

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



MONDAY, JULY 10, 2017

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, July 10, 2017 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 June 12, 2017.
- 5.0 New Business:
 - 5.1 Consideration to Approve Final Plat of **MANDOLA COMMERCIAL**: Being a 1.5861 acre (690,905.51 sqft) tract of land situated in the Chauncey Goodrich

Survey, Abstract Number 311, Harris County, Texas, also known as Tracts 20A and 20-A1 of said Abstract 311, and being out of and part of a called 36.595 acres as described in deed recorded in Volume 1844, Page 155, of the Real Property Records of Harris County, Texas.

- 5.2 Consideration to Approve Replat of **HOGAN CRUM**: Being a 10.6424 acre tract of land in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, being a Replat of a portion of Outlot Numbers 18, 24, 30 and 36 of the TOMBALL TOWNSITE, a subdivision according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas, and being out of and part of a called 15.2374 acres as described in deed recorded in Clerk's File Number X609278, of Real Property Records of Harris County, Texas and also including all of that portion of Stansey Road abandoned by the City of Tomball to Daniel Rodano in instrument recorded in Clerk's File Number 20100163186 of said Real Property Records.
- 5.3 Consideration to Approve Final Plat of **DRAKE CASA**: Being a subdivision of land containing 0.5002 acres (21,790.51 square feet) of land in the Joseph House Survey, A-34, Harris County, Texas.
- 5.4 Consideration to Approve Preliminary Plat of **MEDICAL COMPLEX SQUARE**: Being a Plat of 0.8321 acres known as tract 1E-1 located in the J.M. Hooper Survey, Abstract No. 375, located in Harris County, Texas.
- 5.5 Consideration to Approve Replat of **ALEXANDER ESTATES**: A Subdivision of 70.3574 (3,064,768.37 SF) acres of land and being a partial replat of Tomball Greens Unrestricted Reserve "C" as recorded in F.C. No 440128, H.C.M.R. out of the Elizabeth Smith Survey, A-70, Harris County, Texas.
- 5.6 Consideration to Approve **Zoning Case P17-0068**: Request by Susan Alt for a Conditional Use Permit for an accessory dwelling at 202 Florence Street. The property is approximately 5,000 square feet, legally described as Lot 2 Block 24 Tomball Outlots, generally located on the north side of Florence Street between Cherry Street and Walnut Street and is zoned Single-Family 6 District.
 - Conduct Public Hearing on **Zoning Case P17-0068**
- 5.7 Consideration to Approve **Zoning Case P17-0069**: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.7 acres of land legally described legally described as Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Harris County, Texas, generally located on the south side of East Hufsmith Road west of Lovett Street from the Single-Family 9 District to the Single-Family 6 District.
 - Conduct Public Hearing on **Zoning Case P17-0069**
- 5.8 Consideration to Approve **Zoning Case P17-0070**: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13 acres of land legally described as Lots 157, 161 and Tract 153A Tomball Outlots, Harris County, Texas, generally located on the east side of South Cherry Street north of Justin Court, from the Single-Family 20 Estate District to the Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P17-0070**

6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 6th day of July, 2017 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: July 10, 2017

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: July 10, 2017

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: July 10, 2017

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 12, 2017.

Background:

Origination:

Recommendation:

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

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

ATTACHMENTS:

Minutes 06.12.17

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

MONDAY, JUNE 12, 2017



6:00 P.M.

- 1.0 The meeting was called to order by Chair Barbara Tague at 6:11 p.m. Other members present were:

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

Commissioner Darrell Roquemore – Absent

Others present:

Community Development Director– Craig Meyers
City Engineer – Beth Jones
Planner – Amelia Lindley
Administrative Assistant – Elizabeth Jones
City Attorney – Loren Smith
Assistant City Engineer – Wesley Stolz
Intern – Ashley Yoder

draft

- 1.1 Election of Chairman and Vice Chairman

- Motion was made by Commissioner Dunagin, second by Commissioner Benson, to re-appoint Chair Barbara Tague.

Motion carried unanimously.

- Motion was made by Commissioner Dunagin, second by Commissioner Benson, to re-appoint Vice Chair Roquemore.

Motion carried unanimously.

- 2.0 No Public Comments were received.

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

- Introduced the newest member of Community Development, Wesley Stolz, Assistant City Engineer.

- Introduced the Community Development Intern, Ashley Yoder.
- City Council denied Zoning Case P17-0036 Lefty's Auto Crafters Rezoning.
- Requested to have any feedback on the Staff Report format and content emailed, otherwise it will be discussed again at next meeting.

