

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



MONDAY, APRIL 13, 2020

6:00 P.M.

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, April 13, 2020 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 & 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 & ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR APRIL 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://tomballtx.gov/Archive.aspx?AMID=38>; 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: 231 248 208 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 March 9, 2020.
- 5.0 New Business:
 - 5.1 Consideration to Approve Replat of **HUFSMITH BUSINESS PARK**: A Subdivision of 8.261 Acres, comprised of a portion of Lot 61, Block 1 of Replat of Abandoned Animal Rescue recorded in Film Code No. 654103 of H.C.M.R., all of a 0.334 Acre Tract recorded under Clerk's File No. D535964 and all of that 1.979 Acre Tract being the remainder of Lot 57 of Tomball Outlots recorded under Clerk's File No. RP-2019-298379 of H.C.R.P.R., situated in the Ralph Hubbard Survey, A-383, Harris County, Texas.
 - 5.2 Consideration to Approve Final Plat of **MENDOZA ESTATES**: A Subdivision of a 2.000 Acre Tract known as part of Tract 7 & 8, as recorded under H.C.C.F. NO. RP-2017-374990 J. Pruitt Survey, Abstract 629, Harris County, Texas.
 - 5.3 Consideration to Approve **Zoning Case P20-056**: Request by the City of Tomball to amend Section 50-116 (Supplemental regulations) of the Tomball Code of Ordinances by allowing schools other than public or denominational to utilize temporary buildings.
 - Conduct Public Hearing on **Zoning Case P20-056**
- 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 9th day of April, 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: April 13, 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: April 13, 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: April 13, 2020

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting on March 9, 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 - 3/9/2020

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

MONDAY, MARCH 9, 2020



6:00 P.M.

1.0 The meeting was Called to Order by Chair Tague at 6:00 p.m. Other members present were:

Commissioner Darrell Roquemore
Commissioner Dane Dunagin
Commissioner Will Benson
Commissioner Richard Anderson

Others present:

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 Dunagin, second by Commissioner Anderson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of February 10, 2019.

Roll call vote was called by Commission Secretary Wesley Stolz. Motion carried unanimously.

5.0 New Business:

5.1 Consideration to Approve Replat of **RALEIGH CREEK SECTION SEVEN:** Being 9.5839 Acres of Land, Situated in the Joseph Miller Survey, Abstract Number 50, Harris County, Texas, and also being a Replat of Reserve M, of Raleigh Creek Section Five, as recorded in Film Code No. 688474 H.C.M.R.

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

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

Roll call vote was called by Commission Secretary Wesley Stolz. Motion carried unanimously.

- 5.2 Consideration to Approve Replat of **RALEIGH CREEK SECTION EIGHT:** Being 10.3241 Acres of Land, Situated in the Joseph Miller Survey, Abstract Number 50, Harris County, Texas, and also being a Replat of Reserve L, of Raleigh Creek Section Five, as recorded in Film Code No. 688474 H.C.M.R.

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

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

Roll call vote was called by Commission Secretary Wesley Stolz. Motion carried unanimously.

- 5.3 Consideration to Approve **Zoning Case P20-020:** Request by CCJ Collaborations LLC for a Conditional Use Permit to operate a *distillation of liquors, spirits, etc. (brewery)* facility. The property is approximately 4.65 acres, legally described as Block 1 Lot 16 Tomball Business and Technology Park Lot 5 Replat, generally located on the west side of South Persimmon Street, north of Spell Road, 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.

Ryan Hutson (10077 Grogans Mill Rd., The Woodlands, TX 77380) spoke on behalf of the request.

Dustin Hill (26865 Interstate 45, The Woodlands, TX 77380) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:12 p.m.

Hearing no comments, the Public Hearing was closed at 6:12 p.m.

Motion was made by Commissioner Benson, second by Commissioner Roquemore, to approve **Zoning Case P20-020.**

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 Benson	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion carried unanimously.

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

Roll call vote was called by Commission Secretary Wesley Stolz. Motion carried unanimously.

