

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



MONDAY, JANUARY 14, 2019

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, January 14, 2019 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
 - 2018 Planning & Zoning Commission Summary
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 10, 2018.
- 5.0 New Business:

- 5.1 Consideration to Approve Final Plat of **IR CHERRY**: A subdivision of 1.9890 acres located in the Jesse Pruitt Survey, A-629, Harris County, Texas
- 5.2 Consideration to Approve Final Plat of **TAKE 5 TOMBALL**: A subdivision of 0.440 acres in Deed to Ollie Lee Thomas Et Ux Recorded in Volume 2260, Page 179 of the Deed 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 10th day of January, 2019 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled 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: January 14, 2019

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: January 14, 2019

Topic:

- 2018 Planning & Zoning Commission Summary

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:

2018 Summary

Planning and Zoning Commission 2018 Summary						
P&Z Date	Plats	Plat Name	Zoning Cases	Zoning Case	Commission Vote	City Council Vote
1/8/2018	2	City of Tomball Railroad Museum	2	P17-0137 Rezoning 5.85 acres at 419 E. Hufsmith from AG to C	Failed; 2:2	Carried unanimously
		R Spinks Subdivision		P17-0166 CUP mini-warehouse/self-storage at 419 E. Hufsmtih	Failed; 1:3	Carried unanimously
2/12/2018	2	Nery Casa	2	P18-004 Rezoning 0.32 acres at Barbara and Lawrence from SF6 to OT&MU	Carried; 4:1	Carried unanimously
		Vasquez at Percival		P18-008 Rezoning 1 acre Raymond Street (b/w Barbara and Alma St) from SF6 to OT&MU	Carried; 4:1	Carried unanimously
3/12/2018	2	Gomez Subdivision	0			
		Tamirowood Complex				
4/9/2018	1	Bonnett Corners	0			
5/14/2018	2	Beaux Acres	1	P18-055 Rezoning 0.0803 acres at Mechanic Street from SF6 to OT&MU	Carried; 3:2	Carried unanimously
		Cannon's Place				
6/11/2018	7	Bui Place	1	P18-072 Rezoning 36 acres at Theis Ln (west of Pine Meadows) from AG/C to SF6	Carried unanimously	Carried unanimously
		Connon's Place				
		SRP Gecap Tomball MOB				
		Pecan House Subdivision				
		Pizzi Subdivision				
		Alexander Estates				
		Grand Junction Sec 1				
7/9/2018	4	Pizzi Subdivision	1	P18-079 Rezoning 13.36 acres at Michel & School St from AG to C	Carried unanimously	Carried unanimously
		Tomball Business & Tech Park Lot 9				
		Dollar Manor				
		Bui Place				
8/13/2018	1	Estates on Hufsmith	2	P18-089 Rezoning 47.675 acres Cherry St (b/w Pine Meadows & Holderrieth) from AG/GR to SF6	Carried; 4:1	Carried unanimously
				P18-120 Rezoning 25.7328 acres at E. Hufsmith (b/w Hospital & Lovett) from SF9 to PDD	Failed; 1:3	Carried; 3:1
9/10/2018	5	Cherry Pines Section 3	1	P18-130 CUP Mobile Food Court at 3.39 acres Business 249	Carried; 3:2	Carried unanimously
		Copper Cove Sec 1 Replat No. 1				
		HK Properties				
		Tomball Business & Tech Park Lot 5				
		Willow Creek Campus Sec 1				
10/8/2018	7	Alexander Estates	2	P18-147 Text Amendment "Coffee Roasting"	Carried; 3:2	Carried unanimously
		Cherry Pines Section 1		P18-151 CUP "Coffee Roasting" at 4.0230 acres at Lizzie and Persimmon	Carried; 4:1	Carried unanimously
		Cherry Pines Section 2				
		Graham Estates				
		HK Properties				
		Torres Tract				
		Willow Creek Campus Section				
11/12/2018	5	Snook Lane Business Park Section 1	3	P18-161 Rezoning 3 acres at 902 Pitchford from AG to LI	Carried; 3:2	Carried unanimously
		Arrowhead Properties		P18-166 Rezoning 10 acres at Lovett from PDD2 to O	Carried unanimously	Carried unanimously
		TR 1, Lot 17-24 Common Grounds		P18-167 CUP for Great Oak School at 10 acres at Lovett	Carried unanimously	Carried unanimously
		Perez Estates				
		Vann Snyder Addition				
12/10/2018	5	Snook Lane Business Park Section 1	3	P18-162 Rezoning .568 acres at Baker & Kane from SF6 to OT&MU	Failed unanimously	Failed unanimously
		Amtrevco Tract		P18-168 Rezoning 0.32 acres at Holderrieth & Barbara from SF6 to OT&MU	Carried unanimously	Carried 3:2
		Maggio Plat		P18-176 CUP for office/warehouse at 419 E Hufsmtih	Carried unanimously	Carried unanimously
		Grand Junction Sec 1				
		Timber Trails				
Total Plats	43	Total Zoning Cases	18			

