 77375 – IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED “SOCIAL DISTANCING”) TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. THIS MEETING AGENDA AND THE AGENDA PACKET, ARE POSTED ONLINE AT <https://tomball.novusagenda.com/agendapublic/>; A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.**

The public is strongly encouraged to participate in the meeting by Telephone. The toll-free dial-in numbers to participate in the telephonic meeting are any one of the following: +1 346 248 7799 US (Houston); +1 253 215 8782 US; +1 301 715 8592 US and enter Meeting ID: 86253359944 and #. The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- 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 on July 13, 2020.
- 5.0 New Business:
 - 5.1 Consideration to Approve Replat of **AXIS AT THE SUMMIT**: A Subdivision of Land containing 0.3619 Acres (15,736 Square Feet) of Land in the Abstract 34 J. House, Harris County, Texas.
 - 5.2 Consideration to Approve Replat of **SRP GECAP TOMBALL MOB** : A Subdivision of 4.1033 Acres of Land being a replat of a portion of Outlots 166, 170 and 174 of Tomball Townsite as recorded in Volume 2, Page 65, Harris County Map Records Located in the J.R. Pruitt Survey, A-629 and William Hurd Survey, A-378 City of Tomball, Harris County, Texas.
 - 5.3 Consideration to Approve Final Plat of **TCG CAPITAL**: Being 2.9859 Acre (130,067.76 Square Feet) tract of land situated in the Jesse Pruitt Survey, A-629, Harris County, Texas, being a replat of Theis Road Warehouses as recorded in Film Code Number 683774, of the Map Records of Harris County, Texas.
- 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 August, 2020 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the schedule time of said meeting.

Doris Speer

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.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: August 10, 2020

Topic:

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: August 10, 2020

Topic:

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: August 10, 2020

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting on July 13, 2020.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Minutes - 7/13/2019

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

MONDAY, JULY 13, 2020



6:00 P.M.

1.0 The meeting was Called to Order by Chair Tague at 6:02 p.m. Other members present were:

Commissioner Darrell Roquemore
Commissioner Dane Dunagin
Commissioner Tana Ross
Commissioner Richard Anderson

Others present:

Craig Meyers – Community Development Director
Loren Smith – City Attorney
Amelia Lindley – City Planner
Wesley Stolz – City Engineer

draft

2.0 No Public Comments were received

3.0 No Reports and Announcements were heard.

4.0 Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 8, 2020.

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

5.0 New Business:

5.1 Consideration to Approve Replat of **RABURN RESERVE, SEC. 1:** Being a Subdivision of 105.0452 Acres out of the Jesse Pruett Survey, A-629 City of Tomball Harris County, Texas.

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

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

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

- 5.2 Consideration to Approve Replat of **LA PETITE MAISON:** A Subdivision of 0.1607 Acre Tract, (7000.00 Square Feet) being a replat of Lots 31 and 32, Block 50 of Revised Map of Tomball as recorded in Volume 4, Page 25, Harris County Map Records, Situated in the William Hurd Survey, Abstract 371, City of Tomball, Harris County, Texas.

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

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

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

- 5.3 Consideration to Approve Replat of **TOMBALL BUSINESS AND TECHNOLOGY PARK SEC. 2:** A Subdivision of 18.9107 Acres, (823,750.092 Square Feet), being a Replat of Lots 295 and 500, of Tomball Townsite as recorded under Vol. 2, Pg. 65, H.C.M.R. Situated in the J. Pruitt Survey, A-629 in Harris County, Texas.

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

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

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

- 5.4 Consideration to Approve Replat of **830 BAKER SUBDIVISION:** 6.674 Acres, (289,562.38 Square Feet), Located in the J. House, Abstract 34, Harris County, Texas, City of Tomball.

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

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

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

- 5.5 Consideration to Approve **Zoning Case P20-069**: Request by Richard C. James to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately one acre of land legally described as Reserve B Block 1 Brown Hufsmith Church Subdivision, from the Single-Family 6 District to the Office District. The property is generally located at the southwest corner of Brown Road and Baker Drive, within the City of Tomball, Harris County, Texas.

Amelia Lindley, City Planner, presented the case and recommendation of approval.

Clayton Benedict, Representing the Applicant (719 Sawdust Rd., Suite #300, The Woodlands, TX 77380) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:27 p.m.

Wayne Nagel (12929 Zion Road, Tomball, TX 77375) spoke in opposition of the request.

David Tegtmeier (614 E. Pecan Drive, Tomball, TX 77375) spoke in opposition of the request.

Juan Martinez, Owner (20703 Sundance Springs, Spring, TX 77379) spoke in support of the request.

Gloria Ruppel (840 Baker Drive, Tomball, TX 77375) spoke in opposition of the request.