4.0 Motion was made by Commissioner Anderson, second by Commissioner Dunagin, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 11, 2017.

Motion carried unanimously.

5.0 New Business:

5.1 The Commission accepted Capital Projects Comments from the Capital Improvement Projects Advisory Committee and recommended approval for City Manager consideration regarding Budget of Five Year CIP 2018-2022.

5.2 Consideration to Approve Preliminary Plat of **WILLOW CREEK INDUSTRIAL PARK SEC 1**: Being a subdivision of 152.2779 acres (6,633,225 SQ. FT.) in the C. Goodrich Survey, Abstract No. 305, Harris County, Texas.

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

Motion was made by Commissioner Benson, second by Commissioner Dunagin, to approve **WILLOW CREEK INDUSTRIAL PARK SEC 1**, with contingencies.

Motion carried unanimously.

5.3 Consideration to Approve Preliminary Plat of **WILLOW CREEK INDUSTRIAL PARK SEC 2**: Being a subdivision of 211.6171 acres of land in the C. Goodrich Survey, Abstract No. 305, Harris County, Texas.

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

Motion was made by Commissioner Anderson, second by Commissioner Dunagin, to approve **WILLOW CREEK INDUSTRIAL PARK SEC 2**, with contingencies.

Motion carried unanimously.

5.4 Consideration to Approve Preliminary Plat of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1**: Being a subdivision of 5.0118 acres of land in the C. Goodrich Survey, Abstract No. 305, Harris County, Texas.

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

Motion was made by Commissioner Benson, second by Commissioner Anderson, to approve **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1**, with contingencies.

Motion carried unanimously.

- 5.5 Consideration to Approve Preliminary Plat of **DRAKE CASA**: Being a subdivision of land containing 0.5002 acres (21,790.51 Square Feet) of land in the Joseph House Survey, A-34, Harris County, Texas.

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

Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to approve **DRAKE CASA**, with contingencies.

Motion carried unanimously.

- 5.6 Consideration to Approve Final Plat of **LOT 2A & LOT 2B, BLOCK 1 PARK MANOR OF TOMBALL REPLAT NO 1**: 2.4808 Acres (108, 064 Square Feet). Being a Replat of Lot 2, Block 1, Park Manor of Tomball, Film Code Number 617004 M.R.H.C.T., City of Tomball, Harris County, Texas. Situated in the William Hurd Survey, Abstract Number 378.

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

Motion was made by Commissioner Anderson, second by Commissioner Benson, to approve **LOT 2A & LOT 2B, BLOCK 1 PARK MANOR OF TOMBALL REPLAT NO 1**.

Motion carried unanimously.

- 5.7 Consideration to Approve **Zoning Case P17-0057**: Request by Rene Rodriguez to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6.5 acres of land from the Commercial District to the Single-Family 6 District and approximately 95.7 acres of land from the Agricultural District to the Single-Family 6 District. The properties are legally described as Tracts 198, 202 & 206 Tomball Outlots, Tracts 4L 21 & 22 Abstract 632 C N Pillot and a 63.11 acre (2,749,160 square feet) parcel, situated in the Claude N. Pillot Survey, Abstract No. 632, Harris County, Texas, out of the residue of a called 111.5632 acre tract conveyed to Kevin Eric Graham by Warranty Deed recorded under Clerk's File No. X648265

of the Official Public Records of Harris County, Texas (O.P.R.H.C.T.) generally located on the south side of Theis Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street.

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

Greg McKenzie, with Ashton Woods (10110 West Sam Houston Parkway Suite #100, Houston, Texas, 77064) was introduced and spoke on behalf of the request.

Alan McKey, with LJA Engineering (2929 Briarpark Suite 600, Houston, Texas, 77042) was introduced and spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:44 p.m.

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

Bill Sumner, Homeowner, (12321 Zion Road, Tomball, Texas, 77375) spoke of concerns and opposition of the case.

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

Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to approve **Zoning Case P17-0057**. Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Dunagin	<u>Nay</u>
Commissioner Benson Jr.	<u>Aye</u>

Motion carried with 3 Votes Aye and 1 Vote Nay.

- 5.8 Consideration to Approve **Zoning Case P17-0059**: Request by Hogan Crum LLC for a Conditional Use Permit to operate a *reception venue* on approximately 2.5 acres, legally described as part of Tracts 18, 24, 30 & 36 and Tract B (Abandoned Part of Stansey Road) Tomball Outlots, generally located on the north side of East Hufsmith Road at Lovett Street and is zoned Single-Family 20 Estate District.