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: January 14, 2019

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 10, 2018.

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:

12/10/18 P&Z Draft Minutes

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

MONDAY, DECEMBER 10, 2018



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 Will Benson
Commissioner Richard Anderson
Commissioner Dane Dunagin - Absent

Others present:

Craig Meyers – Community Development Director
Scott L. Bounds – City Attorney
Amelia Lindley – City Planner
Wesley Stolz – Assistant City Engineer

Draft

2.0 No Public Comments were received.

3.0 Craig Meyers, Community Development Director, announced the following:

- City Council approved P18-161 (DFlex Power Rezoning)
- City Council approved P18-166 (Great Oak School Rezoning)
- City Council approved P18-167 (Great Oak School CUP)

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 November 12, 2018.

Motion carried unanimously.

5.0 New Business:

5.1 Consideration to Approve Final Plat of **SNOOK LANE BUSINESS PARK SECTION ONE:** A commercial subdivision of 5.0260 acres of land in the Jesse Pruitt Survey, A-629, the City of Tomball, Harris County, Texas.

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

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

approve **SNOOK LANE BUSINESS PARK SECTION ONE**, with contingencies.

Motion carried unanimously.

- 5.2 Consideration to Approve Replat of **AMTREVCO TRACT**: A subdivision of 0.3214 acre tract (14,000 square feet) being a replat of lots 37,38, 39 and 40 of the revised map of Tomball as recorded in Volume 4, Page 25, Harris County map records, situated in the Joseph House Survey, Abstract 34, City of Tomball, Harris County, Texas.

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

Motion was made by Commissioner Benson, second by Commissioner Roquemore, to approve **AMTREVCO TRACT**, with contingencies.

Motion carried unanimously.

- 5.3 Consideration to Approve Replat of **MAGGIO PLAT**: A replat of Lots 17 and 18 of Saburov Lots, an addition in Harris County, Texas according to the map or plat thereof recorded under Film Code No. 684509 of the Map Records of Harris County, Texas into New Lot 17. Said Saburov Lots lying in original Block 85 of Tomball Townsite, in the Ralph Hubbard Survey, Abstract 383.

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

Motion was made by Commissioner Benson, second by Commissioner Roquemore, to approve **MAGGIO PLAT**.

Motion carried unanimously.

Commissioner Benson recused himself for Item 5.4 due to a conflict of interest.

- 5.4 Consideration to Approve Replat of **GRAND JUNCTION SEC 1**: A subdivision of 12.7068 acres (553,508.58 square feet), situated in the Ralph Hubbard Survey, Abstract 383, City of Tomball, Harris County, Texas.

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

Motion was made by Commissioner Roquemore, second by Commissioner Anderson, to approve **GRAND JUNCTION SEC 1**, with contingencies. Vote was as follows:

Chair Tague

Aye

Commissioner Anderson	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Benson	<u>Abs.</u>
Commissioner Dunagin	<u>Abs.</u>

Motion carried, with three Votes Aye.

Commissioner Benson recused himself for Item 5.5 due to a conflict of interest.

- 5.5 Consideration to Approve Replat of **TIMBER TRAILS**: A subdivision of 23.6321 acres (1,029,412.50 square feet), situated in the Ralph Hubbard Survey, Abstract 383, City of Tomball, Harris County, Texas.

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

Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve **TIMBER TRAILS**, with contingencies. Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Benson	<u>Abs.</u>
Commissioner Dunagin	<u>Abs.</u>

Motion carried, with three Votes Aye.

Commissioner Benson rejoined the meeting at 6:11 p.m.

