

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



MONDAY, SEPTEMBER 10, 2018

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, September 10, 2018 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of August 13, 2018.
- 5.0 New Business:
 - 5.1 Consideration to Approve Preliminary Plat of **CHERRY PINES SECTION 3:**
A subdivision of 39.059 acres of land situated in the Claude N. Pillot Survey,

Abstract 632, City of Tomball, Harris County, Texas.

- 5.2 Consideration to Approve Replat of **COPPER COVE SEC 1 REPLAT NO. 1**: A subdivision of 13.1779 AC./574,029.00 SQ FT. situated in the J. Pruitt Survey, Abstract 639, City of Tomball, Harris County, Texas.
- 5.3 Consideration to Approve Preliminary Plat of **H K PROPERTIES**: A subdivision of 2.5619 acres (111,594.74 SQ FT) of land, being Tract 49 situated in the Joseph Miller Survey, Abstract No. 50, City of Tomball ETJ, Harris County, Texas.
- 5.4 Consideration to Approve Replat of **TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 5 REPLAT**: A subdivision of 21.5547 AC./938,924.62 SQ. FT. Being a Replat of Lot 5, Block 1 of Tomball Business and Technology Park, Film Code No. 653007 H.C.M.R. in the Elizabeth Smith Survey, Abstract 70, City of Tomball, Harris County, Texas.
- 5.5 Consideration to Approve Preliminary Plat of **WILLOW CREEK CAMPUS SECTION 1**: Being a subdivision of 199.3015 acres (8,681,571.85) in the Chauncey Goodrich Survey, Abstract No. 305 and the Sam Lewis Survey, Abstract No. 1704, City of Tomball, Harris County, Texas.
- 5.6 Consideration to Approve **Zoning Case P18-130**: Request by Greg Breau for a Conditional Use Permit to operate a *Mobile Food Court* on approximately 3.39 acres of land legally described as Lot 1A Block 1 Parkway Oasis 3rd Replat, generally located on the west side of Business 249 between Hirschfield Road and Alice Road and zoned General Retail District.

- Conduct Public Hearing on **Zoning Case P18-030**

6.0 Adjournment

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 6th day of September, 2018 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: September 10, 2018

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: September 10, 2018

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: September 10, 2018

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of August 13, 2018.

Background:**Origination:**

Community Development Department

Recommendation:

Approval

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

Community Development Department

ACTION TAKEN

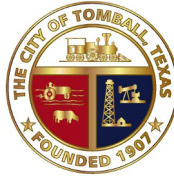
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Minutes 8.13.18

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

MONDAY, AUGUST 13, 2018



6:00 P.M.

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

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

Others present:

Craig Meyers – Community Development Director
Loren Smith – City Attorney
Amelia Lindley – 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 Zoning Case P17-0115 (Rezoning by Reserve at Spring Lakes)
- City Council approved Zoning Case P18-079 (School and Michel Rezoning)

- 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 July 9, 2018.

Motion carried unanimously.

- 5.0 New Business:

- 5.1 Consideration to Approve Final Plat of **ESTATES ON HUFSMITH:** A subdivision of 6.914 acres of land being a replat of Tract Four (4), McCraw Tract II, a subdivision in Harris County, Texas, according to the map or plat thereof recorded under Film Code No. 463122 of the Map Records of Harris County, Texas.

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

Motion was made by Commissioner Roquemore, second by Commissioner Benson, to approve **ESTATES ON HUFSMITH**, with contingencies.

Motion carried unanimously.

- 5.2 Consideration to Approve **Zoning Case P18-089**: Request by Rene Rodriguez, on behalf of Cherry Ventures, LP, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 47.675 acres of land legally described as Tracts 4C, 4C-2, 4H, 4K, 4L & 9A, C.M. Pillot Survey, Abstract 632 within the City of Tomball, Harris County, Texas, generally located on the west side of South Cherry Street, south of Pine Meadows Subdivision and north of Holderrieth Road, from the Agricultural and General Retail Districts to the Single-Family 6 District.

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

Clayton Weisoon (10161 FM 529 Bellville, Texas 77418) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:08 p.m.

Dennis Faske, HOA President for Pine Meadows, (12815 Pine Meadows Street, Tomball, Texas, 77375) spoke of drainage concerns and opposition of the case.

The Public Hearing was closed at 6:09 p.m.

Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to approve **Zoning Case P18-089**. 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>Nay</u>

Motion carried, with 4 Votes Aye and 1 Vote Nay.

Commissioner Benson recused himself from New Business Action 5.3 due to a conflict of interest by leaving the council chambers.

- 5.3 Consideration to Approve **Zoning Case P18-120**: Request by Benson Development, LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 25.7328 acres of land legally described as Tract 82, Tract 75B, Tract 93, Tract 94A & 95A and Part of Lots 78 & 79 (AG-USE) Tomball Outlots, within

the City of Tomball, Harris County, Texas, generally located on the south side of East Hufsmith Road between Hospital Road and Lovett Street, from the Single-Family 9 District to the Planned Development District.

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

Clint Mann (2525 Pebble Lodge Lane, Friendswood, Texas 77546) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:20 p.m.

Michael Clark (15210 Donn Meadows Drive, Houston, Texas 77068) in opposition of the case.

Stephanie Gusmerry (16335 Stable Manor Lane, Cypress, Texas) in opposition of the case.

Maria Lavadez (510 East Hufsmith, Tomball, Texas 77375) in opposition of the case.

The Public Hearing was closed at 6:26 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Roquemore, to approve **Zoning Case P18-120**. Vote was as follows:

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

Motion failed with 1 Vote Aye and 3 Votes Nay.

Commissioner Benson rejoined the meeting.

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

Motion carried unanimously.

The meeting was adjourned at 6:34 p.m.

PASSED AND APPROVED this _____ day of _____ 2018.

Wesley Stolz
Commission Secretary

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: September 10, 2018

Topic:

Consideration to Approve Preliminary Plat of **CHERRY PINES SECTION 3:** A subdivision of 39.059 acres of land situated in the Claude N. Pillot Survey, Abstract 632, City of Tomball, Harris County, Texas.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

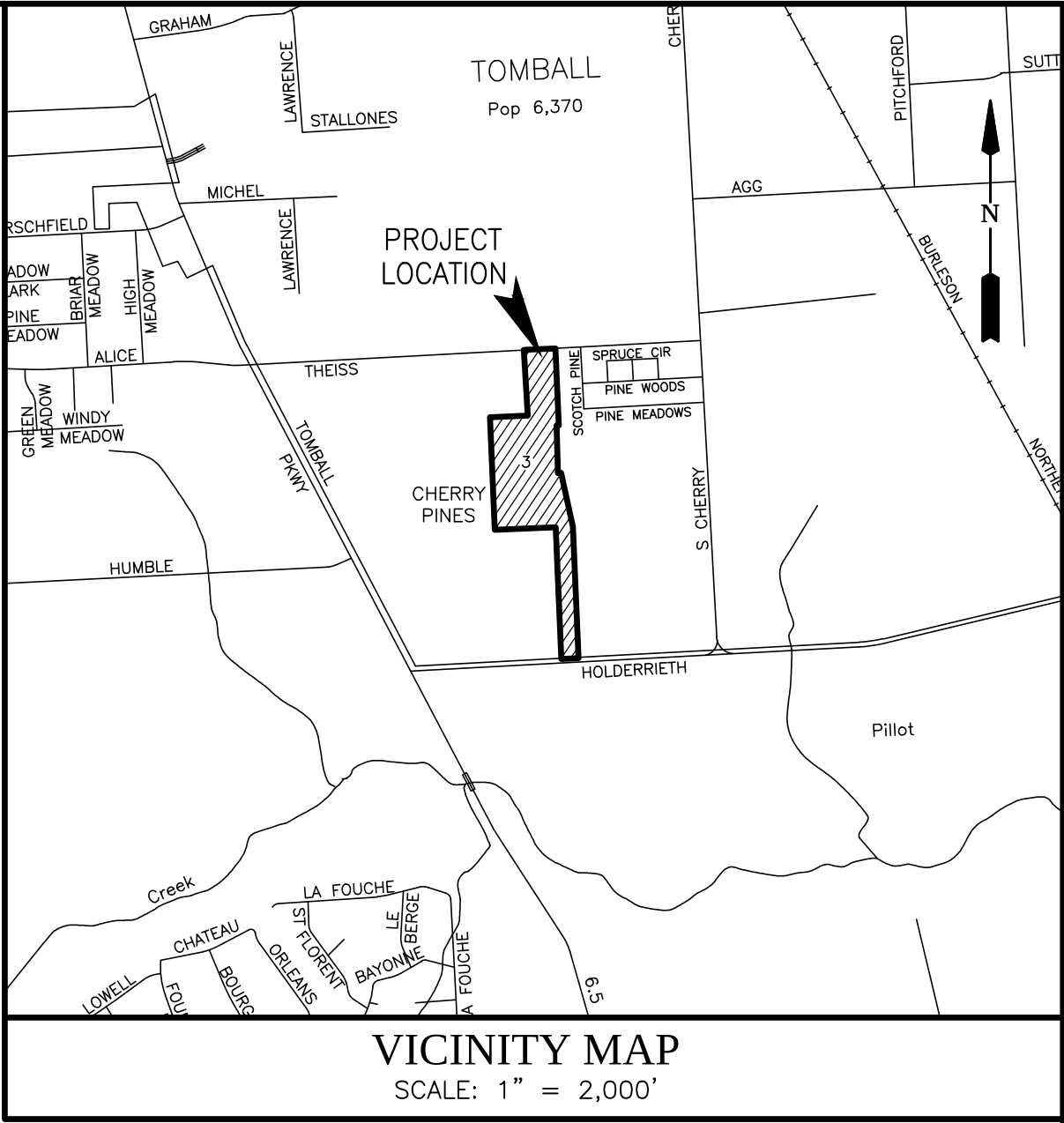
Engineering Division

ACTION TAKEN

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

Cherry Pines Section 3 Plat
Cherry Pines Section 3 Comments



STATE OF TEXAS
COUNTY OF HARRIS

WE, TOMBALL 39 PARTNERS, LP., ACTING BY AND THROUGH _____ BEING OFFICERS OF TOMBALL 39 PARTNERS, LP., OWNERS IN THIS SECTION AFTER REFERRED TO AS OWNERS OF THE 39.059 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF CHERRY PINES SECTION 3, 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.

URTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED, HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

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 GOVERNMENT 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 TOMBALL 39 PARTNERS, LP., HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____, ITS GENERAL PARTNER, THEREUNTO AUTHORIZED, ATTESTED BY ITS _____ DAY OF _____, 2018.

TOMBALL 39 PARTNERS, LP.

BY: _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ OF TOMBALL 39 PARTNERS, LP., 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 PARTNERSHIP.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

I, KEITH W. MONROE, 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 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.

KEITH W. MONROE, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4797

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY HAS APPROVED THIS PLAT AND SUBDIVISION OF CHERRY PINES SECTION 3 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 _____, 2018.

BY: _____
BARBARA TAGUE, CHAIR

BY: _____
DARRELL ROQUEMORE, VICE CHAIR

I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2018, AT _____ O'CLOCK _____ M., AND DULY RECORDED ON _____, 2018, AT _____ O'CLOCK _____ M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

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

STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

CHERRY PINES SECTION 3

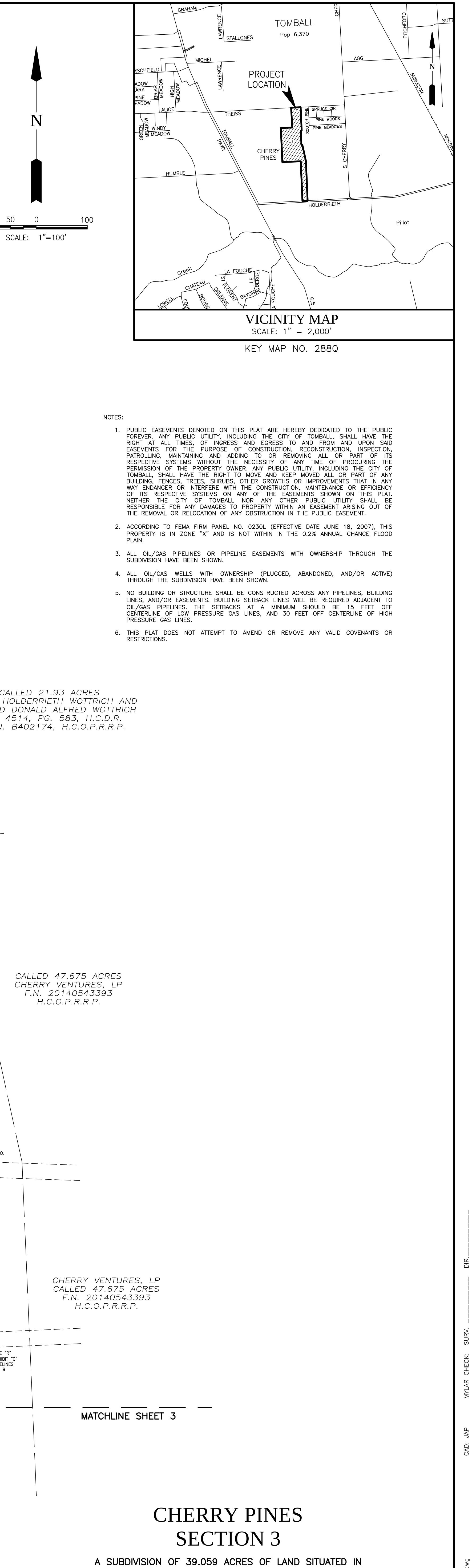
A SUBDIVISION OF 39.059 ACRES OF LAND SITUATED IN
THE CLAUDE N. PILOT SURVEY, ABSTRACT 632,
CITY OF TOMBALL, HARRIS COUNTY, TEXAS.