Luke Shnell (419 S. Pecan Drive, Tomball, TX 77375) spoke in opposition of the request.

Toby Ross (619 N. Magnolia Street, Tomball, TX 77375) spoke opposition of the request.

Buck Holden (507 S. Pecan Street, Tomball, TX 77375) spoke opposition of the request.

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

Motion was made by Commissioner Roquemore, second by Commissioner Anderson, to approve **Zoning Case P20-069**.

Roll call vote was called by Commission Secretary Wesley Stolz.

Vote was as follows:

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

Motion Failed - 1 vote Aye, 4 votes Nay.

- 5.6 Consideration to Approve **Zoning Case P20-099**: Request by Daniel Rodano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.7958 acres of land legally described as part of Tracts 6A 12A 18A 24A 30A & 36A (AG-use) Tomball Outlots, from the Single-Family 20 Estate District to the Commercial District. The property is generally located on the north side of East Hufsmith Road at Snook Lane, within the City of Tomball, Harris County, Texas.

Amelia Lindley, City Planner, presented the case and recommendation of approval.

Daniel Rodano, Owner (12125 Zion Road, Tomball, TX 77375) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:50 p.m.

Hearing no comments, the Public Hearing was closed at 6:51 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve **Zoning Case P20-099**.

Roll call vote was called by Commission Secretary Wesley Stolz.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Dunagin	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- 5.7 Consideration to Approve **Zoning Case P20-103**: Request by Daniel Valdez with META Planning + Design to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, from the Agricultural and Commercial Districts to the Planned Development District. The property is generally located on the south side of Theiss Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Amelia Lindley, City Planner, presented the case and recommendation of approval.

Kathryn Parker, Representing the Applicant (24275 Katy Freeway, Suite #200, Katy, TX 77494) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:59 p.m.

Hearing no comments, the Public Hearing was closed at 7:00 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve **Zoning Case P20-103**.

Roll call vote was called by Commission Secretary Wesley Stolz.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Dunagin	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- 5.8 Consideration to Approve **Zoning Case P20-104**: Request by Jackie Rye to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6 acres of land legally described as Reserve A-1 Block 1, American Superior Feed Replat, Lots 3, 4, 5 & 6 Block 71, Lots 3, 13, 14, 15, 16, 19 & 20 Block 67 Tomball, from the Old Town & Mixed Use and Light Industrial Districts to the Planned Development District. The property is generally located on the south side of FM 2920 at South Live Oak Street, within the City of Tomball, Harris County, Texas.

Amelia Lindley, City Planner, presented the case and recommendation of approval.

Jackie Rye, Applicant (2118 Lamar Street, Houston, TX 77003) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:12 p.m.

Hearing no comments, the Public Hearing was closed at 7:13 p.m.

Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to approve **Zoning Case P20-104**.

Roll call vote was called by Commission Secretary Wesley Stolz.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Dunagin	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

- 5.9 Consideration to Approve **Zoning Case P20-105**: Request by Whitmeyer's Distilling Co., LLC for a Conditional Use Permit to operate a *soap, detergents, cleaning preparations manufacture* facility. The property is approximately 6.10 acres of land legally described as Lot 14 Block 1 Tomball Business and Technology Park Lot 9 Replat, generally located at the end of Spell Circle at 21250 Spell Circle, within the City of Tomball, Harris County, Texas and is zoned Light Industrial District.

Amelia Lindley, City Planner, presented the case and recommendation of approval.

Jackie Rye, Representing the Applicant (2118 Lamar Street, Houston, TX 77003) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:19 p.m.

Hearing no comments, the Public Hearing was closed at 7:20 p.m.

Motion was made by Commissioner Roquemore, second by Commissioner Dunagin, to approve **Zoning Case P20-105**.

Roll call vote was called by Commission Secretary Wesley Stolz.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Dunagin	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

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

Roll call vote was called by Commission Secretary Wesley Stolz.

Motion carried unanimously.

The meeting adjourned at 7:24 p.m.

PASSED AND APPROVED this _____ day of _____ 2020.

Wesley Stolz
City Engineer/Board Secretary

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: August 10, 2020

Topic:

Consideration to Approve Replat of **AXIS AT THE SUMMIT:** A Subdivision of Land containing 0.3619 Acres (15,736 Square Feet) of Land in the Abstract 34 J. House, Harris County, Texas.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Plat Comments
Axis at the Summit - Plat

CITY OF TOMBALL

Plat Name: Axis at the Summit Plat Type: Replat

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: August 10, 2020

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

- Show existing easements referenced in the title report
- Add missing City of Tomball standard gas note
- Fix typo

Community Development recommends approval of this plat with contingencies.