- 5.6 Consideration to Approve **Zoning Case P18-162**: Request by W D Hill to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately .568 acres of land legally described as Lots 19 thru 24 Block 94 Tomball, within the City of Tomball, Harris County, Texas, generally located at the northeast corner of Kane Street and Baker Drive, from the Single-Family 6 District to the Old Town & Mixed Use District.

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

WD Hill, applicant, (28623 Sharon Louis, Magnolia, Texas 77355) spoke on behalf of the case.

The Public Hearing was opened by Chair Tague at 6:16 p.m.

Harry Byrd (602 N. Hickory Street, Tomball, Texas 77375) spoke in opposition of the request.

Rhonda Sheal (713 Kane Street, Tomball, Texas 77375) spoke in opposition of the request.

Hearing no additional comments, the Public Hearing was closed at 6:21 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Benson, to approve **Zoning Case P18-162**, Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Anderson	<u>Nay</u>
Commissioner Roquemore	<u>Nay</u>
Commissioner Benson	<u>Nay</u>
Commissioner Dunagin	<u>Abs.</u>

Motion failed, with four Votes Nay.

- 5.7 Consideration to Approve **Zoning Case P18-168**: Request by Ahmad Adnan Aslam to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.32 acres of land legally described as Lots 1 & 2 Block 6 Main Street - Tomball, within the City of Tomball, Harris County, Texas, generally located at the southwest corner of Barbara Street and Holderrieth Boulevard, from the Single-Family 6 District to the Old Town & Mixed Use District.

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

Ahmad Aslam, applicant (50 Pendleton Park Point Woodlands) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:31 p.m.

Hearing no comments, the Public Hearing was closed at 6:31 p.m.

Motion was made by Commissioner Roquemore, second by Commissioner Benson to approve **Zoning Case P18-168**. Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Benson	<u>Aye</u>
Commissioner Dunagin	<u>Abs</u>

Motion carried, with four Votes Aye.

- 5.8 Consideration to Approve **Zoning Case P18-176**: Request by Lance Langenhoven for a Conditional Use Permit to operate an *office showroom/warehouse* facility at 419 East Hufsmith Road. The property is approximately 5.86 acres, legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat, within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, and is zoned General Retail District.

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

Lance Langenhoven, owner (22911 River Birch Drive) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:39 p.m.

Hearing no comments, the Public Hearing was closed at 6:40 p.m.

Motion was made by Commissioner Benson, second by Commissioner Anderson, to approve **Zoning Case P18-176**, Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Benson	<u>Aye</u>
Commissioner Dunagin	<u>Abs.</u>

Motion carried, with four Votes Aye.

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

Motion carried unanimously.

The meeting was adjourned at 6:55 p.m.

PASSED AND APPROVED this _____ day of _____ 2019.

Wesley Stolz
Board Secretary

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: January 14, 2019

Topic:

Consideration to Approve Final Plat of **IR CHERRY**: A subdivision of 1.9890 acres located in the Jesse Pruitt Survey, A-629, Harris County, Texas

Background:

Origination:

Recommendation:

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

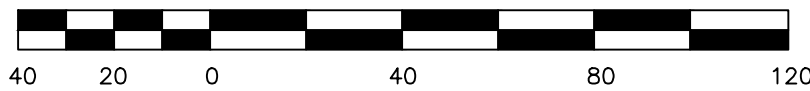
ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