122 LOTS 5 RESERVES (9.538 ACRE) 3 BLOCKS
AUGUST 31, 2018 JOB NO. 2040-5209.315

OWNERS:
TOMBAL 39 PARTNERS, L.P.
14015 PARK DRIVE, SUITE 111, TOMBALL, TEXAS 77377-6287
PHONE: (281) 357-0800

SURVEYOR:
LJA Surveying, Inc.
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10194382

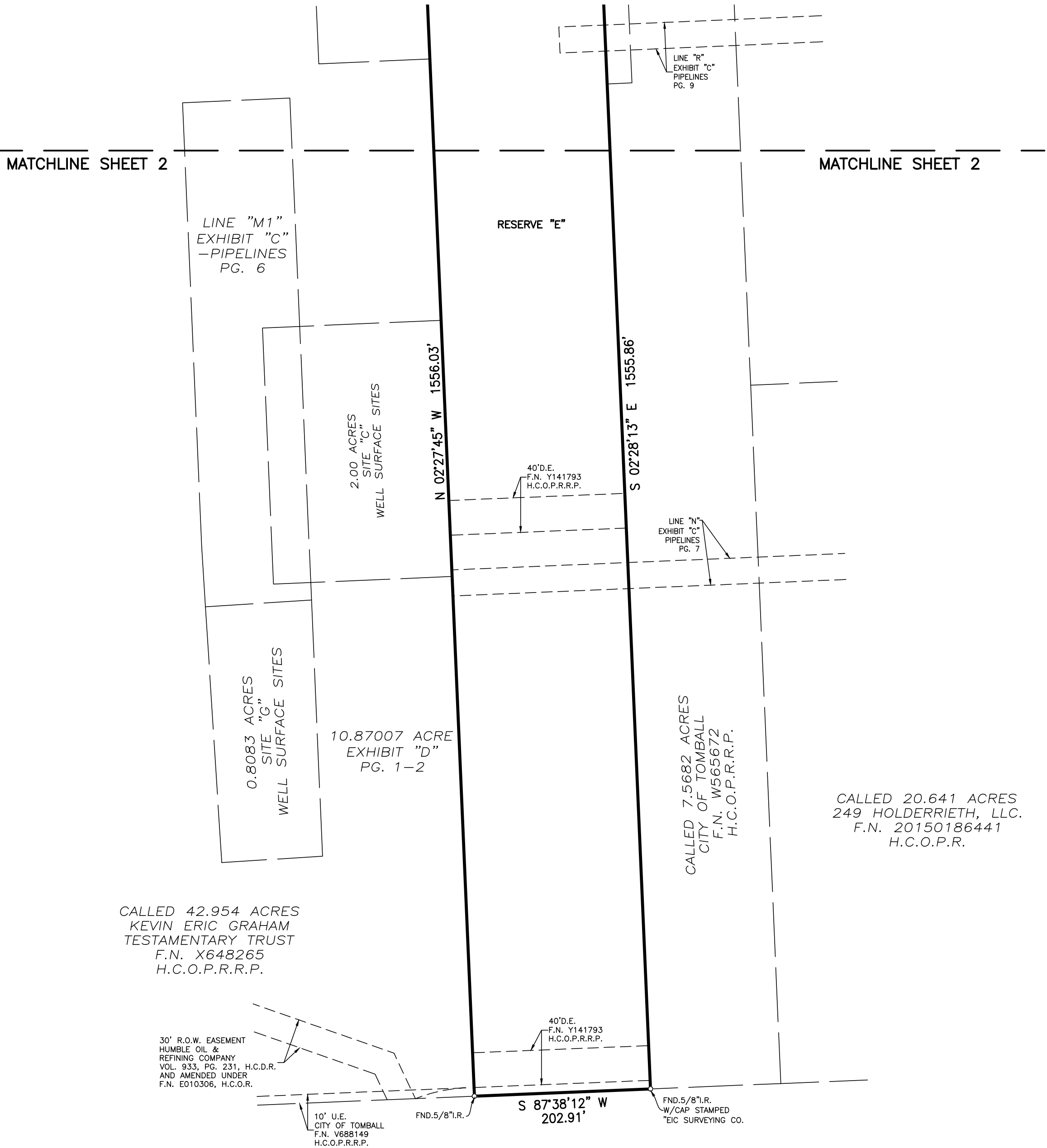
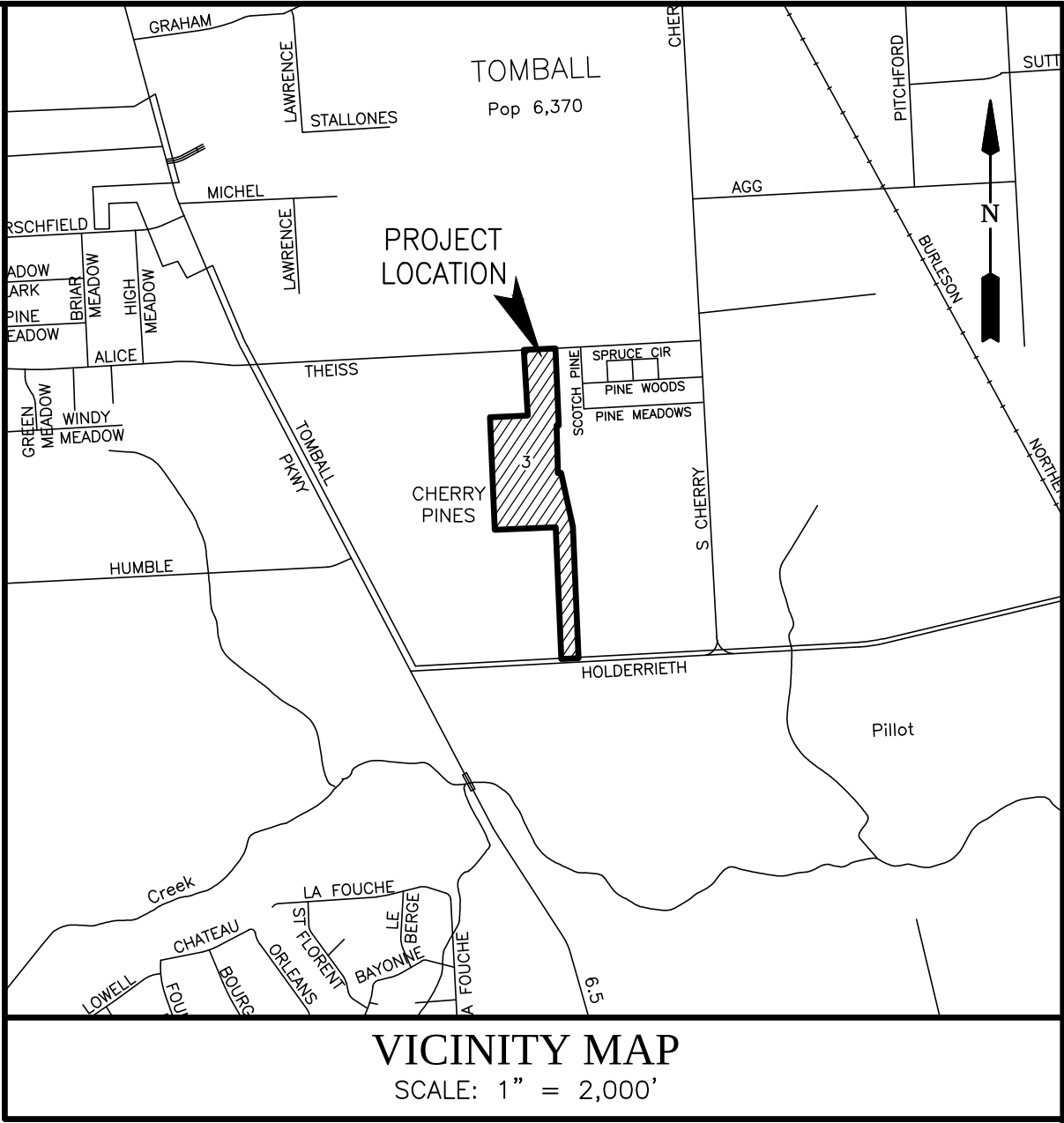
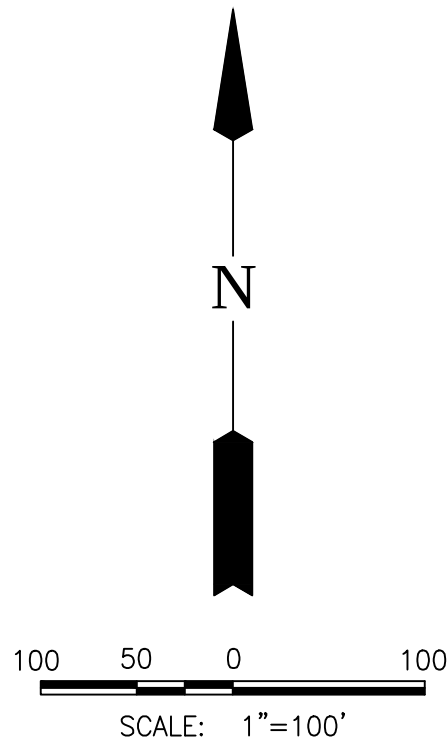
ENGINEER:
LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
FRN - F-1386



CHERRY PINES
SECTION 3
A SUBDIVISION OF 39.059 ACRES OF LAND SITUATED IN
THE CLAUDE N. PILLOT SURVEY, ABSTRACT 632,
CITY OF TOMBALL, HARRIS COUNTY, TEXAS.
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14015 PARK DRIVE, SUITE 111, TOMBALL, TEXAS 77377-6287
PHONE: (281) 357-0800

Date\Time : Fri, 31 Aug 2018 - 9:52am
Path\Name : I:\Projdsk1\PLATTING\2040\PREPLT\Cherry Pines 3_pp.dwg

- LEGEND
- B.L. INDICATES BUILDING LINE
D.E. INDICATES DRAINAGE EASEMENT
U.E. INDICATES UTILITY EASEMENT
S.S.E. INDICATES SANITARY SEWER EASEMENT
STM.S.E. INDICATES STORM SEWER EASEMENT
W.L.E. INDICATES WATER LINE EASEMENT
H.C.D.R. INDICATES HARRIS COUNTY DEED RECORDS
H.C.M.R. INDICATES HARRIS COUNTY MAP RECORDS
H.C.O.P.R.R.P. INDICATES HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
- RES. INDICATES RESERVE
+ INDICATES STREET NAME CHANGE
S.N. INDICATES SEE NOTE
F.N. INDICATES FILE NUMBER
(F) INDICATES FOUND 5/8" IRON ROD STAMPED "LJA SURVEY"
- R.O.W. INDICATES RIGHT-OF-WAY
C.O.T. INDICATES CITY OF TOMBALL



- 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 ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
 - ACCORDING TO FEMA FIRM PANEL NO. 0230L (EFFECTIVE DATE JUNE 18, 2007), THIS PROPERTY IS IN ZONE "X" AND IS NOT WITHIN IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
 - ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 - ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 - NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM 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.

RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	0.236	10,299	RESTRICTED TO LANDSCAPE/OPEN SPACE
B	0.051	2,216	RESTRICTED TO LANDSCAPE/OPEN SPACE
C	0.064	2,805	RESTRICTED TO LANDSCAPE/OPEN SPACE
D	1.375	59,896	RESTRICTED TO LANDSCAPE/OPEN SPACE
E	7.812	340,273	RESTRICTED TO OPEN SPACE
TOTAL	9.538	415,489	

**CHERRY PINES
SECTION 3**

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THE CLAUDE N. PILOT SURVEY, ABSTRACT 632,
CITY OF TOMBALL, HARRIS COUNTY, TEXAS.

122 LOTS 5 RESERVES (9.538 ACRE) 3 BLOCKS

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T.B.P.L.S. Firm No. 10194382

ENGINEER:
LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
FRN - F-1386

CITY OF TOMBALL

Plat Name: Cherry Pines Section 3 Plat Type: Preliminary

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

City Planning Commission Date: September 10, 2018

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 area accuracy and add lot area table.
- Locate missing title report easements.
- Add floodplain boundary and update floodplain note.
- Reference easement clerk file numbers.
- Dedicate ROW and utility easement along Holderrieth Road.
- Dedicate utility easement along School Street ROW dedication.
- Add sets and founds to ROW dedications.
- Update vicinity map.
- Correct typos.

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: September 10, 2018

Topic:

Consideration to Approve Replat of **COPPER COVE SEC 1 REPLAT NO. 1:** A subdivision of 13.1779 AC./574,029.00 SQ FT. situated in the J. Pruitt Survey, Abstract 639, City of Tomball, Harris County, Texas.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

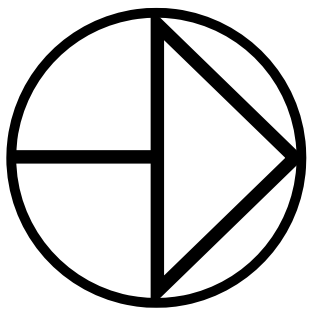
Engineering Division

ACTION TAKEN

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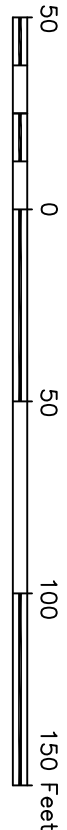
ATTACHMENTS:

Copper Cove Sec 1 Replat No. 1
Copper Cove Replat Comments



NORTH

GRAPHIC SCALE: 1" = 50'



LOT TABLE

LOT	SQARE FEET	ACREAGE	LOT	SQARE FEET	ACREAGE
1	6,335.76	0.1454	27	6,000.00	0.1377
2	6,000.00	0.1377	28	6,000.00	0.1377
3	6,113.82	0.1404	29	6,000.00	0.1377
4	8,314.01	0.1909	30	7,077.06	0.1625
5	10,891.60	0.2500	31	6,251.70	0.1435
6	7,781.60	0.1786	32	6,000.00	0.1377
7	6,000.01	0.1377	33	6,433.27	0.1477
8	6,000.00	0.1377	34	7,288.51	0.1676
9	6,000.00	0.1377	35	6,638.11	0.1524
10	6,000.00	0.1377	36	8,358.81	0.1919
11	6,000.00	0.1377	37	9,752.53	0.2239
12	6,000.00	0.1377	38	8,503.24	0.1952
13	6,000.01	0.1377	39	12,816.82	0.2942
14	7,550.72	0.1733	40	7,557.35	0.1735
15	13,061.25	0.2988	41	6,000.00	0.1377
16	8,735.76	0.2005	42	6,000.00	0.1377
17	9,913.10	0.2276	43	6,000.00	0.1377
18	8,445.62	0.1939	44	6,000.00	0.1377
19	6,665.43	0.1530	45	6,000.00	0.1377
20	7,311.06	0.1678	46	6,000.00	0.1377
21	6,437.41	0.1478	47	7,789.98	0.1788
22	6,000.00	0.1377	48	10,893.17	0.2501
23	6,245.17	0.1434	49	8,314.98	0.1909
24	7,670.82	0.1761	50	6,113.84	0.1404
25	6,600.00	0.1515	51	6,000.00	0.1377
26	6,600.00	0.1515	52	6,356.62	0.1455

RADIAL LOT WIDTH
AT SET BACK

LOT	DISTANCE
4	50.00'
6	50.00'
14	50.00'
15	50.00'
16	50.00'
17	50.00'
18	50.00'
35	50.00'
36	50.00'
37	50.00'
38	50.00'
47	50.00'
49	50.00'



RESERVE TABLE

DESCRIPTION	RESERVE USE	AREA
RESTRICTED RESERVE "A"	RESTRICTED TO LANDSCAPING, OPEN SPACE AND UTILITY USES	0.1506 ACRES / 6,559.75 SQ. FT.
RESTRICTED RESERVE "B"	RESTRICTED TO LANDSCAPING, RECREATION AND DETENTION USES	1.6171 ACRES / 70,440.88 SQ. FT.
RESTRICTED RESERVE "C"	RESTRICTED TO LANDSCAPING, OPEN SPACE AND UTILITY USES	0.1909 ACRES / 8,314.98 SQ. FT.
RESTRICTED RESERVE "D"	RESTRICTED TO LANDSCAPING, OPEN SPACE AND UTILITY USES	0.1377 ACRES / 6,000.00 SQ. FT.
TOTAL		2.0563 ACRES / 89,572.87 SQ. FT.