STATE OF TEXAS
COUNTY OF HARRIS

WE, ACCESS POLE FITNESS, LLC, HEREIN AFTER REFERRED TO AS OWNERS OF THE AXIS AT THE SUMMIT, A 0.3619 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING REVISED MAP OF TOMBALL TOWNSITE DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE DEDICATE TO THE USE OF THE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, STREETS DESIGNATED AS PRIVATE PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THERE ON 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 UNOBSERVED AERIAL EASEMENT 5' IN WIDTH FROM A PLANE 20' ABOVE THE GROUND UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE, HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (18" DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

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, DRAINS, 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 ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

STATE OF TEXAS

COUNTY OF HARRIS

WITNESS OUR HAND IN THE CITY OF TOMBALL, TEXAS, THIS _____ DAY OF _____, 2020.

OWNER: LUKE TISDALE

OWNER: PAUL MICHNA OWNER: DELPHINE C. MICHNA

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared PAUL MICHNA, DELPHINE C. MICHNA AND LUKE TISDALE, known to me to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said owner.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2020.

Notary Public in and for the State of Texas

Print name: _____

My commission expires _____

I, MARK L. SHERLEY, AM AUTHORIZED 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 RODS, SAID RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

MARK L. SHERLEY
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5326



THIS IS TO CERTIFY THAT THE TOMBALL PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF "AXIS AT THE SUMMIT", IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT ON THIS _____ DAY OF _____, 2020.

BY: BARBARA TAGUE, CHAIR BY: DARRELL ROQUEMORE, VICE CHAIRMAN

I, Chris Hollins, Clerk of the the County Court of Harris county, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the _____ day of _____, 2020, at _____ o'clock ____ M. and was duly recorded on the _____ day of _____, 2020 at _____ o'clock ____ M. and filed under Film Code No. _____ of the Map Records of Harris County, Texas.

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

CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: DEPUTY

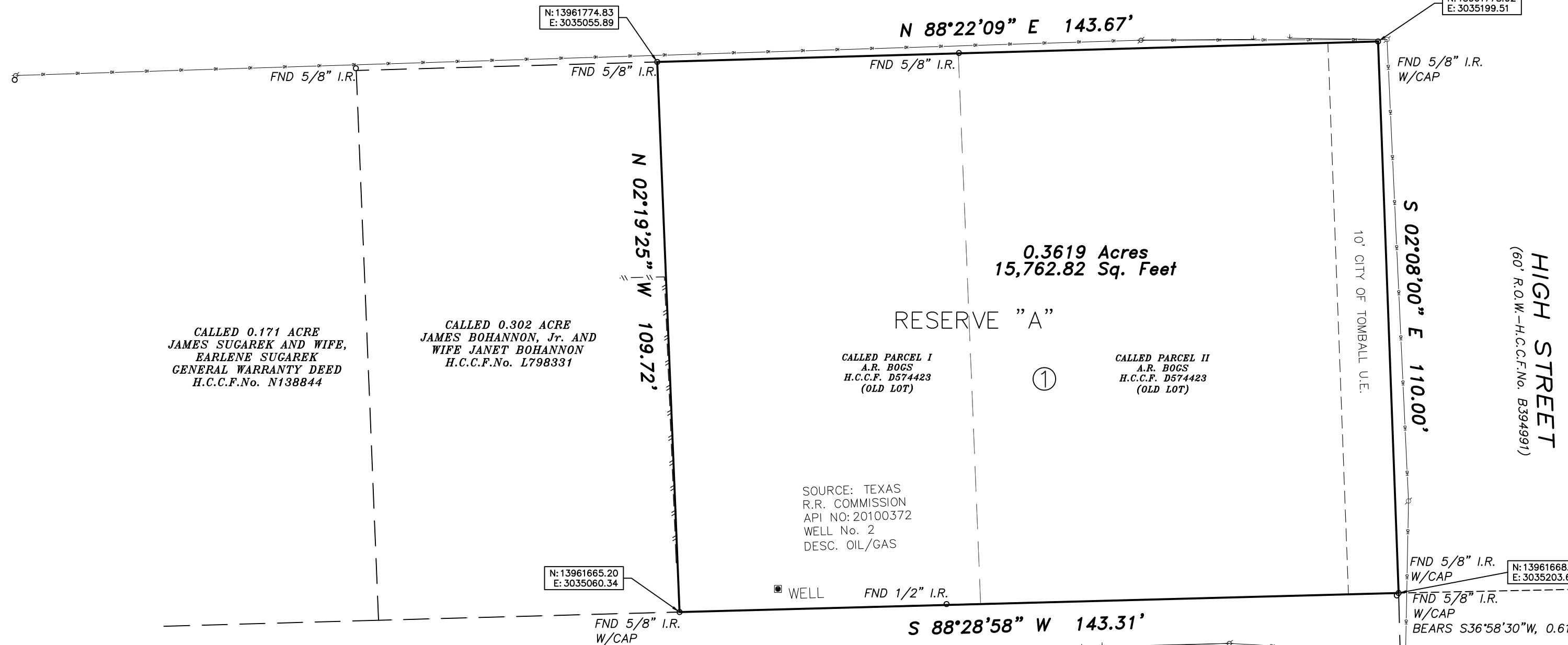
CALLLED 0.159 ACRE
JAMES SUGAREK AND WIFE
EARLENE SUGAREK
GENERAL WARRANTY DEED
H.C.C.F.No. N841038