IR Cherry Plat
Plat Comments

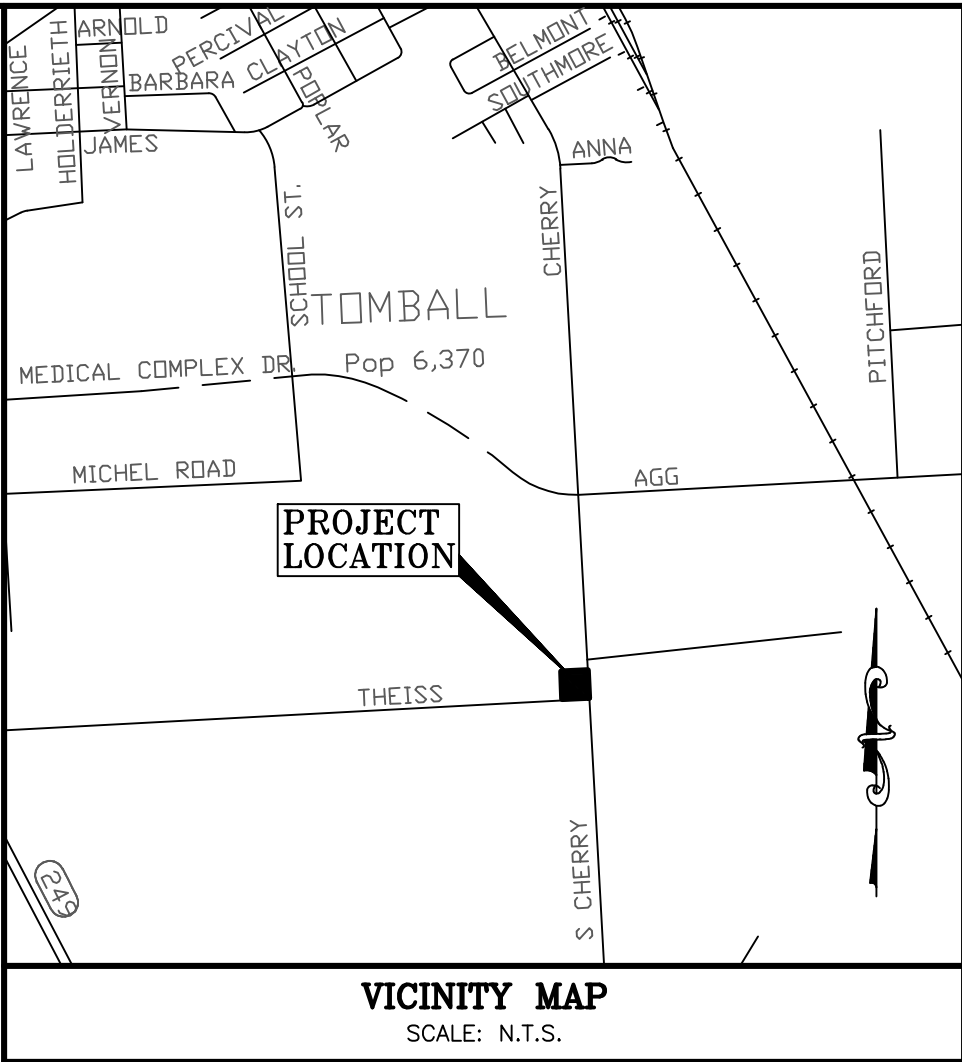


LOT 1
REPLAT OF EVERHEALTH TRACT
F.C. No. 630245, H.C.M.R.



SCALE: 1" = 40'

● SET 3/4" IRON ROD UNLESS OTHERWISE NOTED



VICINITY MAP

SCALE: N.T.S.

NOTES:

1. This survey was created with the benefit of a title commitment prepared by Title Resources Guaranty Company, GF No. 2756518-13883, effective Date: August 6, 2016.
2. Basis of Bearings for the survey is the Texas State Plane Coordinate System, South Central Zone (NAD83).
3. By graphic plotting only, the subject property lies in Zone "X", areas determine to be outside of the 0.2% annual chance flood as defined by the Federal Emergency Management Agency flood insurance rate map number 48201C0230L, dated 06-18-2007.
4. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
5. State Plane Coordinates shown hereon are grid Texas South Central (NAD 83). To convert the bearing shown hereon rotate counterclockwise 04 Degrees 53 Minutes 27 Seconds about the northwest corner.
6. Public easements denoted on this plot 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 plot. 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.
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 plot does not attempt to amend or remove any valid covenants or restrictions.
10. Easement granted to Humble Pipe Line Company of record in Vol. 1221, Page 22, H.C.D.R. (not located)

THE STATE OF TEXAS)

COUNTY OF HARRIS)

I (or we), Hightower Investments, Ltd., a limited partnership, acting by and through _____ and _____, being officers of Amazing Development, Inc. a Texas corporation its General Partner, owner (or owners) hereinafter referred to as owners of the 1.9890 acre tract described in the above and foregoing plat of IR Cherry, 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, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and do 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.

In TESTIMONY WHEREOF, the Hightower Investments, Ltd., a limited partnership, has caused these presents to be signed by _____, attested by _____, and its common seal hereunto affixed by this ____ day of _____, 2019.