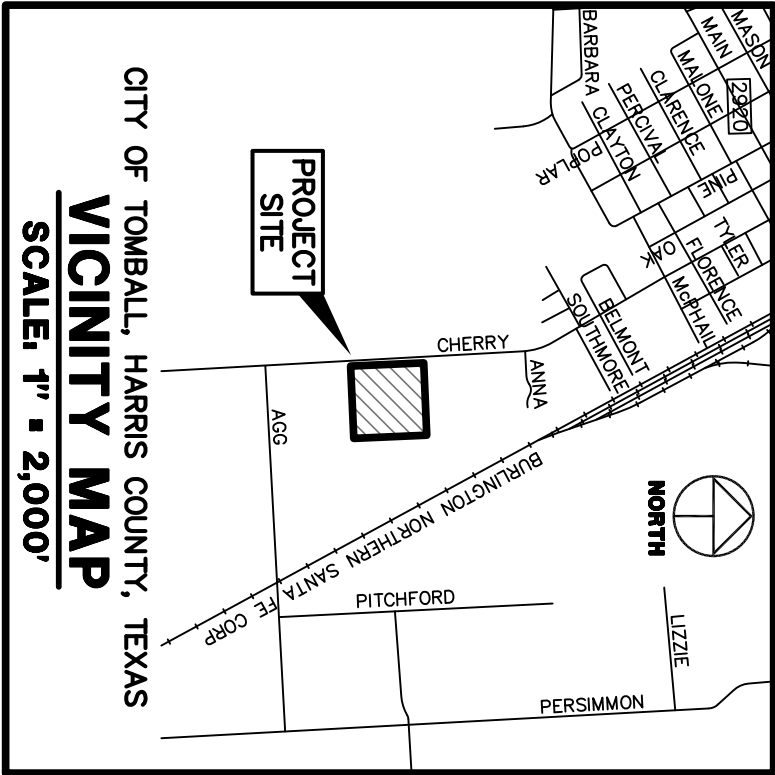
ABBREVIATIONS

R.O. - FOUND	Pg. - PAGE
H.C.C.F. - HARRIS COUNTY CLERK FILE	R.O.W. - RIGHT-OF-WAY
H.C.D.R. - HARRIS COUNTY DEED RECORDS	SQ. FT. - SQUARE FEET
H.C.M.R. - HARRIS COUNTY MAP RECORDS	VOL. - VOLUME
IP - IRON PIPE	ESMT. - EASEMENT
CO.TUE. - CITY OF TOMBALL UTILITY EASEMENT	U.E. - UTILITY EASEMENT
NO. - NUMBER	

LINE	BEARINGS	DISTANCE
1	S 47°29'51" E	53.00'
2	S 47°29'51" E	53.00'
3	N 42°32'22" E	53.00'
4	N 02°35'26" W	15.00'
5	N 42°30'09" E	14.14'
6	N 02°29'51" W	103.65'
7	S 47°29'51" E	14.14'
8	N 02°29'51" W	103.66'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	50.00'	90°02'28"	78.58'	S 42°31'23" W	70.742'
C2	50.00'	90°05'35"	78.62'	N 47°32'38" W	70.742'
C3	25.00'	90°00'00"	39.27'	S 47°29'51" E	35.36'
C4	25.00'	90°00'00"	39.27'	N 42°30'09" E	35.36'
C5	25.00'	24°36'07"	10.73'	S 14°47'54" E	10.65'
C6	50.00'	139°14'42"	121.51'	S 42°31'23" W	93.74'
C7	25.00'	24°36'07"	10.73'	N 80°09'18" W	10.65'
C8	25.00'	30°11'40"	13.17'	S 72°26'48" W	13.02'
C9	20.00'	27°15'28"	23.59'	N 81°22'54" E	68.32'
C10	25.00'	90°05'35"	78.62'	N 47°32'38" W	70.742'
C11	25.00'	90°02'28"	78.58'	N 42°31'23" E	70.742'
C12	25.00'	62°10'55"	27.13'	S 56°19'07" W	25.82'
C13	25.00'	90°05'35"	78.62'	N 47°32'38" W	70.742'
C14	50.00'	27°15'28"	23.59'	S 77°37'38" E	69.40'
C15	25.00'	29°55'35"	13.06'	S 77°37'38" E	12.91'
C16	25.00'	24°34'32"	10.72'	N 75°07'19" E	10.64'
C17	50.00'	139°14'39"	121.51'	S 47°32'38" E	93.74'
C18	25.00'	24°34'32"	10.72'	S 09°47'25" W	10.64'
C19	25.00'	90°00'00"	39.27'	N 47°29'51" W	35.36'
C20	25.00'	90°00'00"	39.27'	S 42°30'09" W	35.36'



COPPER COVE SEC 1
REPLAT NO. 1

A SUBDIVISION OF
13.1779 AC / 574.029.00 SQ. FT.
SITUATED IN THE
J. PRUITT SURVEY, ABSTRACT NO. 629
CITY OF TOMBALL
HARRIS COUNTY, TEXAS

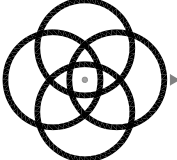
1 BLOCK 4 RESERVES 52 LOTS

AUGUST 2018

Owner
TOMBALL COPPER COVE, LLC,
A TEXAS LIMITED LIABILITY COMPANY

12402 NORMONT DR
HOUSTON TX 77005

Surveyor



WINDROSE
LAND SURVEYING & PLATTING

3200 WINCREST SUITE 225 I HOUSTON TX 77062 I 281.458.2281
FROM REGISTRATION NO. 10108800 I WINDROSESERVICES.COM

CITY OF TOMBALL

Plat Name: Copper Cove Sec 1 Replat No. 1 Plat Type: Replat

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

City Planning Commission Date: September 10, 2018

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:

- Remove building lines.
- Update vicinity map.

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: September 10, 2018

Topic:

Consideration to Approve Preliminary Plat of **H K PROPERTIES:** A subdivision of 2.5619 acres (111,594.74 SQ FT) of land, being Tract 49 situated in the Joseph Miller Survey, Abstact No. 50, City of Tomball ETJ, Harris County, Texas.

Background:

Origination:

Community Development Department

Recommendation:

Approval

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

Engineering Division

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
--	--	-------

ATTACHMENTS:

H K Properties Plat
H K Properties Comments

STATE OF TEXAS
COUNTY OF HARRIS

We, Keith B. Lacey and Howard W. Schwartz, Owners, hereinafter referred to as Owners of the 2.5619 acre tract described in the above and foregoing plat of H K PROPERTIES, 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 on the land so dedicated.

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

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

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners certify and covenant that they have complied with or will comply with existing Harris County Road Law, Section 31—C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioners' Court of Harris County.

Witness our hand, in Harris County, Texas, this ____ day of _____, 2018.

By: _____
Keith B. Lacey, Owner

By: _____
Howard W. Schwartz

STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2018

Notary Public in and for the State of Texas

My Commission expires:

STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2018

Notary Public in and for the State of Texas

My Commission expires:

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



Mary M. McKenzie
Mary M. McKenzie
Texas Registration No. 6123

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of H K PROPERTIES 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 _____, 2018.

By: _____
Barbara Tague
Chairman

By: _____
Darrell Roquemore
Vice Chairman

I, John R. Blount, County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage requirements.

John R. Blount, P.E., LEED AP
County Engineer

I, Stan Stanart, County Clerk of Harris County and ex officio clerk of the Harris County Commissioners' Court, do hereby certify that the within instrument was approved at a legally convened meeting of the Harris County Commissioners' Court held on _____, 2018 by an order entered into the minutes of the court.

Stan Stanart
County Clerk
of Harris County, Texas

By: _____
Deputy

I, Stan Stanart, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2018, at _____ o'clock __M., and duly recorded on _____, 2018, at _____ o'clock __M., and at Film Code Number _____ of the Map Records of Harris County for said county.

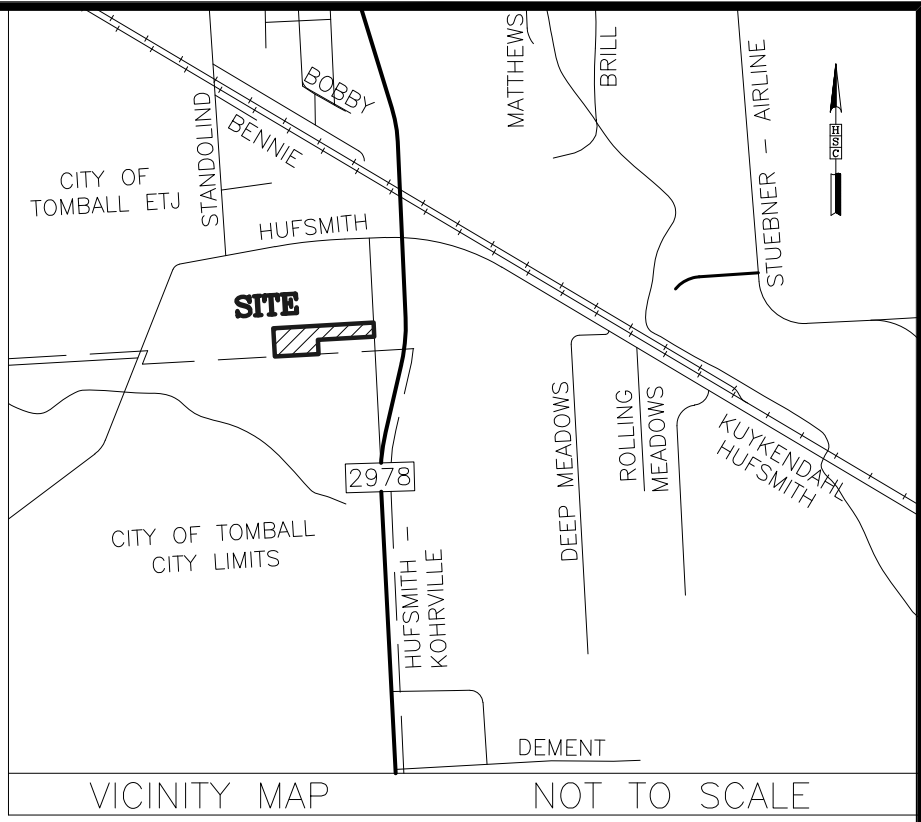
Witness my hand and seal of office, at Harris County, the day and date last above written.

Stan Stanart
County Clerk
of Harris County, Texas

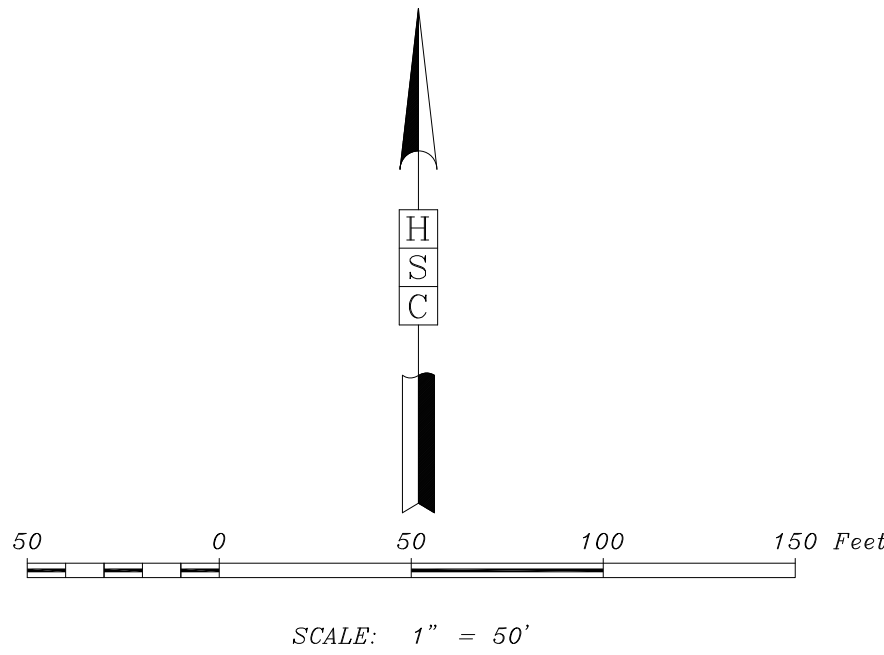
By: _____
Deputy

NOTES

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown or noted hereon.
- All oil/gas wells ownership (plugged, abandoned and/or active) through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- According to FEMA Firm Map Number 48201C0230L, Panel Number 480287 0230 L, (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- Bearing orientation based on Texas State Plane Coordinate Grid System of 1983 (South Central Zone No. 4204).
- The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor: 0.99995188.
- B.L. indicates Building Line, ETJ indicates Extra Territorial Jurisdiction, D.R.H.C. indicates Deed Records Harris County, F.C. indicates Film Code, H.C.C.F. indicates Harris County Clerk's File Number, M.R.H.C. indicates Map Records Harris County, SQ.FT. indicates Square Feet, S.S.E. indicates Sanitary Sewer Easement, STM, S.E. indicates Storm Sewer Easement, U.E. indicates Utility Easement, W.L.E. indicates Water Line Easement.
- The square footage shown hereon is based on a mathematically closed figure and does not indicate the accuracy of the survey.
- This plat requires compliance with landscaping requirements prior to occupancy of structures as mandated in "Regulations of Harris County, Texas for the Approval and Acceptance of Infrastructure."
- Site drainage plans for the future development of this reserve must be submitted to the Harris County Flood Control District and the Harris County Engineering Department.