CALLLED 0.159 ACRE
JAMES SUGAREK AND WIFE
EARLENE SUGAREK
GENERAL WARRANTY DEED
H.C.C.F.No. N841038

CALLLED 0.159 ACRE
CARL A. SKATZES
ASSUMPTION WARRANTY DEED
H.C.C.F.No. U122281

CALLLED 0.249906 ACRE
TOMMY RAY KAISER AND
PAMELA SUF KAISER, CO-TRUSTEES
OF THE TRK, Trust
H.C.C.F.No. T178967 & T178968

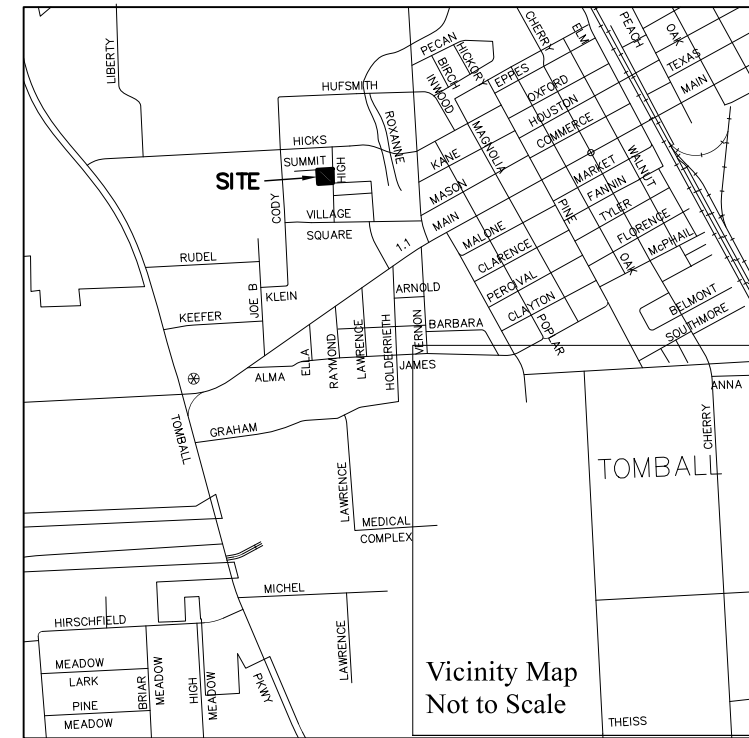
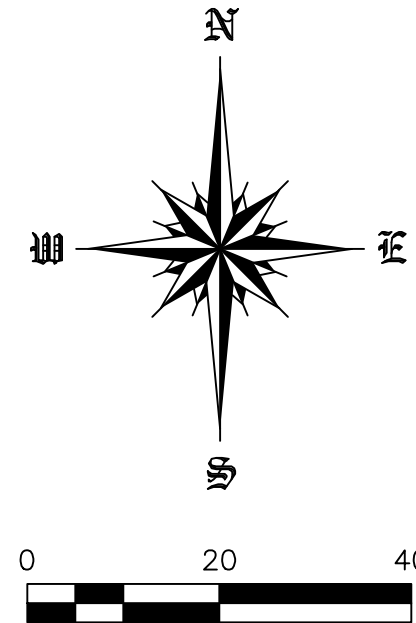
SUMMIT STREET
(60' R.O.W.-H.C.C.F.No. B394991)



PIPELINE PER F.C. 518014 H.C.M.R. GRAPHIC REPRESENTATION ONLY
POSSIBLE PIPELINE RECORDED UNDER VOL. 957, PG. 209 H.C.D.R.

NEW UNRESTRICTED RESERVE "A4"
BLOCK 1
BEING REPLAT OF UNRESTRICTED
RESERVE "A", BLOCK ONE, TOMBALL
VILLAGE SQUARE
FILM CODE #518014 H.C.M.R.

LEGEND
C.O.T.U.E. - INDICATES "CITY OF TOMABALL UTILITY EASEMENT"
B.L. - INDICATES "BUILDING LINE"
R.O.W. - INDICATES "RIGHT OF WAY"
VOL., PG. - INDICATES "VOLUME, PAGE."
H.C.D.R. - INDICATES "HARRIS COUNTY DEED RECORDS".
H.C.M.R. - INDICATES "HARRIS COUNTY MAP RECORDS".
H.C.C.F. NO. - INDICATES "HARRIS COUNTY CLERK'S FILE NO.". U.E. - INDICATES UTILITY EASEMENT.
O.P.R.R.P.H.C.T. - INDICATES "OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS."