The meeting adjourned at 6:24 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: April 13, 2020

Topic:

Consideration to Approve Replat of **HUFSMITH BUSINESS PARK:** A Subdivision of 8.261 Acres, comprised of a portion of Lot 61, Block 1 of Replat of Abandoned Animal Rescue recorded in Film Code No. 654103 of H.C.M.R., all of a 0.334 Acre Tract recorded under Clerk’s File No. D535964 and all of that 1.979 Acre Tract being the remainder of Lot 57 of Tomball Outlots recorded under Clerk’s File No. RP-2019-298379 of H.C.R.P.R., situated in the Ralph Hubbard Survey, A-383, Harris County, Texas.

Background:

Origination:

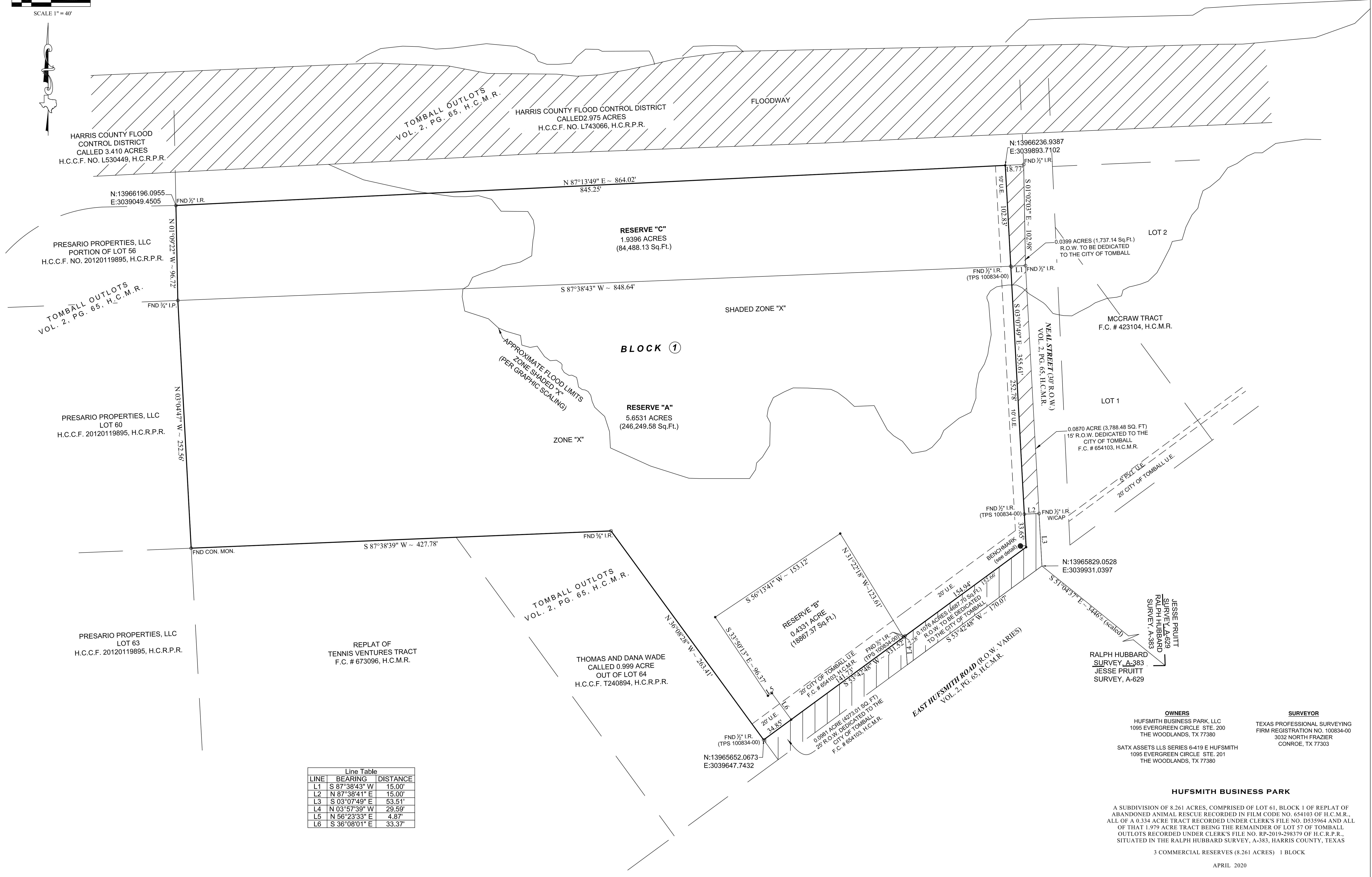
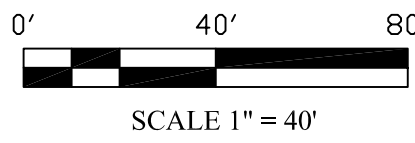
Recommendation:

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

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

ATTACHMENTS:

Hufsmith Business Park - Final Plat
Hufsmith Business Park - Plat Comments



OWNERS
HUFSMITH BUSINESS PARK, LLC
1095 EVERGREEN CIRCLE STE. 200
THE WOODLANDS, TX 77380

SATX ASSETS LLS SERIES 6-419 E HUFSMITH
1095 EVERGREEN CIRCLE STE. 201
THE WOODLANDS, TX 77380

SURVEYOR
TEXAS PROFESSIONAL SURVEYING
FIRM REGISTRATION NO. 100834-00
3032 NORTH FRAZIER
CONROE, TX 77303

HUFSMITH BUSINESS PARK

A SUBDIVISION OF 8.261 ACRES, COMPRISED OF LOT 61, BLOCK 1 OF REPLAT OF ABANDONED ANIMAL RESCUE RECORDED IN FILM CODE NO. 654103 OF H.C.M.R., ALL OF A 0.334 ACRE TRACT RECORDED UNDER CLERK'S FILE NO. D535964 AND ALL OF THAT 1.979 ACRE TRACT BEING THE REMAINDER OF LOT 57 OF TOMBALL OUTLOTS RECORDED UNDER CLERK'S FILE NO. RP-2019-298379 OF H.C.R.P.R., SITUATED IN THE RALPH HUBBARD SURVEY, A-383, HARRIS COUNTY, TEXAS

3 COMMERCIAL RESERVES (8.261 ACRES) 1 BLOCK

APRIL 2020

THE STATE OF TEXAS
COUNTY OF HARRIS

We, Hufsmith Business Park LLC, acting by and through Lance Langenhoven and Jorge Canavati, Managing Members, being officers of Hufsmith Business Park, LLC, and SATX Assets LLS Series 6-419 E Hufsmith, acting by and through Lance Langenhoven, President of SATX Assets LLS Series 6-419 E Hufsmith, owners in this section after referred to as owners of the 8.261 acre tract described in the above and foregoing plat of Hufsmith Business Park, 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 covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch 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 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 drainageway shall hereby be restricted to keep such drainageways 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 Hufsmith Business Park, LLC and SATX Assets LLS Series 6-419 E Hufsmith has caused these presents to be signed by Lance Langenhoven, its Managing Member, thereunto authorized, attested by its Managing Member, Jorge Canavati, and its common seal hereunto affixed this ____ day of _____, 2020 .

Hufsmith Business Park, LLC

By: _____
Lance Langenhoven
Managing Member & President

By: _____
Jorge Canavati
Managing Member

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Lance Langenhoven, 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 set out, and as the act and deed of said company.

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

Notary Public In and For the State of Texas

My Commission
Expires: _____

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Jorge Canavati, 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 set out, and as the act and deed of said company.

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

Notary Public In and For the State of Texas

My Commission
Expires: _____

SURVEYOR'S ACKNOWLEDGEMENT

I, Carey A. Johnson, 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 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.

Carey A. Johnson
Registered Professional Land Surveyor No. 6524



I, Nneka Steels, 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.

This is to certify that the planning and zoning commission of the City of Tomball, Texas has approved this plat and subdivision of Hufsmith Business Park 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 ____ day of _____, 2020.

Chairman
Barbara Tague

Vice Chairman
Darrell Roquemore

THE STATE OF TEXAS
COUNTY OF HARRIS

I, Diane Trautman, 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 ____ , 2020, at ____ o'clock ____ M., and duly recorded on ____ , 2020, 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.