KeyMap Page No. 249W



PRELIMINARY PLAT H K PROPERTIES

A SUBDIVISION OF 2.5619 ACRES
(111,594.74 SQ.FT.) OF LAND, BEING
TRACT 49 SITUATED IN THE JOSEPH
MILLER SURVEY, ABSTRACT NO. 50 CITY
OF TOMBALL ETJ, HARRIS COUNTY,
TEXAS
1 LOT 1 BLOCK

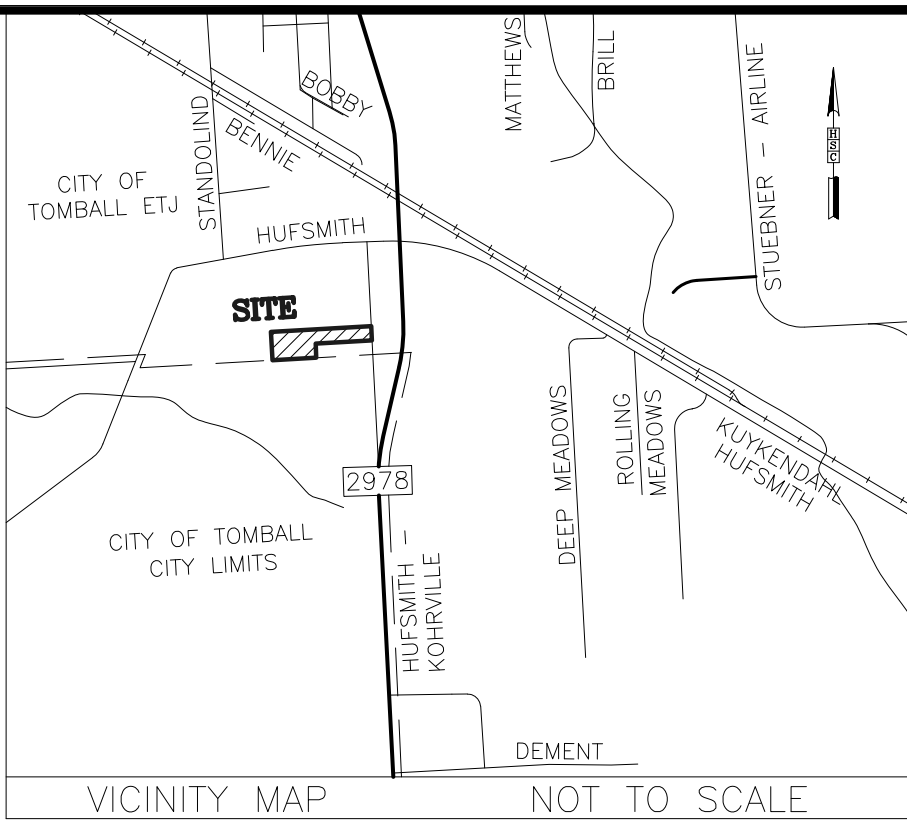
PREPARED BY:

H HOVIS
S SURVEYING
C COMPANY

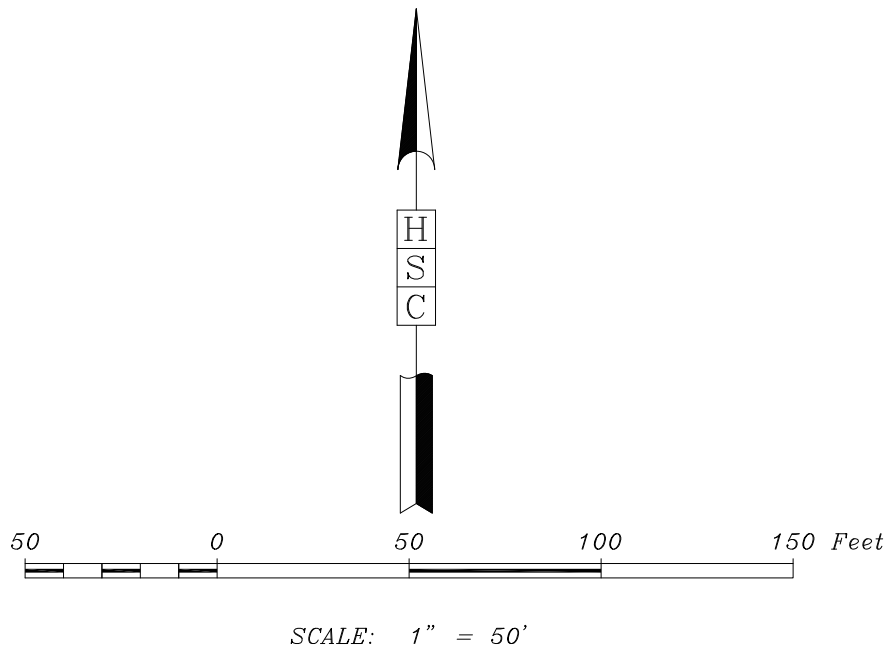
Land Surveys – Computer Mapping
5000 Cabbage – Spring, Texas 77379
(281) 320-9591 hovis@hovissurveying.com
Acreage – Residential – Industrial – Commercial
Texas Firm Registration No. 10030400

DATE: AUGUST 24, 2018 SCALE: 1" = 50' JOB NO. 18-051-00

SHEET 1 OF 2



KeyMap Page No. 249W



CHARLES JUNIOR SEBER and
BARBARA HIEDEN
CALLED 17.86753 ACRES
H.C.C.F. NO. 20150293104

PRELIMINARY PLAT H K PROPERTIES

A SUBDIVISION OF 2.5619 ACRES
(111,594.74 SQ.FT.) OF LAND, BEING
TRACT 49 SITUATED IN THE JOSEPH
MILLER SURVEY, ABSTRACT NO. 50 CITY
OF TOMBALL ETJ, HARRIS COUNTY,
TEXAS
1 LOT 1 BLOCK

PREPARED BY:

H HOVIS
S SURVEYING
C COMPANY

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

DATE: AUGUST 24, 2018 SCALE: 1" = 50' JOB NO. 18-051-00

OWNER:
KEITH B. LACEY & HOWARD W. SCHWARTZ
18531 HUFSMITH KOHRVILLE ROAD
TOMBALL, TEXAS 77375

SHEET 2 OF 2

CITY OF TOMBALL

Plat Name: HK Properties Plat Type: Preliminary

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

Plat within City Limits ☐ Within Extraterritorial Jurisdiction ☒

City Planning Commission Date: September 10, 2018

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.

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: September 10, 2018

Topic:

Consideration to Approve Replat of **TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 5 REPLAT**: A subdivision of 21.5547 AC./ 938,924.62 SQ. FT. Being a Replat of Lot 5, Block 1 of Tomball Business and Technology Park, Film Code No. 653007 H.C.M.R. in the Elizabeth Smith Survey, Abstract 70, City of Tomball, Harris County, Texas.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

Engineering Division

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

ATTACHMENTS:

Lot 5 Replat

Lot 5 Comments

STATE OF TEXAS
COUNTY OF HARRIS

We, Tomball Economic Development Corporation, acting by and through Gretchen Fagan, President of the Board of Directors, being an officer of Tomball Economic Development Corporation, owners hereinafter referred to as Owners (whether one or more) of the 21.5547 acre tract described in the above and foregoing map of TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 5 REPLAT, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10') perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14') perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16') perimeter ground easements, from a plane sixteen feet (16') above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10') for ten feet (10') back-to-back ground easements, or eight feet (8') for fourteen feet (14') back-to-back ground easements or seven feet (7') for sixteen feet (16') back-to-back ground easements, from a plane sixteen feet (16') above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30') in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

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, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; we further certify that no portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot.

IN TESTIMONY WHEREOF, Tomball Economic Development Corporation, has caused these presents to be signed by Gretchen Fagan, President of the Board of Directors, thereunto authorized, attested by the Secretary of the Board of Directors, W. E. (Bill) Sumner, Jr., and its common seal hereunto affixed this _____ day of _____, 2018.

Tomball Economic Development Corporation

By: _____
Gretchen Fagan
President of the Board of Directors

Attest: _____
W. E. (Bill) Sumner, Jr.
Secretary of the Board of Directors

STATE OF TEXAS
COUNTY OF HARRIS

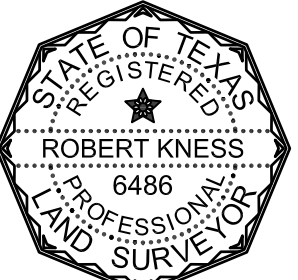
BEFORE ME, the undersigned authority, on this day personally appeared Gretchen Fagan and W. E. (Bill) Sumner, Jr., President and Secretary of the Board of Directors of Tomball Economic Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgement 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 _____, 2018.

Notary Public in and for the
State of Texas

My Commission Expires:

I, Robert Kness, 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 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 (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.



Robert Kness
Registered Professional Land Surveyor
Texas Registration No. 6486

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of TOMBALL BUSINESS AND TECHNOLOGY PARK REPLAT LOT 5 REPLAT 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 _____, 2018.

By: _____
Barbara Teague
Chairman

By: _____
Darrell Roquemore
Vice Chairman

ABBREVIATIONS

A.E. — AERIAL EASEMENT
D.E. — DRAINAGE EASEMENT
ESMT. — EASEMENT
FND — FOUND
H.C.C.F. — HARRIS COUNTY CLERK FILE
H.C.D.R. — HARRIS COUNTY DEED RECORDS
H.C.M.R. — HARRIS COUNTY MAP RECORDS
IP — IRON PIPE
IR — IRON ROD
NO. — NUMBER
PG. — PAGE
R.O.W. — RIGHT-OF-WAY
SQ. FT. — SQUARE FEET
VOL. — VOLUME
B.L. — BUILDING LINE
W.L.E. — WATER LINE EASEMENT
S.S.E. — SANITARY SEWER EASEMENT
C.T.U.E. — CITY OF TOMBALL UTILITY EASEMENT

DESCRIPTION

A TRACT OR PARCEL CONTAINING 16.90 ACRES OR 736,164 SQUARE FEET OF LAND, BEING OUT OF AND PART OF LOT 5 OF TOMBALL BUSINESS AND TECHNOLOGY PARK, MAP OR PLAT THEREOF RECORDED UNDER FILM CODE (F.C.) NO. 653006 OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.), CONVEYED TO TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION, AS RECORDED UNDER HARRIS COUNTY CLERK FILE (H.C.C.F.) NO. 20120018139, SITUATED IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, HARRIS COUNTY, TEXAS, WITH SAID 16.90 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT A CAPPED 5/8 INCH IRON ROD STAMPED "McKIM & CREED" FOUND ON THE NORTH RIGHT OF WAY (R.O.W.) LINE OF HOLDERRIETH ROAD, 80 FEET WIDE, FOR THE SOUTHEAST CORNER OF A CALLED 170 FEET WIDE DRAINAGE EASEMENT AS SHOWN ON SAID TOMBALL BUSINESS AND TECHNOLOGY PARK, THE SOUTHWEST CORNER OF SAID LOT 5, AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 28 DEG. 04 MIN. 02 SEC. WEST, ALONG THE EAST LINE OF SAID DRAINAGE EASEMENT, A DISTANCE OF 1,031.36 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 61 DEG. 55 MIN. 58 SEC. EAST, OVER AND ACROSS SAID LOT 5, A DISTANCE OF 637.58 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE SOUTHWEST R.O.W. OF SOUTH PERSIMMON STREET, WIDTH VARIES, AS RECORDED UNDER F.C. NO. 653006, H.C.M.R., FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE SOUTHWEST R.O.W. OF SAID SOUTH PERSIMMON STREET THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 960.00 FEET, A CENTRAL ANGLE OF 43 DEG. 34 MIN. 50 SEC., AN ARC LENGTH OF 103.12 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 15 MIN. 27 SEC. EAST, 102.96 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 11 DEG. 08 MIN. 52 SEC., AN ARC LENGTH OF 103.12 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 15 MIN. 27 SEC. EAST, 102.96 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 11 DEG. 08 MIN. 52 SEC., AN ARC LENGTH OF 103.12 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 15 MIN. 27 SEC. EAST, 102.96 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A POINT OF TANGENCY;

SOUTH 08 DEG. 49 MIN. 53 SEC. EAST, A DISTANCE OF 172.52 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE NORTHEAST END OF A CUTBACK AT THE INTERSECTION OF THE WEST R.O.W. LINE OF SAID SOUTH PERSIMMON STREET, AND THE NORTH R.O.W. LINE OF SAID HOLDERRIETH ROAD;

THENCE, SOUTH 36 DEG. 10 MIN. 07 SEC. WEST, ALONG SAID CUTBACK, A DISTANCE OF 35.36 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHWEST END OF SAID CUTBACK;

THENCE, SOUTH 81 DEG. 10 MIN. 07 SEC. WEST, ALONG THE NORTH R.O.W. LINE OF SAID HOLDERRIETH ROAD, A DISTANCE OF 481.76 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.90 ACRES OR 736,164 SQUARE FEET OF LAND.