- NOTES:
1. ALL VISIBLE EXISTING PIPELINES OR PIPELINE EASEMENTS THROUGH THE SUBDIVISION HAVE BEEN SHOWN WITHIN THE LIMITS OF THE SUBDIVISION.
 2. THERE IS A VISIBLE EXISTING OIL/GAS WELLS (PLUGGED, ABANDONED AND/OR ACTIVE) WITHIN THE LIMITS OF THE SUBDIVISION.
 3. REFERENCE CITY PLANNING LETTER BY ABSTRACT SERVICES OF HOUSTON, DATED JULY 28, 2020 UNDER GF No. 7910-20-2436.
 4. 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 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 IT'S RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN OF THIS PLAT. NEITHER THE CITY OF TOMBALL OR ANY PUBLIC UTILITY SHALL BE RESPONSIBLE FOR THE REPLACING OR REIMBURSING THE PROPERTY OWNER DUE TO REMOVAL OR RELOCATION OF ANY OBSTRUCTION ON THE PUBLIC EASEMENTS.
 5. THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" WHICH IS AN AREA CONSIDERED TO BE OUTSIDE THE 100 YEAR FLOOD PLAIN AS REFLECTED ON F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL 48201C 0210 L FOR THE CITY OF TOMBALL, DATED JUNE 18, 2007.
 6. ALL OIL-GAS PIPELINES OR PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 7. ALL OIL-GAS WELLS WITH OWNERSHIP (PLUGGED ABANDONED, AND-OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 8. 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.
 9. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.

RESERVE "B"
TOMBALL VILLAGE SQUARE
VOL. 318, PG. 86 H.C.M.R.

AXIS AT THE SUMMIT

A SUBDIVISION OF LAND CONTAINING 0.3619 ACRES (15,736 SQUARE FEET) OF LAND IN THE ABSTRACT 34 J SQUARE, HARRIS COUNTY, TEXAS

1 RESERVE, 1 BLOCK

AUGUST, 2020

SCALE: 1" = 20'

PROPERTY ADDRESS:
SUMMIT ST.
TOMBALL, TX. 77375

SURVEYOR: FOUR POINTS SURVEYING
THE WOODLANDS, TEXAS 77382
PHONE (281) 961-0714
fpsurveying@gmail.com

OWNER: AXIS POLE FITNESS, LLC
20220 HEMPSTEAD ROAD #18 AND #20
HOUSTON, TEXAS 77065

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: August 10, 2020

Topic:

Consideration to Approve Replat of **SRP GECAP TOMBALL MOB :** A Subdivision of 4.1033 Acres of Land being a replat of a portion of Outlots 166, 170 and 174 of Tomball Townsite as recorded in Volume 2, Page 65, Harris County Map Records Located in the J.R. Pruitt Survey, A-629 and William Hurd Survey, A-378 City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