Hightower Investments, Ltd., a limited partnership

By: _____

ATTEST: _____

STATE OF TEXAS)

COUNTY OF HARRIS)

BEFORE ME, the undersigned authority, on this day personally appeared _____, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgment to me that they 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 corporation.

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, Diane Trautman, Clerk of the County of Harris County, do hereby certify that the within instrument with its certificate of authentication was

filed for registration in my office on _____, 2019, at _____

o'clock ____m and in Volume _____, Page _____ 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.

By: _____
Diane Trautman
Clerk of the County Court
Harris County, Texas

By: _____
Deputy

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of IR Cherry 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

Kenneth A. Gruller, R.P.L.S.
Texas Registration No. 5476

I, Kenneth A. Gruller, R.P.L.S., 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 have 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 plot boundary corners have been tied to the Texas State Plane Coordinate System South Central Zone (NAD 83).

IR CHERRY

BEING A SUBDIVISION OF 1.9890 ACRES
LOCATED IN THE
JESSE PRUITT SURVEY, A-629,
HARRIS COUNTY, TEXAS

1 LOT 1 BLOCK
SCALE: 1" = 40' JANUARY 2019

OWNER:

Hightower Investments, Ltd.,
A LIMITED PARTNERSHIP

Gruller Surveying, LLC

PROFESSIONAL LAND SURVEYING
5699 SAN FELIPE, STE 1420
HOUSTON, TEXAS 77066

PH: 713.333.1466/ FX: 713.782.3755
JOB. No. 45-18114

CITY OF TOMBALL

Plat Name: IR Cherry Plat Type: Final

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

City Planning Commission Date: January 14, 2019

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:

- Update title report reference note
- Add the owner's address
- Callout Theis Lane ROW width
- Include owner's information in the signature block

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: January 14, 2019

Topic:
Consideration to Approve Final Plat of **TAKE 5 TOMBALL**: A subdivision of 0.440 acres in Deed to Ollie Lee Thomas Et Ux Recorded in Volume 2260, Page 179 of the Deed 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

ATTACHMENTS:

Take 5 Plat
Plat Comments

I (or We), (name of owner or owners) acting by and through (name and title of officer) being officers of LG ACQUISITIONS, LLC, owner (or owners) in this section after referred to as owners (whether one or more) of the (number of acres) acre tract described in the above and foregoing plat of (name of subdivision or development), do hereby make and establish said subdivision of said (number of acres) acre tract into (number of lots) lots, and do hereby dedicate and assign to the use of the public forever, all streets, alleys, paths, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (us, ourselves, and 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 purposed 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 subdivision shall be used for the purpose of providing water service to the public, and that no drainage opening of sufficient size to permit the free flow of water without accumulation and 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 baysou, creeks, gulches, canals, ditches, sloughs, or other natural drainage systems, and do hereby covenant and agree that the same shall be used for the purpose of providing water service to the public, and that no drainage opening of sufficient size to permit the free flow of water without accumulation and 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.

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IN TESTIMONY WHEREOF, the (name of company) has caused these presents to be signed by (name of president), its president, thereunto authorized, attested by its secretary (or authorized trust officer), (name of secretary or authorized trust officer), and its common seal hereunto affixed this (number) day of (month), (year).

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____ (insert name and complete title of person signing the plat), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that _____ (he or she) executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