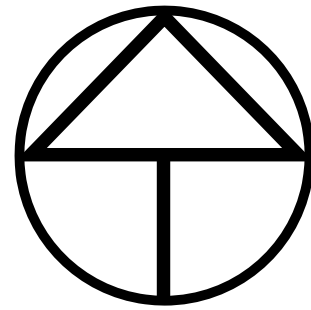
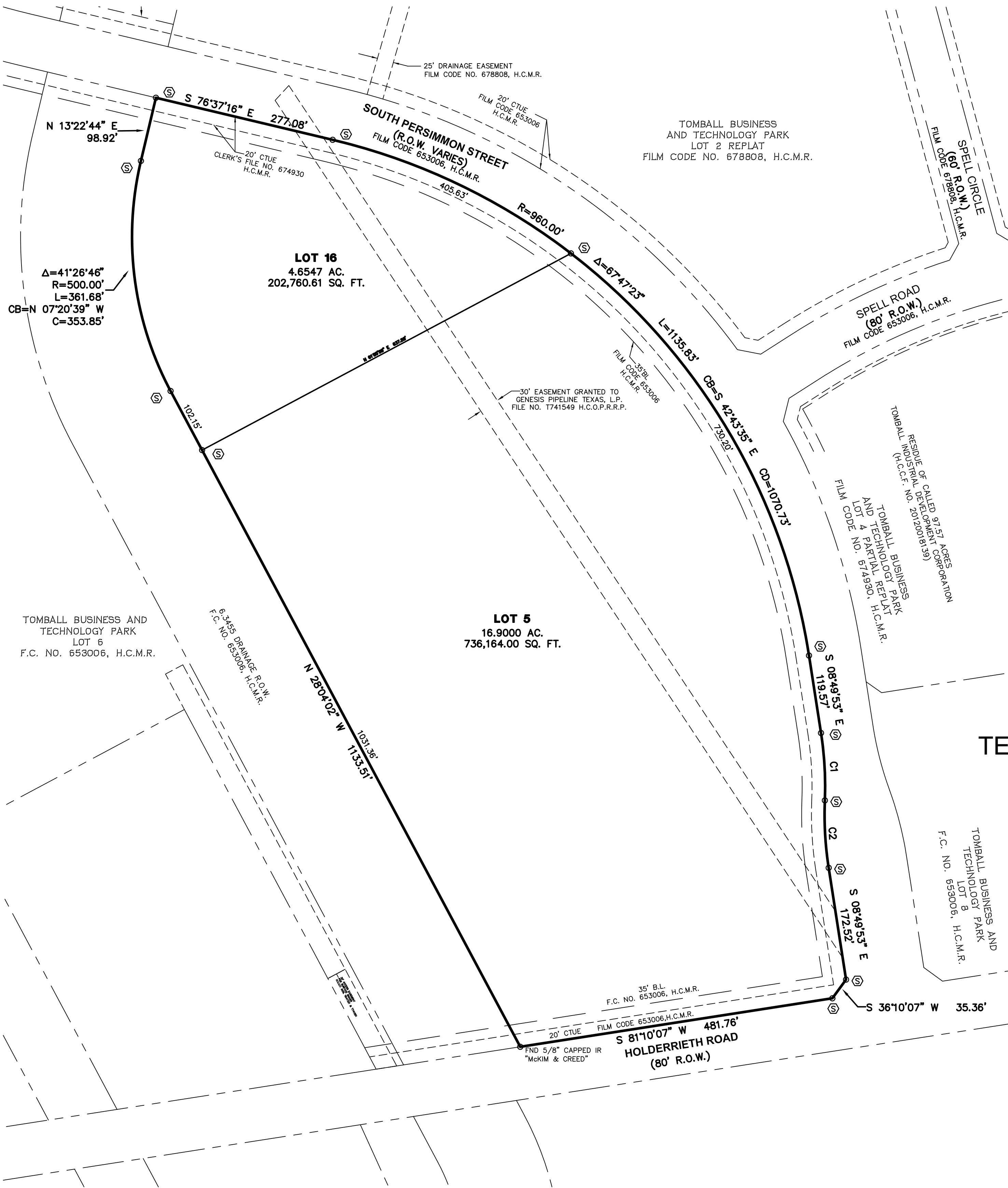
I, Stan Stanart, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2018, at _____ o'clock____M., and duly recorded on _____, 2018, at _____ o'clock____M., and at Film Code No. _____ of the Map Records of Harris County for said county.

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

Stan Stanart
County Clerk
of Harris County, Texas

By: _____
Deputy

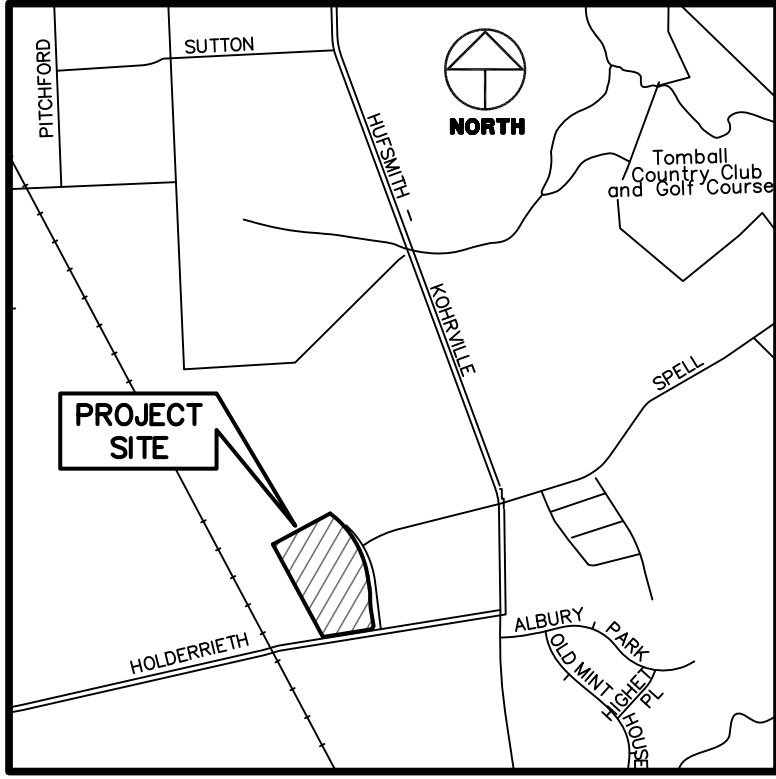
CURVE CHART					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	530.00'	11°08'52"	103.12'	S 03°15'27" E	102.96'
C2	530.00'	11°08'52"	103.12'	S 03°15'27" E	102.96'



NORTH

GRAPHIC SCALE: 1" = 100'

100 0 100 200 300 Feet



CITY OF TOMBALL, HARRIS COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

GENERAL NOTES

- SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN CITY PLANNING LETTER NO. 2018-0240 OF CHARTER TITLE COMPANY, DATED JUNE 18, 2018, AND IS SUBJECT TO THE LIMITATIONS OF THAT COMMITMENT.
- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.999942131.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- ALL OIL/GAS WELLS (PLUGGED, ABANDONED, AND/OR ACTIVE) WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- 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 THE CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF THE CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE AND VALID COVENANTS OR RESTRICTIONS.
- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY 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 ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 48201C0230L REVISED/DATED JUNE 18, 2007, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.

TOMBALL BUSINESS AND TECHNOLOGY PARK LOT 5 REPLAT

A SUBDIVISION OF
21.5547 AC. / 938,924.62 SQ. FT.
BEING A REPLAT OF LOT 5, BLOCK 1 OF TOMBALL
BUSINESS AND TECHNOLOGY PARK,
FILM CODE NO. 653007 H.C.M.R.,
IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

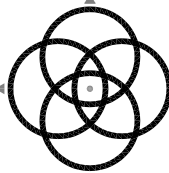
1 BLOCK 2 LOTS

AUGUST 2018

Owner

Tomball Economic
Development Corporation
29201 Quinn Road
Tomball TX 77375
281-401-4086

Surveyor



WINDROSE
LAND SURVEYING | PLATTING

11111 RICHMOND AVE., SUITE 150 | HOUSTON, TX 77082 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | 1 WINDROSESERVICES.COM

CITY OF TOMBALL

Plat Name: Tomball Business and Technology Park Lot 5 Replat Plat Type: Replat

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

City Planning Commission Date: September 10, 2018

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:

- Remove building lines.
- Correct title report note.
- Update adjacent lot lines per the lot 9 replat.
- Correct typos.

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: September 10, 2018

Topic:

Consideration to Approve Preliminary Plat of **WILLOW CREEK CAMPUS SECTION 1:** Being a subdivision of 199.3015 acres (8,681,571.85) in the Chauncey Goodrich Survey, Abstract No. 305 and the Sam Lewis Survey, Abstract No. 1704, City of Tomball, Harris County, Texas.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

Engineering Division

ACTION TAKEN

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

Willow Creek Campus Section 1 Plat
Willow Creek Comments

STATE OF TEXAS

COUNTY OF HARRIS

WE, HARRIS COUNTY ACTING BY AND THROUGH ED EMMETT, COUNTY JUDGE, PURSUANT TO AN ORDER OF COMMISSIONERS' COURT DATED _____, 2018, HEREINAFTER REFERRED TO AS OWNERS OF THE 199.3015 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF WILLOW CREEK CAMPUS SECTION 1 DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL 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.

FURTHER,OWNERS CERTIFY AND COVENANT THAT THEY HAVE COMPLIED WITH OR WILL COMPLY WITH EXISTING HARRIS COUNTY ROAD LAW, SECTION 31-C AS AMENDED BY CHAPTER 614, ACTS OF 1973, 63RD LEGISLATURE AND ALL OTHER REGULATIONS HERETOFORE ON FILE WITH THE HARRIS COUNTY ENGINEER AND ADOPTED BY THE COMMISSIONERS' COURT OF HARRIS COUNTY.

IN TESTIMONY WHEREOF, HARRIS COUNTY, HAS CAUSED THESE PRESENTS TO ME SIGNED BY ED EMMETT, COUNTY JUDGE, THEREUNTO AUTHORIZED THIS ____DAY OF _____, 2018.

HARRIS COUNTY

BY: _____
ED EMMETT
COUNTY JUDGE

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ED EMMETT, COUNTY JUDGE, KNOWN TO ME TO BE HE WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE 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 CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINTED NAME

MY COMMISSION EXPIRES _____

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF WILLOW CREEK CAMPUS SECTION 1, IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCE OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ____DAY OF _____, 2018.

BY: _____
BARBARA TAGUE, CHAIRMAN

BY: _____
DARRELL ROQUEMORE, VICE CHAIRMAN

WE, THE CITY MANAGER AND THE CITY ENGINEER FOR THE CITY OF TOMBALL, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE THE CITY OF TOMBALL ORDINANCE.

BY: _____ BY: _____
GEORGE SHACKLEFORD CRAIG T. MEYERS, P.E. C.F.M.
CITY MANAGER COMMUNITY DEVELOPMENT DIRECTOR

THIS IS TO CERTIFY THAT THE CITY OF TOMBALL ACCEPTS THE PLANNING AND ZONING COMMISSION AUTHORIZED AND ACCEPTANCE OF ALL DEDICATED EASEMENTS 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 _____, 2018.

BY: _____ BY: _____
GRETCHEN FAGAN, MAYOR DORIS SPEER, CITY SECRETARY

I, STAN STANART, CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON ____ 2018, AT O'CLOCK __M., AND DULY RECORDED ON ____ 2018 AT O'CLOCK __M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

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

STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

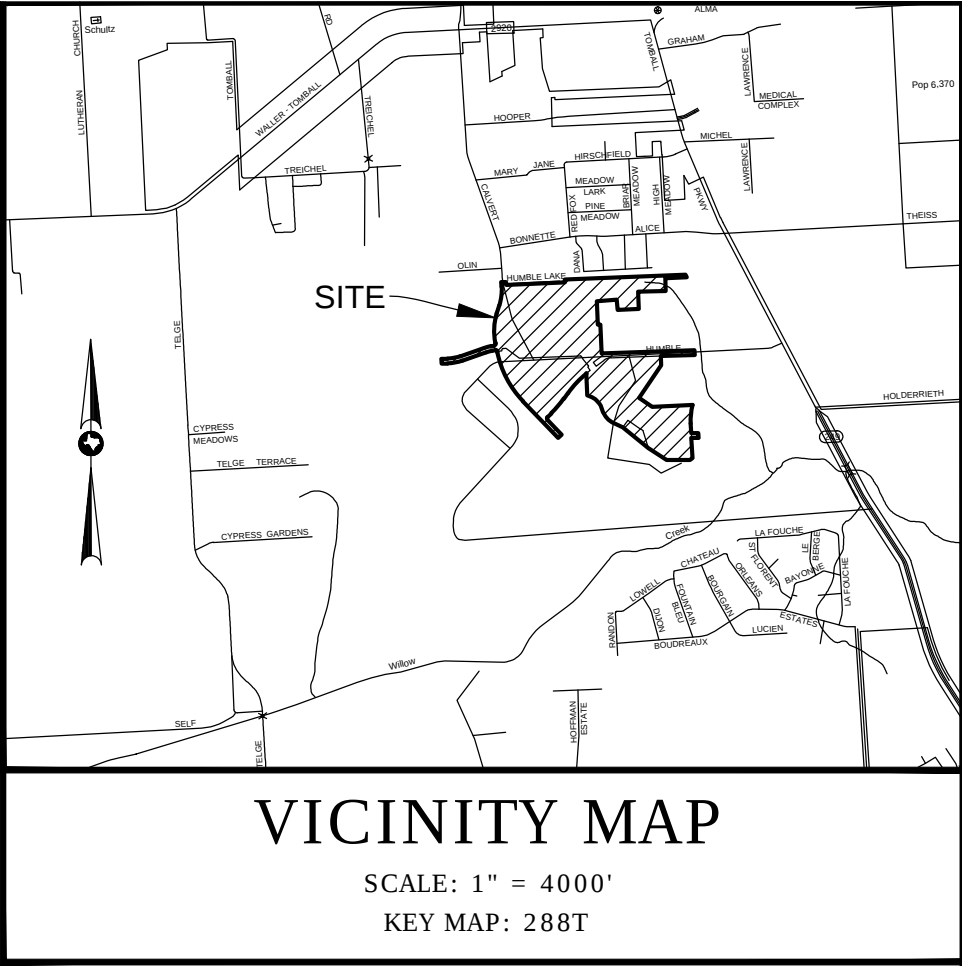
BY: _____
DEPUTY

I, ROGER FRANKLIN DORR, 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 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 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 (UNLESS NOTED OTHERWISE) AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