SRP GECAP Tomball MOB - Plat Comments

SRP GECAP Tomball MOB - Plat

CITY OF TOMBALL

Plat Name: SRP GECAP Tomball MOB Plat Type: Replat

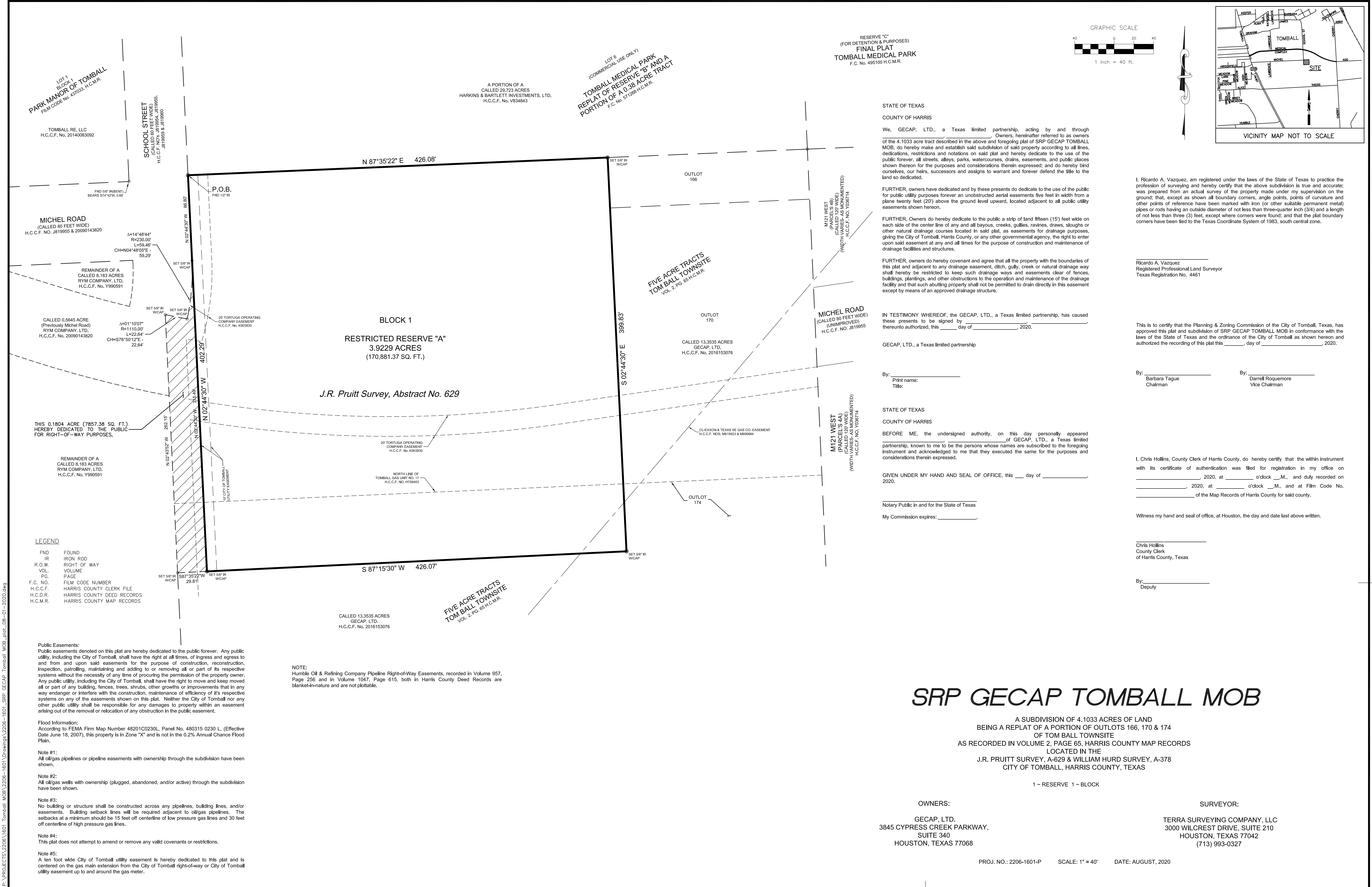
Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: August 10, 2020

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Community Development recommends approval of this plat.

P:\PROJECTS\2206\1601_Tomball MOB\Drawings\2206-1601_SRP_GECAP_Tomball MOB_dtl_08-01-2020.dwg



Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: August 10, 2020

Topic:

Consideration to Approve Final Plat of **TCG CAPITAL:** Being 2.9859 Acre (130,067.76 Square Feet) tract of land situated in the Jesse Pruitt Survey, A-629, Harris County, Texas, being a replat of Theis Road Warehouses as recorded in Film Code Number 683774, of the Map Records of Harris County, Texas.

Background:

Origination:

Recommendation:

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

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

TCG Capital - Plat Comments

TCG Capital - Plat

CITY OF TOMBALL

Plat Name: TCG Capital Plat Type: Replat

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: August 10, 2020

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

- Reference existing easement
- Remove erroneous BOA note
- Fix typo

Community Development recommends approval of this plat with contingencies.

THE STATE OF TEXAS

COUNTY OF HARRIS

We, TCG Capital, LLC, a Texas limited liability company, acting by and through Jorge Arturo Campos, Sole Manager of TCG Capital, a Texas limited liability company, owners hereinafter referred to as owners of the 2.9859 acre tract described in the above and foregoing plat of TCG CAPITAL, 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 does dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet (5') in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown herein.

FURTHER, owns do hereby dedicate to the public a strip of land fifteen feet (15') wide on each side of the center line 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 that impede the operation and maintenance of the 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, TCG Capital, LLC, a Texas limited liability company, has caused these presents to be signed by Jorge Arturo Campos, its sole manager, thereunto authorized, on this _____ day of _____, 202__.

TCG Capital, LLC, a Texas limited liability company

By: JORGE ARTURO CAMPOS, Sole Manager

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Jorge Arturo Campos, Sole Manager of TCG Capital, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 202__.

~~This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved the expansion and subdivision of TCG CAPITAL in conformance with the laws of the State of Texas and Commission Order of the City of Tomball as shown hereon and authorized the recording of this plat.~~

this _____ day of _____, 202__.