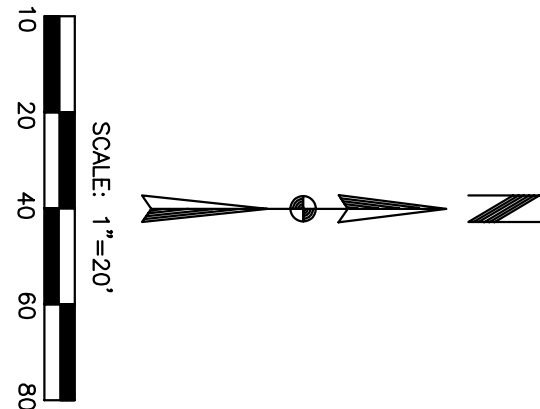
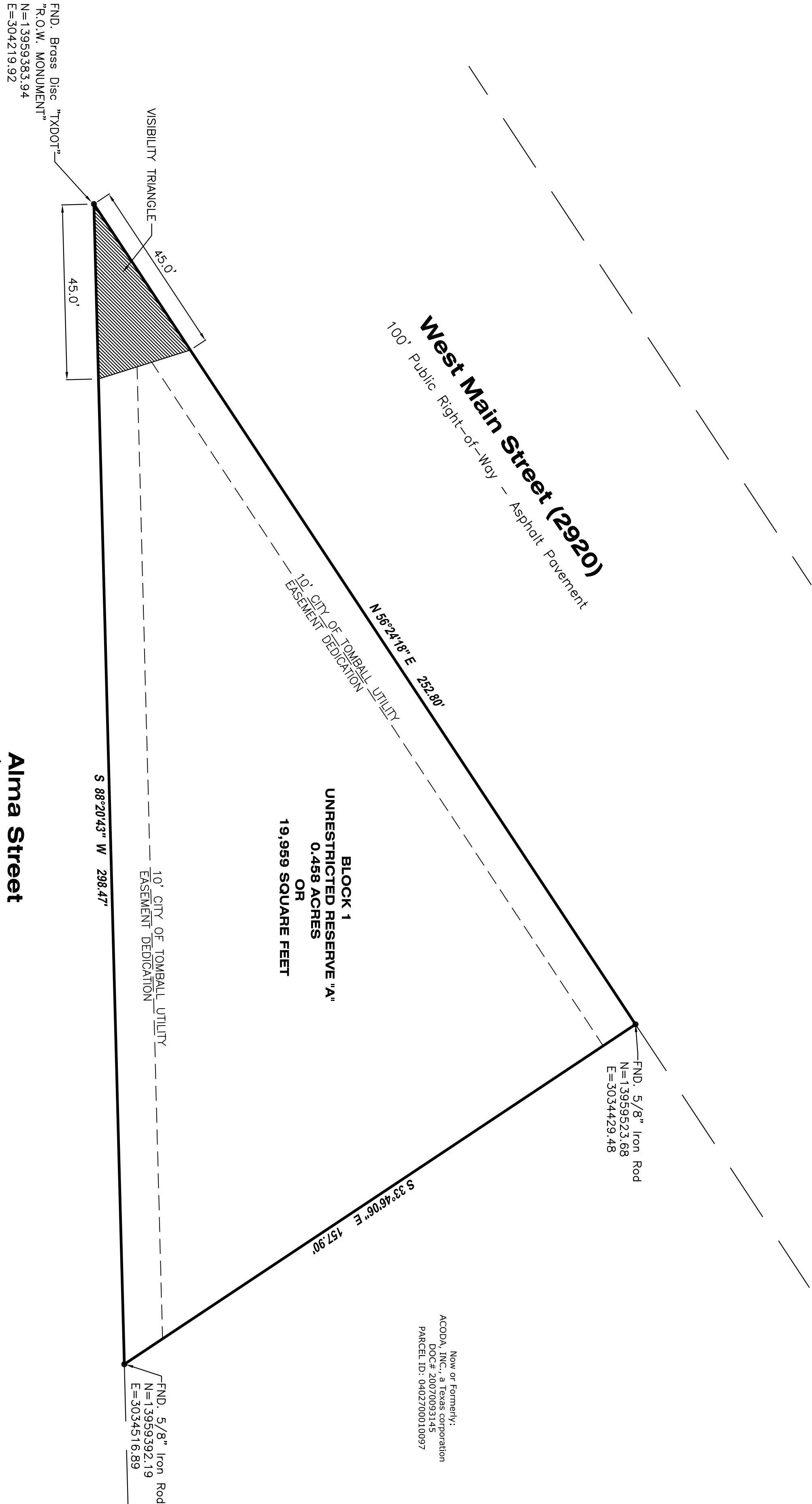
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ (insert day) of _____ (insert month), _____ (insert year).