ROGER FRANKLIN DÖRR
TEXAS REGISTRATION NO. 5228

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. 48201C0210L,EFFECTIVE DATE JUNE 18, 2007, THIS PROPERTY IS IN ZONE "X" UNSHADED, ZONE "X" SHADED, ZONE "AE" AND ZONE "AE" (ZONE "AE"(FLOODWAY)).
- ALL OIL/GAS PIPELINES OR PIPELINE WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THIS SURVEYOR.
- ALL OIL/GAS WELLS WITH OWNERSHIP PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THIS SURVEYOR.
- 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 16 FEET OFF THE CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF THE CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- THE COORDINATES SHOWN HERON ARE GRID AND ARE BASED ON THE TEXAS COORDINATE SYSTEM (NAD83), SOUTH CENTRAL ZONE NO. 4204, DISTANCES SHOWN HERON ARE SURFACE. TO CONVERT TO GRID MULTIPLY BY A COMBINED PROJECT SCALE FACTOR OF 0.9999412773.
- THIS PLAT REQUIRES COMPLIANCE WITH LANDSCAPING REQUIREMENTS PRIOR TO OCCUPANCY OF STRUCTURES AS MANDATED IN "REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE".
- A ONE-FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE PUBLIC STREET AND THE ADJACENT ACREAGE, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ACREAGE IS PLATTED AND APPROVED BY THE CITY PLANNING COMMISSION, THE ONE-FOOT RESERVE SHALL AUTOMATICALLY BE VACATED AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS.
- ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL CENTERPOINT ENERGY AND CITY OF HOUSTON UTILITY EASEMENTS MUST BE KEPT UNOBSTRUCTED BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY THE UTILITY AT THE PROPERTY OWNER'S EXPENSE.
- SUBJECT TO RESTRICTIONS AND BUILDING SETBACK LINES AS SET FORTH IN C.C.F. 20140026155, 20120151682, 20100015879, AND RP-2016-494098 O.P.R.R.P. H.C.T..
- SUBJECT TO AN EASEMENT TO HUMBLE PIPELINE CO. (H.C.C.F D256089 O.P.R.R.P. H.C.T.) WHICH IS NOT SHOWN ON THE SURVEY.
- SUBJECT TO AN EASEMENT TO MAGNOLIA PIPELINE CO. (VOL. 961, PG. 516 H.C.D.R.) WHICH IS NOT SHOWN ON THE SURVEY. (BLANKET).
- LOCATIONS PROVIDED BY THE RAILROAD COMMISSION OF TEXAS PUBLIC GIS VIEWER. LOCATIONS WERE FIELD SEARCHED BUT NO WELL LOCATION, I.E. PLUG, CASING, ETC., HAS BEEN FOUND.



VICINITY MAP

SCALE: 1" = 4000'
KEY MAP: 288T

ABBREVIATIONS LEGEND

I.R.	IRON ROD
■	FOUND 5/8-INCH IRON ROD WITH CAP STAMPED "BASELINE CORPORATION"
□	FOUND 5/8-INCH IRON ROD WITH CAP STAMPED "HOVIS"
○	FOUND 5/8-INCH IRON ROD WITH CAP STAMPED "HARRIS COUNTY"
●	FOUND 3/4-INCH IRON ROD WITH CAP STAMPED "HARRIS COUNTY"
C.C.F.	COUNTY CLERK'S FILE
M.R. H.C.T.	MAP RECORDS OF HARRIS COUNTY, TEXAS
D.R. H.C.T.	DEED RECORDS OF HARRIS COUNTY, TEXAS
O.P.R.R.P. H.C.T.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
R.O.W.	RIGHT OF WAY
S.F.	SQUARE FEET
W/	WITH
SAN. SEW.	SANITARY SEWER
STM. SEW.	STORM SEWER
ESMT.	EASEMENT

WILLOW CREEK CAMPUS
SECTION 1

BEING A SUBDIVISION OF 199.3015 ACRES (8,681,571.85 SQ.FT.)
IN THE CHAUNCEY GOODRICH SURVEY, ABSTRACT NO. 305
AND THE SAM LEWIS SURVEY, ABSTRACT NO. 1704
CITY OF TOMBALL
HARRIS COUNTY, TEXAS

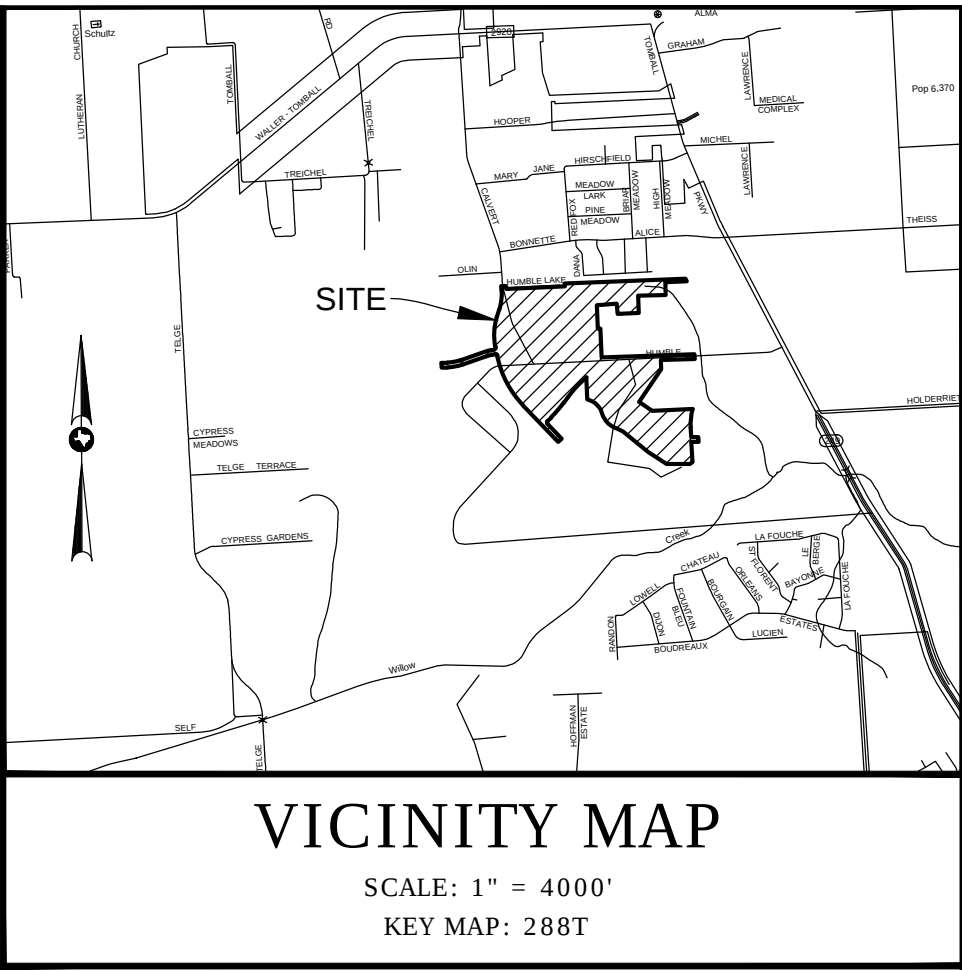
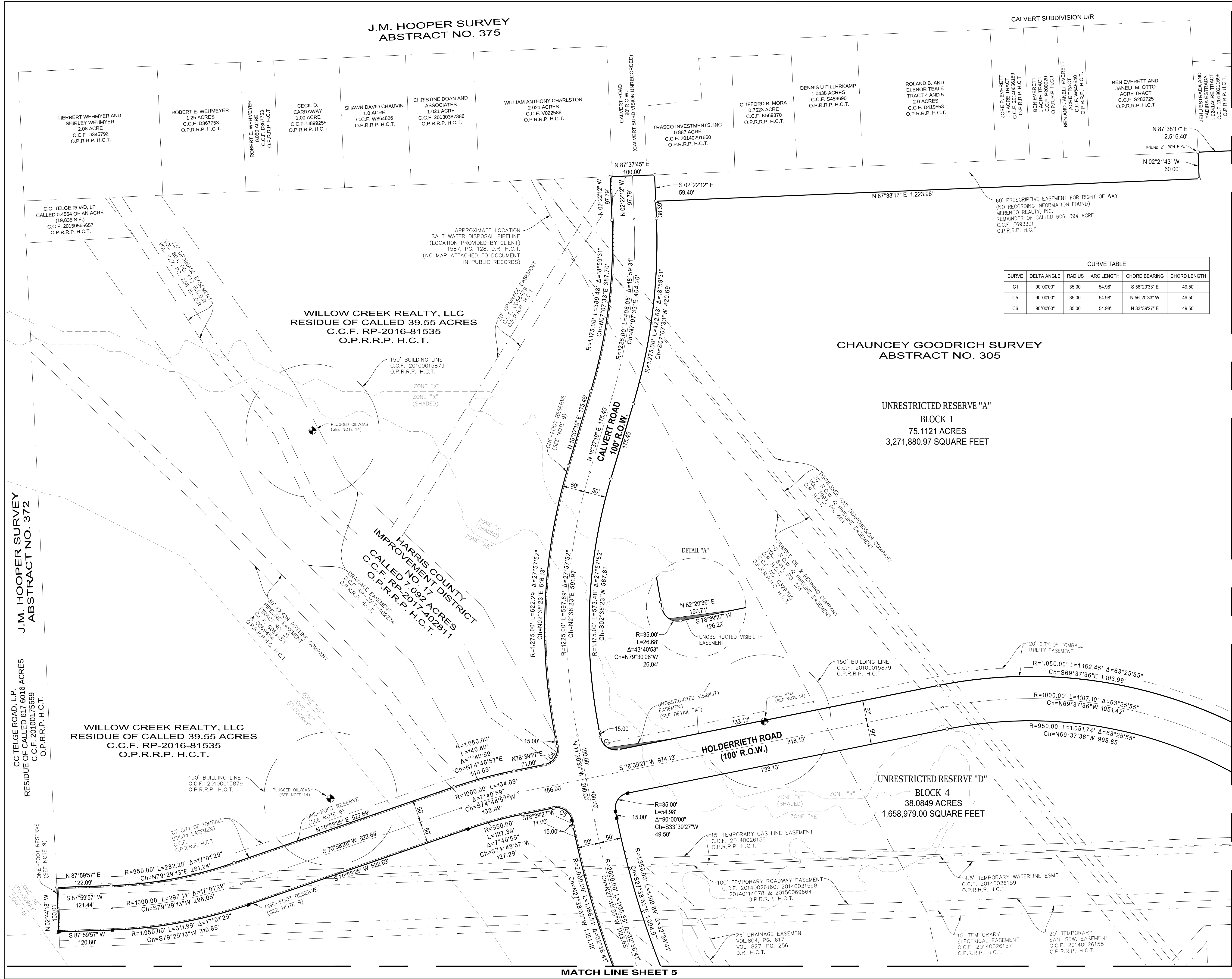
CONTAINING: 4 BLOCKS AND 4 RESERVES

SCALE: 1"=100' DATE: AUGUST 2018

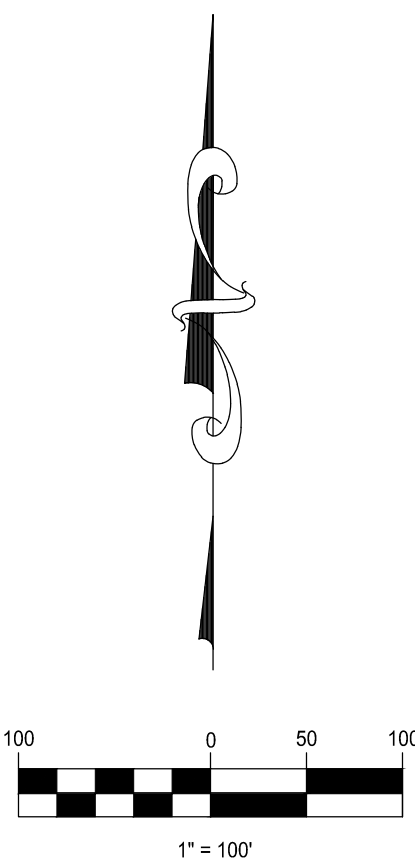
~OWNER~
COUNTY OF HARRIS
ADDRESS: 1001 PRESTON
HOUSTON, TEXAS 77002
PH: 713-755-5370

~ ENGINEER/SURVEYOR ~
HARRIS COUNTY ENGINEERING DEPARTMENT
10555 NORTHWEST FREEWAY
HOUSTON, TX 77092
ROGER FRANKLIN DORR, R.P.L.S.
713-274-3739
JOB NO. 162-144

PAGE 1 OF 5



VICINITY MAP
SCALE: 1" = 4000'
KEY MAP: 288T



MATCH LINE SHEET 3

WILLOW CREEK CAMPUS SECTION 1

BEING A SUBDIVISION OF 199.3015 ACRES (8,681,571.85 SQ.FT.)
IN THE CHAUNCEY GOODRICH SURVEY, ABSTRACT NO. 305
AND THE SAM LEWIS SURVEY, ABSTRACT NO. 1704
CITY OF TOMBALL
HARRIS COUNTY, TEXAS
CONTAINING: 4 BLOCKS AND 4 RESERVES
SCALE: 1"=100' DATE: AUGUST 2018

~OWNER~
COUNTY OF HARRIS
ADDRESS: 1001 PRESTON
HOUSTON, TEXAS 77002
PH: 713-755-5370

~ENGINEER/SURVEYOR~
HARRIS COUNTY ENGINEERING DEPARTMENT
10555 NORTHWEST FREEWAY
HOUSTON, TX 77092
ROGER FRANKLIN DORR, R.P.L.S.
713-274-3739
JOB NO. 162-144

PAGE 2 OF 5

WILLOWCREEK RANCH SEC 9
FILM CODE NO. 680721
M.R. H.C.T.