Diane Trautman
County Clerk
Of Harris County, Texas

By: _____
Deputy

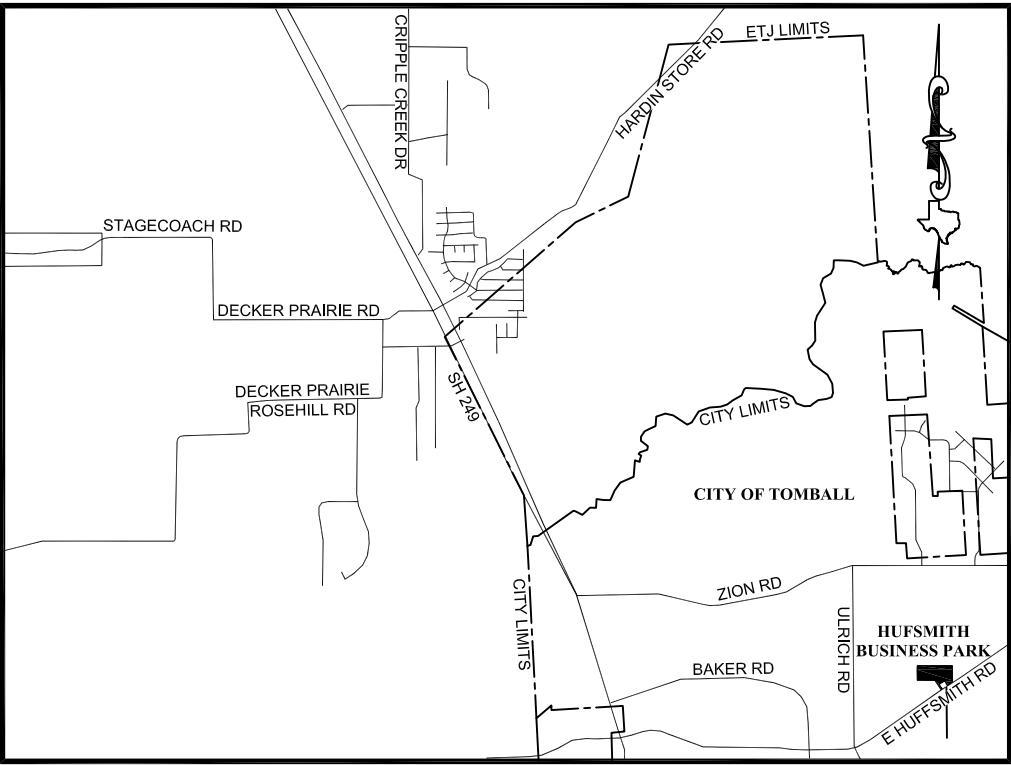
THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Lance Langenhoven, 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, and in the capacity therein and herein set out, and as the act and deed of said corporation.

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

Notary Public In and For the State of Texas

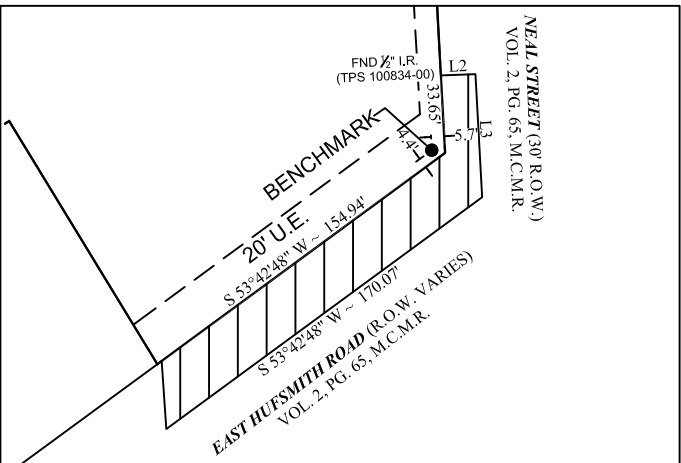
My Commission
Expires: _____



VICINITY MAP
(NOT TO SCALE)

General Notes:

- 1) U.E. INDICATES "UTILITY EASEMENT"
- 2) F.C. INDICATES "FILM CODE"
- 3) H.C.C.F. INDICATES "HARRIS COUNTY CLERK'S FILE"
- 4) H.C.M.R. INDICATES "HARRIS COUNTY MAP RECORDS"
- 5) H.C.R.P.R. INDICATES "HARRIS COUNTY REAL PROPERTY RECORDS"
- 6) All coordinates shown hereon are grid and referenced to the Texas State Plane Coordinate System (NAD83), Texas South Central Zone No. 4204 and may be converted to surface by multiplying by the combined scale factor of 1.000014085.
- 7) Bearings shown hereon are based on GPS Observations and are referenced to the Texas State Plane Coordinate System (NAD83), South Central Zone (4204). All distances shown are grid.
- 8) The Benchmark shown hereon is reference to NGS Monument BL1164, Elev=167.5' (NAVD88) and NGS Monument DH3604, Elev=234.25' (NAVD88).
- 9) According to FEMA Firm Panel No. 48201C0230L, with an effective date of 06/18/2017, this property is in Zone "X" and is partially within the 0.2% Annual Chance Flood Plain.
- 10) 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 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.
- 11) All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- 12) All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- 13) 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.
- 14) This plat does not attempt to amend or remove any valid covenants or restrictions.
- 15) A ten foot wide City of Tomball utility easement is hereby dedicated to 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.



-BENCH MARK-
3" BRASS DISK SET IN 6" CONCRETE COLUMN
STAMPED: HBP
ELEVATION: , NAVD88, 2009 ADJUSTMENT
NAVD88 GEOID09 TEXAS CENTRAL ZONE 4203

OWNERS	SURVEYOR
HUFSMITH BUSINESS PARK, LLC 1095 EVERGREEN CIRCLE STE. 200 THE WOODLANDS, TX 77380	TEXAS PROFESSIONAL SURVEYING FIRM REGISTRATION NO. 100834-00 3032 NORTH FRAZIER CONROE, TX 77303
SATX ASSETS LLS SERIES 6-419 E HUFSMITH 1095 EVERGREEN CIRCLE STE. 201 THE WOODLANDS, TX 77380	

HUFSMITH BUSINESS PARK

A SUBDIVISION OF 8.261 ACRES, COMPRISED OF LOT 61, BLOCK 1 OF REPLAT OF ABANDONED ANIMAL RESCUE RECORDED IN FILM CODE NO. 654103 OF H.C.M.R., ALL OF A 0.334 ACRE TRACT RECORDED UNDER CLERK'S FILE NO. D535964 AND ALL OF THAT 1.979 ACRE TRACT BEING THE REMAINDER OF LOT 57 OF TOMBALL OUTLOTS RECORDED UNDER CLERK'S FILE NO. RP-2019-298379 OF H.C.R.P.R., SITUATED IN THE RALPH HUBBARD SURVEY, A-383, HARRIS COUNTY, TEXAS

3 COMMERCIAL RESERVES (8.261 ACRES) 1 BLOCK

APRIL 2020

CITY OF TOMBALL

Plat Name: Hufsmith Business Park 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: April 13, 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:

- Set survey markers
- Clarify City of Tomball utility easement dedication
- Fix typo

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: April 13, 2020

Topic:

Consideration to Approve Final Plat of **MENDOZA ESTATES:** A Subdivision of a 2.000 Acre Tract known as part of Tract 7 & 8, as recorded under H.C.C.F. NO. RP-2017-374990 J. Pruitt Survey, Abstract 629, Harris County, Texas.

Background:

Origination:

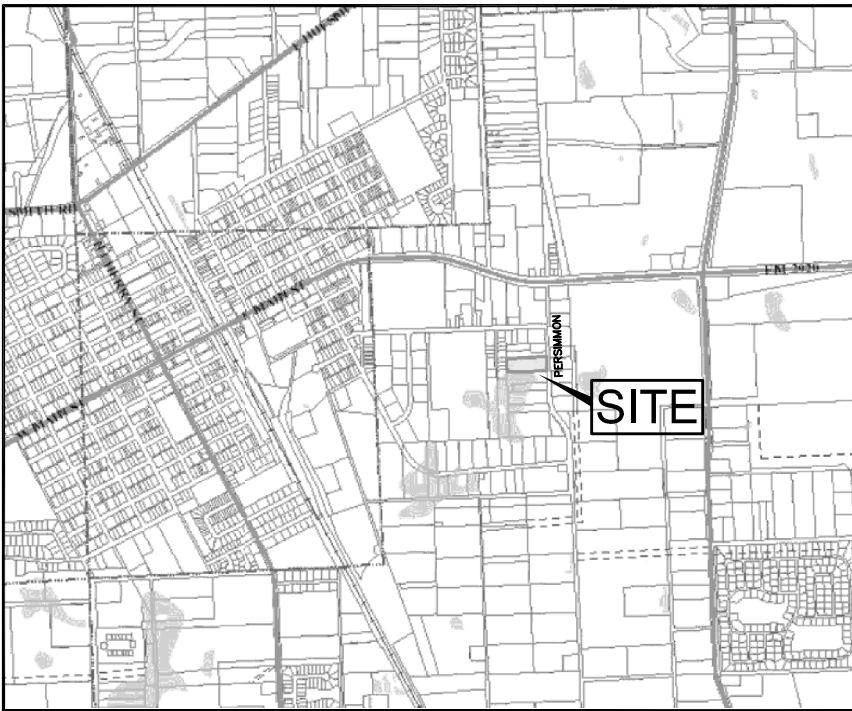
Recommendation:

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

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

ATTACHMENTS:

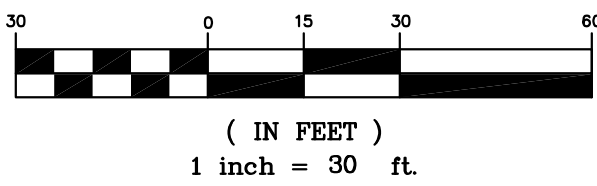
Mendoza Estates - Final Plat
Mendoza Estates - Plat Comments



VICINITY MAP
N.T.S.



GRAPHIC SCALE



GENERAL NOTES:

- All bearings shown are referenced per gps observations.
- No access allowed over 1' LANDSCAPE RESERVE on south line of plat.
- All front lot building lines are 20'-0" as per city of tomball ordinances.
- All interior lot building lines are 5'-0" unless otherwise shown.
- C & V Finance & Investment LLC, shall be responsible and liable for the maintenance of all private streets, all drainage related facilities and all wastewater facilities. Responsibility and liability shall not be assigned by developer except to a lawfully created community or home owners association having jurisdiction over the properties to which these planned private streets, access & utility easements and all drainage related facilities and easements provide access infrastructure, or pursuant to deed restrictions or other covenants which are applicable to lots within the subdivision which utilize such facilities.
- U.E. - denotes City of Tomball utility easement.
- This subdivision contains one or more private streets that have not been dedicated to the public or accepted by Harris County as public rights-of-way. Harris county has no obligation to maintain or improve any private street within the subdivision.

NOTES:

- 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 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.
- According to FEMA Firm Panel No. 48201C0230L, (Effective Date June 18, 2007), this property is in Zone "X" and is within 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 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.
- A ten foot wide City of Tomball utility easement is hereby dedicated to 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.

LOT TABLE	
LOT NO.	LOT AREA (S.F.)
1	6,090
2	6,090
3	7,183
4	6,153
5	6,658
6	6,044
7	8,685

STATE OF TEXAS

COUNTY OF HARRIS

WE, C & V FINANCE & INVESTMENT LLC, their successors in office and assigns, whose address is 10611 Den Oak Dr., Houston, Texas, 77065, owner hereinafter referred to as Owners of the 2.000 acre tract described in the above and foregoing plat of MENDOZA ESTATES, 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 myself, my heirs, my 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 unrestricted 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 hereon.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that the 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 square feet (18 inch 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 feet (15') wide on each side of the center line of any and all bayous, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon 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 facilities and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

Further, We hereby relinquish all rights of access to major larger streets or highways shown hereon except by way of platted streets shown.

In Testimony Whereof, C & V Finance & Investment LLC, has caused these presents to be signed by _____, thereunto authorized and its common seal hereon affixed this _____ day of _____, 2019.

By: _____
C & V FINANCE & INVESTMENT LLC, Owner

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared _____, 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 _____, 2019.

Notary Public in and for the State of Texas

Printed name

My commission expires: _____

I, Piotr A. Debski, 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 accurate; was prepared from an actual survey of the property made under my supervision on the ground; that except as shown, all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (30) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, central zone.

Piotr A. Debski, R.P.L.S.
Texas Registration No. 5902

This is to certify that the City Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of Mendoza Estates, 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 _____, 2019.

By: _____
Barbara Tague, Chairman

By: _____
Darrell Roquemore, Vice Chairman

I, Diane Trautman, 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 this _____ day of _____, 2019, at _____ o'clock _____M., and duly recorded on the _____ day of _____, 2019, at _____ o'clock _____M., and at Film Code Number _____ of the Map Records of Harris County.