Notary Public in and for the State of Texas _____ (notary signature)

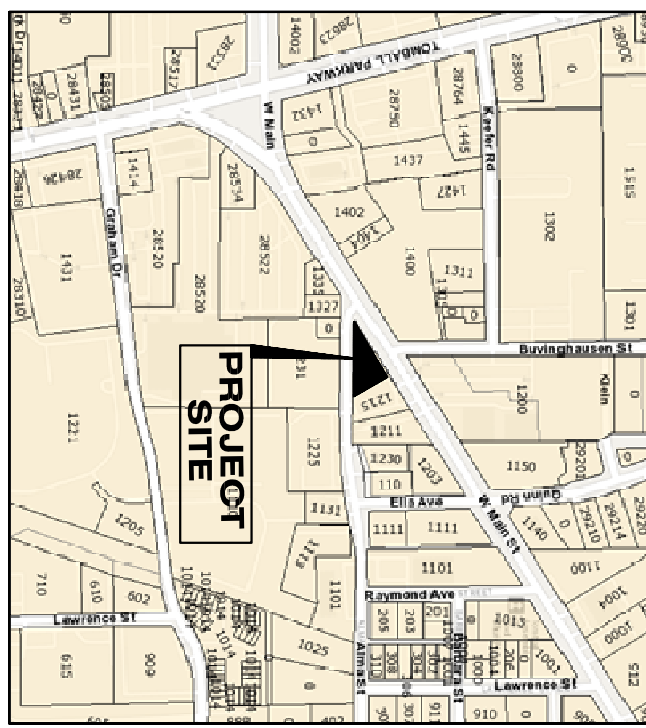
This is to certify that the planning and zoning commission of the City of Tomball has approved this plat and subdivision of Take 5 Tomball in conformance with the laws of the state and the rules and regulations of the City of Tomball, and has shown hereon and authorized the recording of this plat this _____ day of _____, 20____.

Richard Tague
Chairman

Darrell Rasmussen
Vice Chairman



VICINITY MAP
N2S



NOTES:

1. 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, maintenance and repair of any and all public utility facilities, including but not limited to, electric, gas, water, sewer, and other public utility 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, fence, trees, shrubs, other growths or improvements located within the boundaries of any public utility easement, and to remove or alter any such improvements, without compensation to the owner of the property. Neither the City of Tomball nor any other public utility shall be responsible for any damage to property from easement drilling out of the removal or relocation of any construction in the public easement.
2. According to FEMA Firm Panel No. 48201C0210 L (Effective Date June 18, 2007), this property is in Zone "X" and within the 1% Annual Chance Flood Plain.
3. All oil/ gas pipeline easements with ownership through the subdivision have been shown.
4. All oil/ gas wells with ownership (plugged, abandoned, and/ or active) through the subdivision have been shown.
5. No building or structure shall be constructed across any pipelines, building lines, and/ or easements. Building setback lines shall be required adjacent to all gas pipelines. The setback shall be a minimum of 10 feet for gas lines, and 15 feet for high pressure gas lines, and 30 feet off centerline of high pressure gas lines.
6. This plat does not attempt to amend or remove any valid covenants or restrictions.

LEGEND

TBM	TEMPORARY BENCHMARK
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING LINE
E.E.	ELECTRICAL EASEMENT
W.S.E.	WATER AND SEWER EASEMENT
B.C.P.R.	BRAZORIA COUNTY PLAT RECORDS

I, K. Chen, 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 subdivision) owner owns or legal interest in to the extent that the owner of subdivision owns or legal interest in and that the property shown on this plat is the entire extent of such ownership and a boundary description of the land involved must be provided.)

I, _____, am registered under the laws of the State of Texas to practice the profession of surveyor 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 corners and boundaries have been properly located and 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.

TAKE 5
TOMBALL

1 RESERVE 1 BLOCK

A SUBDIVISION OF 0.440 ACRES OF LAND IN DEED TO
OLLIE LEE THOMAS ET UX RECORDED IN VOLUME
2260, PAGE 179 OF THE DEED RECORDS OF HARRIS
COUNTY, TEXAS.

DECEMBER, 2018
SCALE: 1"=20'

SURVEYOR:

K. Chen Engineering

A Division of LG Acquisitions, LLC
Consulting Civil Engineers and Surveyors Houston Dallas

6161 Savoy, Suite 310, Houston, Texas 77036
Phone: 713.952.8888 Fax: 713.952.8994
KCE JOB #: 0910-01

OWNER:

LG ACQUISITIONS, LLC
Houston, Texas

CITY OF TOMBALL

Plat Name: Take 5 Tomball Plat Type: Final

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

City Planning Commission Date: January 14, 2019

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:

- Provide updated title report
- Add owner's information in the signature block
- Correct area accuracies
- Correct scale
- Update the county clerk information
- Correct flood plain note
- Pay fees
- Fix typos

Community Development recommends approval of this plat with contingencies.