J.M. HOOPER SURVEY
ABSTRACT NO. 372

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C4	90°00'00"	30.00'	47.12'	S 88°57'14" E	42.43'

MATCH LINE SHEET 1

APPROXIMATE LOCATION
SALT WATER DISPOSAL PIPELINE
(LOCATION PROVIDED BY CLIENT)
1587, PG. 128, D.R. H.C.T.
(NO MAP ATTACHED TO DOCUMENT
IN PUBLIC RECORDS)

UNRESTRICTED RESERVE "D"
BLOCK 4
38.0849 ACRES
1,658,979.00 SQUARE FEET

30' EXXON PIPELINE COMPANY
PIPELINE EASEMENT
(PRACT. NO. 2)
C.C.F. 20060454
O.P.R.R.P. H.C.T.

25' DRAINAGE EASEMENT
VOL. 804, PG. 617
D.R. H.C.T. PG. 256

30' EXXON PIPELINE COMPANY
PIPELINE EASEMENT
(PRACT. NO. 2)
C.C.F. 20060454
O.P.R.R.P. H.C.T.

R=2,040.00'
L=614.94'
Δ=17°16'17"
Ch=N43°27'14"E
612.62'

R=2,000.00'
L=602.89'
Δ=17°16'17"
Ch=S43°27'14"W
600.61'

141.87'
MABORS PARKWAY
(80' R.O.W.)
S 34°40'05" W 141.87'

150' BUILDING LINE
C.C.F. 20100015879
O.P.R.R.P. H.C.T.

PLUGGED OLD DRAIN
(SEE NOTE 9)

R=30.00'
L=47.12'
Δ=90°00'00"
Ch=S01°02'46"W
42.43'

ONE-FOOT RESERVE
(SEE NOTE 9)

ONE-FOOT RESERVE
(SEE NOTE 9)

ONE-FOOT RESERVE
(SEE NOTE 9)

ONE-FOOT RESERVE
(SEE NOTE 9)

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(SEE NOTE 9)

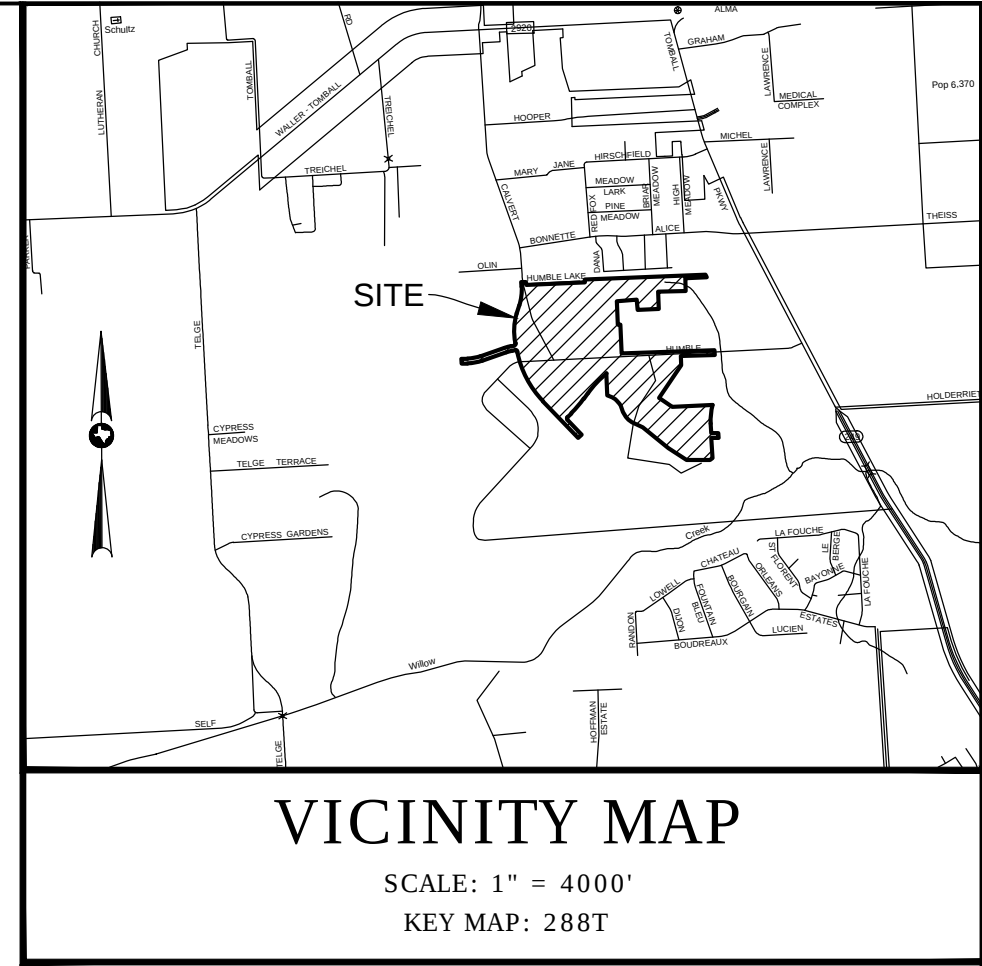
ONE-FOOT RESERVE
(SEE NOTE 9)

ONE-FOOT RESERVE
(SEE NOTE 9)

ONE-FOOT RESERVE
(SEE NOTE 9)

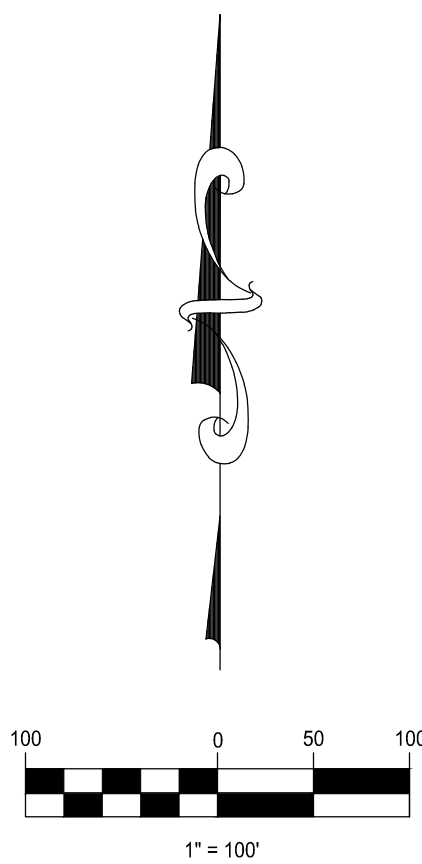
ONE-FOOT RESERVE
(SEE NOTE 9)

ONE-FOOT RESERVE
(SEE NOTE 9)



VICINITY MAP

SCALE: 1" = 4000'
KEY MAP: 288T



NABORS PROPERTY HOLDINGS, II, LLC
CALLED 171.87 ACRES
C.C.F. 20160007046
O.P.R.R.P. H.C.T.

CHAUNCEY GOODRICH SURVEY
ABSTRACT NO. 305

APPROXIMATE LOCATION
SALT WATER DISPOSAL PIPELINE
(LOCATION PROVIDED BY CLIENT)
1587, PG. 128, D.R. H.C.T.
(NO MAP ATTACHED TO DOCUMENT
IN PUBLIC RECORDS)

25' DRAINAGE EASEMENT
VOL. 804, PG. 617
D.R. H.C.T. PG. 256

WILLOW CREEK CAMPUS SECTION 1

BEING A SUBDIVISION OF 199.3015 ACRES (8,681,571.85 SQ.FT.)
IN THE CHAUNCEY GOODRICH SURVEY, ABSTRACT NO. 305
AND THE SAM LEWIS SURVEY, ABSTRACT NO. 1704
CITY OF TOMBALL
HARRIS COUNTY, TEXAS
CONTAINING: 4 BLOCKS AND 4 RESERVES

SCALE: 1"=100' DATE: AUGUST 2018

~OWNER~
COUNTY OF HARRIS
ADDRESS: 1001 PRESTON
HOUSTON, TEXAS 77002
PH: 713-755-5370

~ENGINEER/SURVEYOR~
HARRIS COUNTY ENGINEERING DEPARTMENT
10555 NORTHWEST FREEWAY
HOUSTON, TX 77062
ROGER FRANKLIN DORR, R.P.L.S.
713-274-3739
JOB NO. 162-144

PAGE 5 OF 5

CITY OF TOMBALL

Plat Name: Willow Creek Campus Section 1 Plat Type: Preliminary

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

City Planning Commission Date: September 10, 2018

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:

- Remove unnecessary signature blocks and note.
- Include 20' City of Tomball utility easements along right of ways.
- Add one foot contours.
- Add existing improvements and utilities.
- Update vicinity map.
- Correct typos.

Community Development recommends approval of this plat with contingencies.

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: September 10, 2018

Topic:

Consideration to Approve **Zoning Case P18-130**: Request by Greg Breau for a Conditional Use Permit to operate a *Mobile Food Court* on approximately 3.39 acres of land legally described as Lot 1A Block 1 Parkway Oasis 3rd Replat, generally located on the west side of Business 249 between Hirschfield Road and Alice Road and zoned General Retail District.

- Conduct Public Hearing on **Zoning Case P18-030**

Background:

Origination:

Community Development Department

Recommendation:

Approval

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

Planning Division

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

ATTACHMENTS:

Notice of Public Hearing

Property Owner Notification

P18-130 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
SEPTEMBER 10, 2018
&
CITY COUNCIL
SEPTEMBER 17, 2018**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, September 10, 2018, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, September 17, 2018, 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 P18-130: Request by Greg Breau for a Conditional Use Permit to operate a *Mobile Food Court* on approximately 3.39 acres of land legally described as Lot 1A Block 1 Parkway Oasis 3rd Replat, generally located on the west side of Business 249 between Hirschfield Road and Alice Road and zoned General Retail District.

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

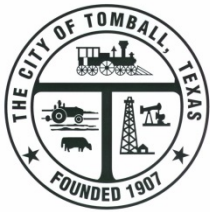
C E R T I F I C A T I O N

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 **6th** day of **September 2018** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Elizabeth Jones

Elizabeth Jones
Administrative Assistant

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.



Notice of Public Hearing

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

CASE NUMBER: P18-130

APPLICANT/OWNER: Request by Greg Breaux

LOCATION: Generally located on the west side of Business 249 between Hirschfield Road and Alice Road

PROPOSAL: A Conditional Use Permit to operate a *Mobile Food Court* on approximately 3.39 acres of land legally described as Lot 1A Block 1 Parkway Oasis 3rd Replat, and zoned General Retail District.

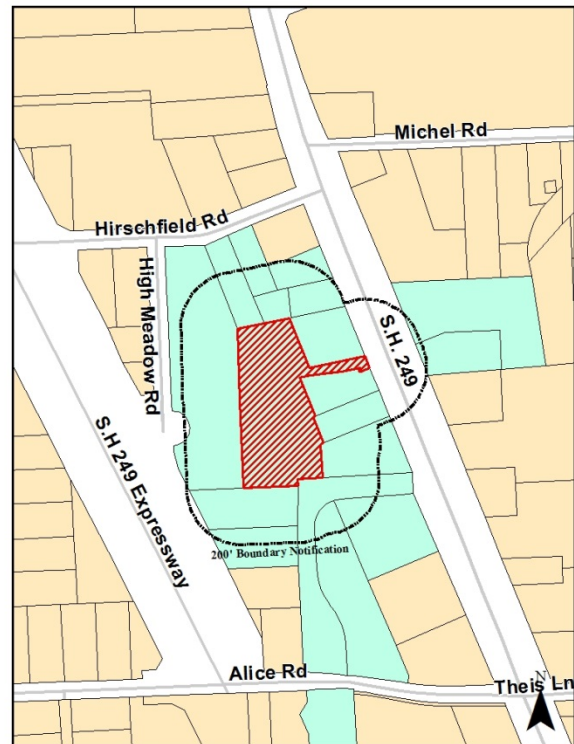
CONTACT: Amelia Lindley

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll. Interested parties may appear and speak on the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.

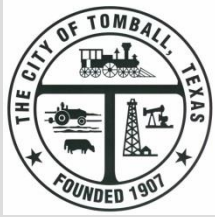


**Planning & Zoning Commission
Public Hearing:
Monday, September 10, 2018, 6:00 PM**

**City Council Public Hearing:
*Monday, September 17, 2018, 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: September 10, 2018

City Council Public Hearing Date: September 17, 2018

Rezoning Case: P18-130
Property Owner(s): Breaux Properties LTD
Applicant(s): Greg Breaux
Legal Description: Lot 1A Block 1 Parkway Oasis 3rd Replat
Location: West side of Business 249 between Hirschfield Road and Alice Road (Exhibit "A")
Area: 3.39 acres
Comp Plan Designation: Commercial (Exhibit "B")
Present Zoning and Use: General Retail (Exhibit "C") / Undeveloped property (Exhibit "D")
Proposed Use(s): Breaux Food Truck Court
Request: Conditional Use Permit (CUP) to allow the operation of a *Mobile Food Court*

Adjacent Zoning & Land Uses:

North: General Retail / Goodson's Café

South: General Retail and Agricultural / Undeveloped property, Harris County Flood Control Ditch

West: Planned Development / Breaux Machine Works

East: General Retail / Advance Auto Parts, Aaron's, Brake Check, Chicken Express

BACKGROUND

City Staff met with the applicant in July 2018 to discuss the proposed development of a mobile food truck court. City Staff informed the applicant that a Conditional Use Permit (CUP) would be required to operate a mobile food court on the subject site.

ANALYSIS

In 2016, City Council adopted ordinance No. 2016-33, allowing mobile food courts to operate in the General Retail, Commercial, Light Industrial, and Old Town & Mixed Use zoning districts with the approval of a CUP. According to the ordinance, a *mobile food court* "means a parcel of land where two or more mobile food vendors congregate to offer food or beverages for sale to the public as a principal use of the land". The applicant has proposed permanent spots for up to thirteen mobile food trucks (Exhibit "F").