WITNESS MY HAND AND SEAL OF OFFICE, at Houston, the day and date last above written.

Diane Trautman
Clerk of the County Court
Harris County, Texas

By: _____
Deputy

MENDOZA ESTATES

A SUBDIVISION OF A 2.000 ACRE TRACT KNOWN AS PART
OF TRACT 7 AND 8, AS RECORDED UNDER H.C.C.F. NO. RP-2017-374990
J. PRUITT SURVEY, ABSTRACT 629, HARRIS COUNTY, TEXAS
7 LOTS 1 BLOCK 1 RESERVE DECEMBER, 2019

OWNER:
C & V FINANCE & INVESTMENT LLC
10611 DEN OAK DR
HOUSTON, TX 77065-3736
PH: (832) 618-3071)

SURVEYOR:
PIOTR A. DEBSKI
1030 Dominion Dr.
Katy, Texas 77450
(832) 878-6890

APPLICANT:
RP & ASSOCIATES
11511 Springshire Dr
Houston, Texas 77066
(713)416-6894

CITY OF TOMBALL

Plat Name: Mendoza Estates 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: April 13, 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:

- Increase area accuracy
- Remove building line notes
- Clarify City of Tomball Utility Easement dedication
- Fix typo

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: April 13, 2020

Topic:

Consideration to Approve **Zoning Case P20-056:** Request by the City of Tomball to amend Section 50-116 (Supplemental regulations) of the Tomball Code of Ordinances by allowing schools other than public or denominational to utilize temporary buildings.

- Conduct Public Hearing on **Zoning Case P20-056**

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:

Notice of Public Hearing
P19-056 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
APRIL 13, 2020
&
CITY COUNCIL
APRIL 20, 2020**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, April 13, 2020, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, April 20, 2020, 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 P20-056: Request by the City of Tomball to amend Section 50-116 (Supplemental regulations) of the Tomball Code of Ordinances by allowing schools to utilize temporary buildings.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

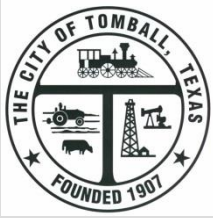
C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **9th** day of **April, 2020** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley
City Planner

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.



Text Amendment Staff Report

Planning and Zoning Commission Hearing Date: April 13, 2020

City Council Public Hearing Date: April 20, 2020

Zoning Case P20-056: Request by the City of Tomball to amend Section 50-116 (Supplemental regulations) of the Tomball Code of Ordinances by allowing schools to utilize temporary buildings.

BACKGROUND

Currently, denominational schools and public school districts can use temporary buildings, with the approval of a resolution from City Council. City Staff recently received a request by a non-denominational school to utilize temporary buildings for the expansion of their facility.

PROPOSED AMENDMENT

Section 50-116. Supplemental regulations.

(k) Temporary buildings for schools.

- (1) Temporary buildings shall be permitted for ~~denominational~~ schools ~~and public-school-districts~~ with the following conditions:
 - a. ~~Denominational~~ Schools ~~and public-school-districts~~ may have temporary buildings for a time period not to exceed two years for each temporary building.
 - b. ~~Denominational~~ Schools ~~and the public-school-district~~ shall not place a temporary building on any property before receiving approval by city council. Prior to city council review, each building must be inspected by an independent building inspector. The cost of the inspection shall be borne by the applicant.
 - c. City Council may approve by resolution two year extensions for each temporary building. Prior to issuance of any extension, each building must be inspected by an independent building inspector. The cost of the inspection shall be borne by the applicant.
 - d. The use of the temporary buildings must be to further the core mission of the ~~denominational~~ school ~~or public-school-district~~.
 - e. A temporary building may only be placed on an active school campus where students are in attendance.
 - f. Each temporary building must be located on property owned by the ~~denominational~~ school ~~or public-school-district~~.

g. A temporary building shall be screened by landscaping, as approved by the city manager or his designee.

PUBLIC COMMENT

A public hearing notice was published in the Potpourri on April 1, 2020. Any public comment forms received by City Staff will be presenting in the agenda packets or during the scheduled meeting.