By: _____
Barbara Tague
Chairman

By: _____
Darrell Roquemore
Vice Chairman

Harris County Clerk Certificate of Filing:

I, Chris Rollins, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 202__, at _____ o'clock __.M., and duly recorded on _____, 202__, 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 Houston, the day and date last above written.

Chris Rollins
County Clerk
of Harris County, Texas

By: _____
Deputy

I, Steven L. Crews, am authorized 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 are clearly marked with iron rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.

Steven L. Crews
Texas Registration Number 4141

LOT 1, BLOCK 1
SWINGHAMMER/HAUCK
SUBDIVISION
F.C. # 678215
M.R.H.C.T.

Scale:

Found Iron Rod
w/ Survey Cap

N 87°31'13" E 466.85'

Found Iron Rod
w/ Survey Cap

N 02°29'05" W 265.89'

30' UNIMPROVED
ROADWAY
VOLUME 2, PAGE 65
M.R.H.C.T.

RESTRICTED RESERVE "A"
RESTRICTED FOR COMMERCIAL
BLOCK 1
2.9859 Acre
130,067.76 S.F.

S 02°29'05" E 288.62'

Called
3.072 Acres
CF No. 20150587574
R.P.R.H.C.T.

C.O.T. 10' Utility Easement

C2

Found Iron Rod
w/ Survey Cap

L2

Found Iron Rod
w/ Survey Cap

C1

L1

C.O.T. 10' Utility Easement

Found Iron Rod
w/ Survey Cap

(VARIABLE WIDTH)
THEIS LANE

19

BLOCK 1
LOT 1
PINE MEADOWS
F.C. # 555232
M.R.H.C.T.

SCOTCH PINE STREET

LOT 1
BLOCK 3

LOT 13
PINE MEADOWS
F.C. # 555232
M.R.H.C.T.

LOT 14

LOT 15

We, SouthTrust Bank, N.A., owner and holder of a lien against the property described in the plat known as TCG CAPITAL, said lien being evidenced by instruments of record in Clerk's File Numbers RP-2017-557061 and RP-2019-557062 of the R.P.R.H.C.T. of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and the effects of said plat and the dedications and restrictions shown herein to said subdivision plat and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

_____ of SouthTrust Bank, N.A.

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared _____, _____ of SouthTrust Bank, N.A., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that ____ executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said bank.

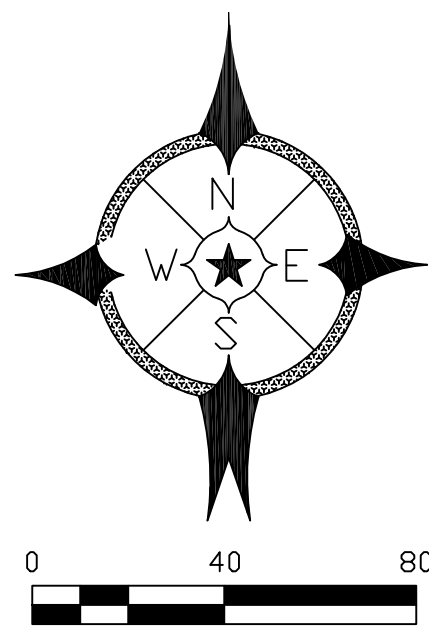
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 202__.