The ordinance also required the following site development standards:

- a. No Mobile Food Vendor nor any associated seating areas shall be located in the required landscape buffer yard, access easement, surface drainage easement, driveway, and/or fire lane(s).
- b. All activity must occur on private property, outside of the public right-of-way.
- c. There shall be at least three (3) feet of unobstructed clearance between all individual Mobile Food Vendors and all permanent or accessory structures and at least ten (10) feet of unobstructed clearance for mobile food vendors parked side-by-side.
- d. Mobile Food Vendors shall not park in required parking stalls, rather they shall be located on a designated paved surface. Spaces for Mobile Food Vendors shall meet the minimum parking requirements per Table Section 50-112-1.
- e. Vehicular drive-thru service of food and/or beverages shall not be permitted.
- f. Accessible restroom facilities shall be provided within a permanent structure. Temporary or portable toilet facilities are not permitted.
- g. Electrical service may be provided to the Mobile Food Vendors by a permitted electrical connection or on-board generators. When using on-board generators, sound absorbing devices shall be used.
- h. A designated seating area shall be provided for patrons.
- i. A Mobile Food Vendor conducting business at a Mobile Food Court shall not be located within the same Mobile Food Court for a period in excess of 180 days. The same Mobile Food Vendor shall not return to the same Mobile Food Court for a period of 30 days.
- j. Mobile Food Vendors conducting business at a Mobile Food Court shall have current vehicular registration and shall be in a suitable operating condition for transit.
- k. All Mobile Food Vendors shall meet all other requirements per Chapter 32 – Peddlers and Solicitors.

According to Section 50-81 (f) of the Chapter 50 (Zoning), when considering applications for a CUP, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the conditional use on and the compatibility of the use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

- 1. The proposed use at the specified location is consistent with the goals, objectives, and policies contained in the adopted Comprehensive Plan;**

The Comprehensive Plan Future Land Use Map identifies the subject site, and all surrounding sites, as Commercial. The Comprehensive Plan indicates the Commercial category includes “shopping centers, convenience stores, auto dealers, department stores, grocery and drug stores, entertainment facilities, food and beverage purveyors, salons, and small repair shops”. According to the applicant, the proposed development will not only provide mobile food trucks, but will also include a field and a dog park for patrons (Exhibit “E”).

The proposed development also meets goals and objectives outlined in Chapter 6 (Economic Opportunity) of the Comprehensive Plan. This chapter of the Plan explains how “Tomball will need to provide unique goods, services and experiences to get people off the Bypass [SH 249] and into the community” (Page 105). The proposed development will offer a unique service and experience that will attract citizens as well as noncitizens to Tomball.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

According to the Zoning Ordinance, “a conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions.”

According to Section 50-76 (General Retail District), the General Retail District should provide “shopping and service facilities for the retail sales of goods and services.”

3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in the Zoning Ordinance;

Should the CUP application be approved by City Council, the applicant will be required to submit site and building plan applications and supporting documents to the City for review and approval. Specific details of site modifications will be shown at the time of plan review. It appears the proposed use will meet all supplemental standards.

4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts;

The proposed use appears to be compatible with the adjacent developments. There is a blend of many different land uses in the immediate area including restaurants (Goodson’s Café and Chicken Express), goods and services related businesses (Advanced Auto Parts, Aaron’s, Brake Check) and a machine shop. According to the proposed concept plan (Exhibit “F”), the development will provide an approximately 250 foot long driveway from Tomball Parkway (Business 249). This will allow patrons to utilize the development at a safe distance from a public road with a lot of traffic.

5. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.

Staff does not anticipate any adverse effects on surrounding properties.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on August 24, 2018. A sign was placed on the property and Notice of Public Hearing was published in the paper on August 29, 2018. Any public comment forms received by City Staff will be presented in the Planning & Zoning Commission and City Council packets or delivered during the time of the public meeting.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P18-130 for the following reasons:

1. The proposed use is appropriate for the location and surrounding uses;
2. The proposed use meets the intent of the General Retail Zoning District;
3. The proposed use meets the goals of the Comprehensive Plan.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

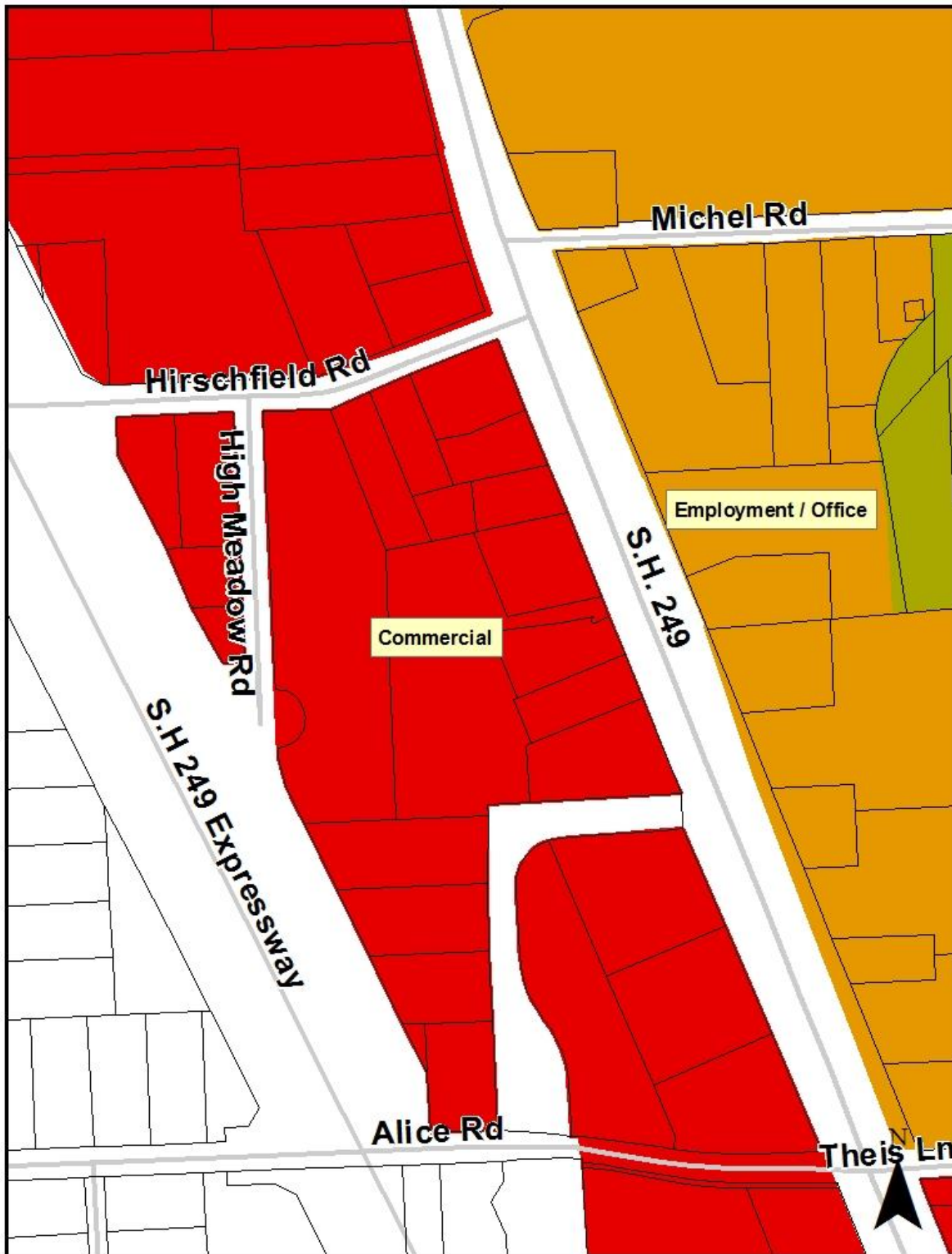
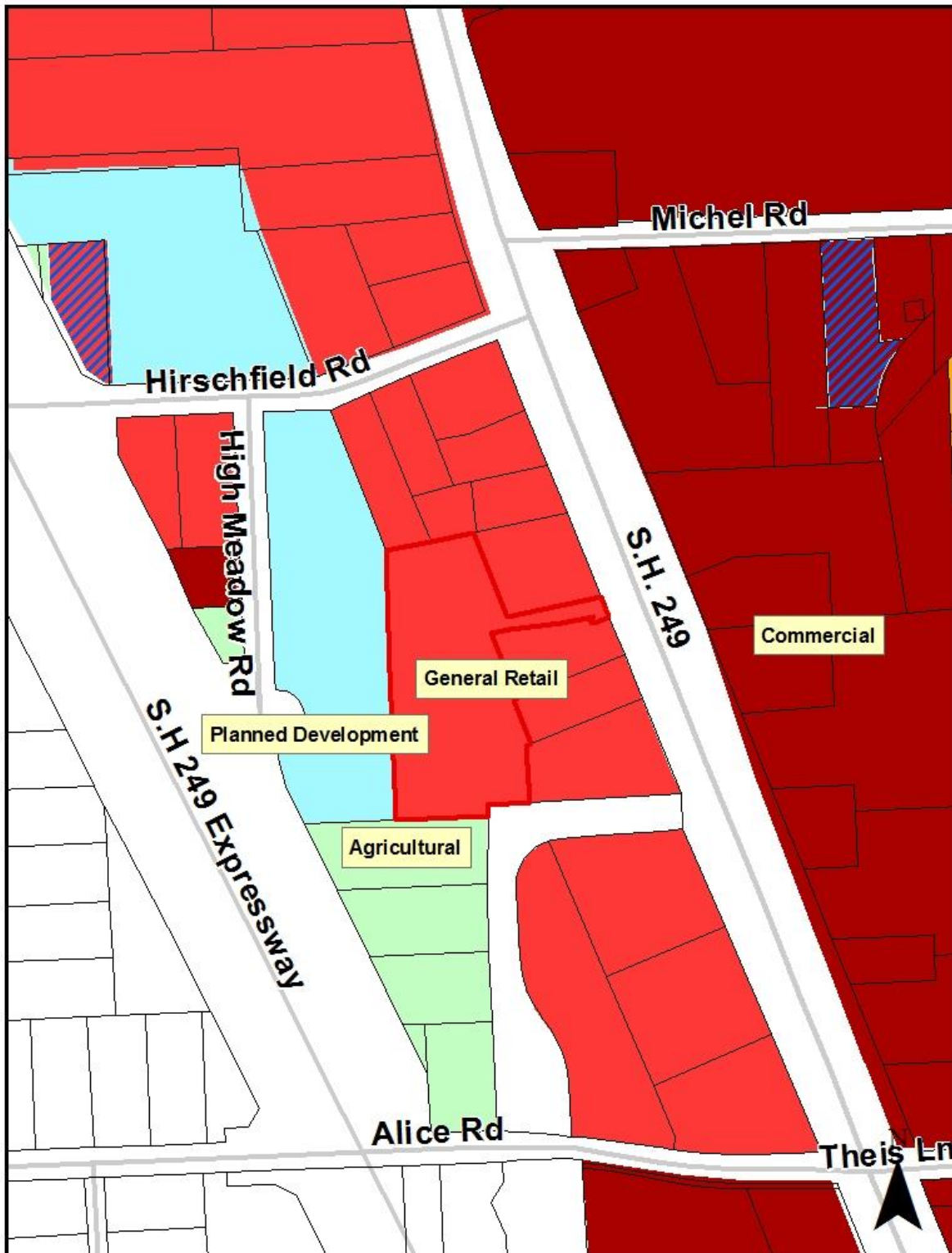


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E"
CUP Application

Revised 1/20/09



18-130

APPLICATION FOR
CONDITIONAL USE PERMIT
Engineering & Planning Department

A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions. This Section sets forth the standards used to evaluate proposed conditional uses and the procedures for approving conditional use permit (CUP) applications.

No conditional use shall be established and no building permit shall be issued for any use designated as a conditional use within any zoning district until a conditional use permit (CUP) is approved and issued in accordance with the provisions of this Section and Section 10 of The Zoning Ordinance.

APPLICATION SUBMITTAL: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: Greg Breaux Title: Owner
Mailing Address: 14090 FM 2920 STEG-546 City: Tomball State: Texas
Zip: 77377
Phone: (281) 831-1223 Fax: () Email: breauxsftp@gmail.com

Owner

Name: Greg Breaux, DBA Title: Owner
Mailing Address: 14090 FM 2920 STEG-546 City: Tomball State: Texas
Zip: 77377
Phone: (281) 831-1223 Fax: () Email: gregbreaux@hotmail.com

Engineer/Surveyor (if applicable)

Name: DKB Engineering, LLC, David Kelly Title: President
Mailing Address: PO Box 823 City: Fulsher State: Texas
Zip: 77441
Phone: (281) 300-1869 Fax: () Email: david.kelly@dkpengineering.com

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1400

rgcroix@hotmail.com

Description of Proposed Project: Food Truck Park

Physical Location of Property: 27921 Tomball Parkway, Tomball, Texas 77375

[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: W Hurd Survey, Abstract #378, J Hooper Survey, Abstract 375

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: _____ Acreage: 3.397

Current Use of Property: No Current use, Vacant

Proposed Use of Property: Food Truck Park

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

CITY OF TOMBALL
281-351-5484

REC#: 01038589 7/30/2018 10:35 AM
OPER: LS TERM: 005
REF#: W VISA 226

ACCT #: XXXX-XXXX-XXXX-3090
AUTH #: 057656
TRAN #: 061208156289
TYPE: PURCHASE

TRAN: 130.0000 PLANNING AND ZONING
GREG BREAUX
14090 FM 2920
100-5442
CONDITIONAL USE PER 600.00CR
TENDERED: - 600.00 CREDIT CARD
APPLIED: 600.00-
CHANGE: 0.00

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X Greg Breaux  July 30, 2018
Signature of Applicant Date

X Greg Breaux, DBA  July 30, 2018
Signature of Owner Date

Greg Breaux

July 30, 201

City of Tomball
501 James St.
Tomball, Texas 77375

To Whom it may Concern:

I am requesting that The City of Tomball and all concerned will allow me to start a new venture within the City of Tomball.

I propose to open a Food Truck Court. This business will be a Family oriented business with a variation of food choices. I will also have a Fenced Children's play area, a dog park and a turf Field (turf from Alamo Dome) for all to use.

We will have more than ample parking as well as restrooms to Accommodate large crowds.

Thank you for your kind consideration in allowing my new business in this town that I have been raised in my whole life and dearly love.

Most Sincerely,



Greg Breaux
14090 FM 2920 Ste. G-546
Tomball, Texas 77377
281-831-1223
breauxsftp@gmail.com

30610 Quinn Road
Tomball, Tx 77375

281-351-9617 Office
281-290-6263 Fax

Figure "F"
Concept Plan