Notary Public in and for the State of Texas

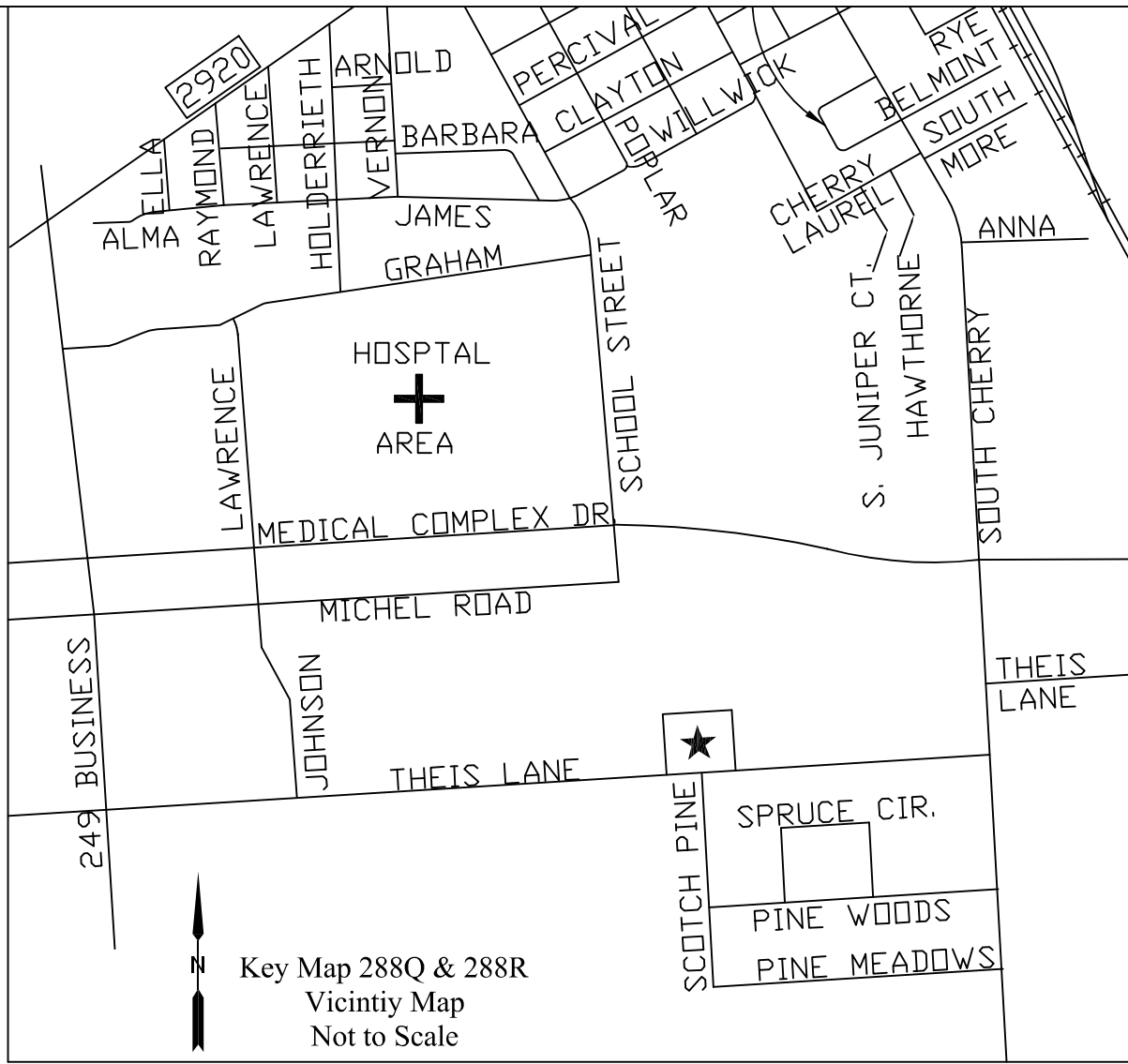
My Commission expires:_____

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	0°14'12"	1970.00'	8.14'	4.07'	8.14'	S 86°31'14" E
C2	6°05'30"	2030.00'	215.83'	108.02'	215.73'	N 89°26'53" W

LINE	BEARING	DISTANCE
L1	S 87°28'27" W	143.89'
L2	N 86°24'08" W	100.00'



Scale: 1" = 40'



Notes:

Flood Information:

According to FEMA Firm Panel No. 48201C0230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.

1. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
2. All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
3. No building or structure shall be constructed across any pipelines, building lines, and/or easements Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
4. This plat does not attempt to amend or remove any valid restrictions or covenants.
5. Refer to the City of Tomball Board of Adjustments Decision Case 14-07-06 Dated December 14, 2017, where a variance was granted on the width, length and size of lots.
6. A ten foot wide City of Tomball utility easement is hereby dedicated by this plat and is centered on the gas main extension from the City of Tomball right-of-way or City of Tomball utility easement up to and around the gas meter.
7. Public Easements:

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 easement for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's 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.

D.R.H.C.T. = DEED RECORDS OF HARRIS
COUNTY TEXAS
M.R.H.C.T. = MAP RECORDS OF HARRIS
COUNTY TEXAS
R.P.R.H.C.T. = REAL PROPERTY RECORDS
OF HARRIS COUNTY TEXAS
B.L. = BUILDING LINE
C.O.T.U.E. = UTILITY EASEMENT
DEDICATED TO THE CITY OF TOMBALL.
CF NO. = CLERK'S FILE NUMBER
FC NO. = FILM CODE NUMBER
S.F. = SQUARE FEET

TCG CAPITAL

Being 2.9859 acre (130,067.76 sq. ft.) tract of land situated in the Jesse Pruitt Survey, A-629, Harris County, Texas, being a replat of THEIS ROAD WAREHOUSEES as recorded in Film Code Number 683774, of the Map Records of Harris County, Texas.

1 Reserve, 1 Block

Owner:
TCG Capital, LLC
 a Texas Limited Liability Company
 Phone Number 713-202-8759
 9303 Stratford Place
 Tomball, Texas 77375

Surveyor:
C & C Surveying Inc.
Firm Number 10009400
7424 FM 1488, Suite A Magnolia, Texas 77354
Office: 281-356-5172
survey@ccsurveying.com
www.ccsurveying.com

August 2020
Sheet 1 of 1
20-0226