Commissioner Dunagin recused himself from Zoning Case P17-0059.

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

Michael Hogan, applicant, spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:11 p.m.

Paul Garcia, Homeowner, (12211 Zion Road, Tomball, Texas, 77375) was introduced and spoke of concerns and opposition of the request.

Bill Sumner, Homeowner, (12321 Zion Road, Tomball, Texas, 77375) was introduced and spoke of concerns and opposition of the request.

Daniel Rodano, Homeowner, (12515 Zion Road, Tomball, Texas, 77375) was introduced and spoke in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 7:18 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Benson, to approve **Zoning Case P17-0059**, with conditions. Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Dunagin	<u>Abst.</u>
Commissioner Benson Jr.	<u>Aye</u>

Motion failed with 2 Votes Aye and 1 Vote Nay.

- 5.9 Consideration to Approve **Zoning Case P17-0062**: Request by the City of Tomball to amend Section 50-80 (Planned Development District) of the Tomball Code of Ordinances in regards to patio home developments.

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

The Public Hearing was opened by Chair Tague at 7:54 p.m.

Hearing no public comments, the Public Hearing was closed at 7:54 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Benson, to approve **Zoning Case P17-0062**. Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Anderson	<u>Nay</u>
Commissioner Dunagin	<u>Nay</u>
Commissioner Benson Jr.	<u>Aye</u>

Motion failed with 3 Votes Nay and 1 Vote Aye.

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

Motion carried unanimously.

The meeting was adjourned at 8:07 p.m.

PASSED AND APPROVED this _____ day of _____ 2017.

Elizabeth Jones
Administrative Assistant

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve Final Plat of **MANDOLA COMMERCIAL**: Being a 1.5861 acre (690,905.51 sqft) tract of land situated in the Chauncey Goodrich Survey, Abstract Number 311, Harris County, Texas, also known as Tracts 20A and 20-A1 of said Abstract 311, and being out of and part of a called 36.595 acres as described in deed recorded in Volume 1844, Page 155, of the Real Property Records of 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:

Mandola Commercial Plat

THE STATE OF TEXAS

COUNTY OF HARRIS

We, A&E Mandola Family Partnership, LTD, acting by and through Al Mandola, its trustee, being an officer of A&E Mandola Family Partnership, LTD, owners hereinafter referred to as owners of the 1.5861 acre tract described in the above and foregoing plat of **MANDOLA COMMERCIAL**, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owner 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 (5') in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

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

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

IN TESTIMONY WHEREOF, A&E Mandola Family Partnership has caused these presents to be signed by Al Mandola, its Trustee, thereunto authorized,

this _____ day of _____, 2017.

A&E Mandola Family Partnership, LTD

By: _____
Al Mandola
Trustee

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Al Mandola, Trustee of A&E Mandola Family Partnership, LTD, 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 in this section stated, and as the act and deed of said Trust.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2017.

Notary Public in and for the State of Texas

My Commission Expires: _____

Harris County Clerk Certificate of Filing:

I, Stan Stanart, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in

my office on _____, 2017, at _____o'clock ____M., and duly

recorded on _____, 2017, 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, 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 _____, 2017 by an order entered into the minutes of the court.

Stan Stanart
County Clerk
Of Harris County, Texas

By: _____
Deputy

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

I, Steven L. Crews, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference not found have been marked with iron rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.

Steven L. Crews
Texas Registration Number 4141

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.

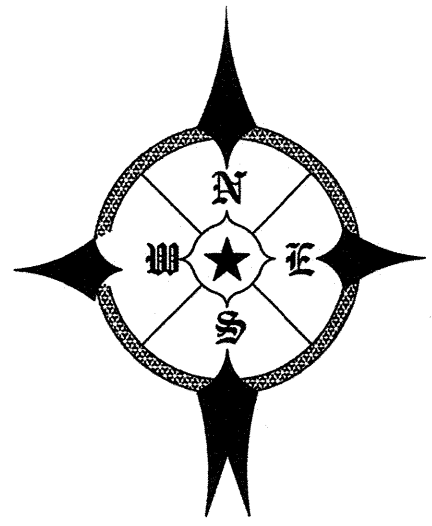
John R. Blount, P.E., LEED AP
County Engineer

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of **MANDOLA COMMERCIAL** 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 _____, 2017.

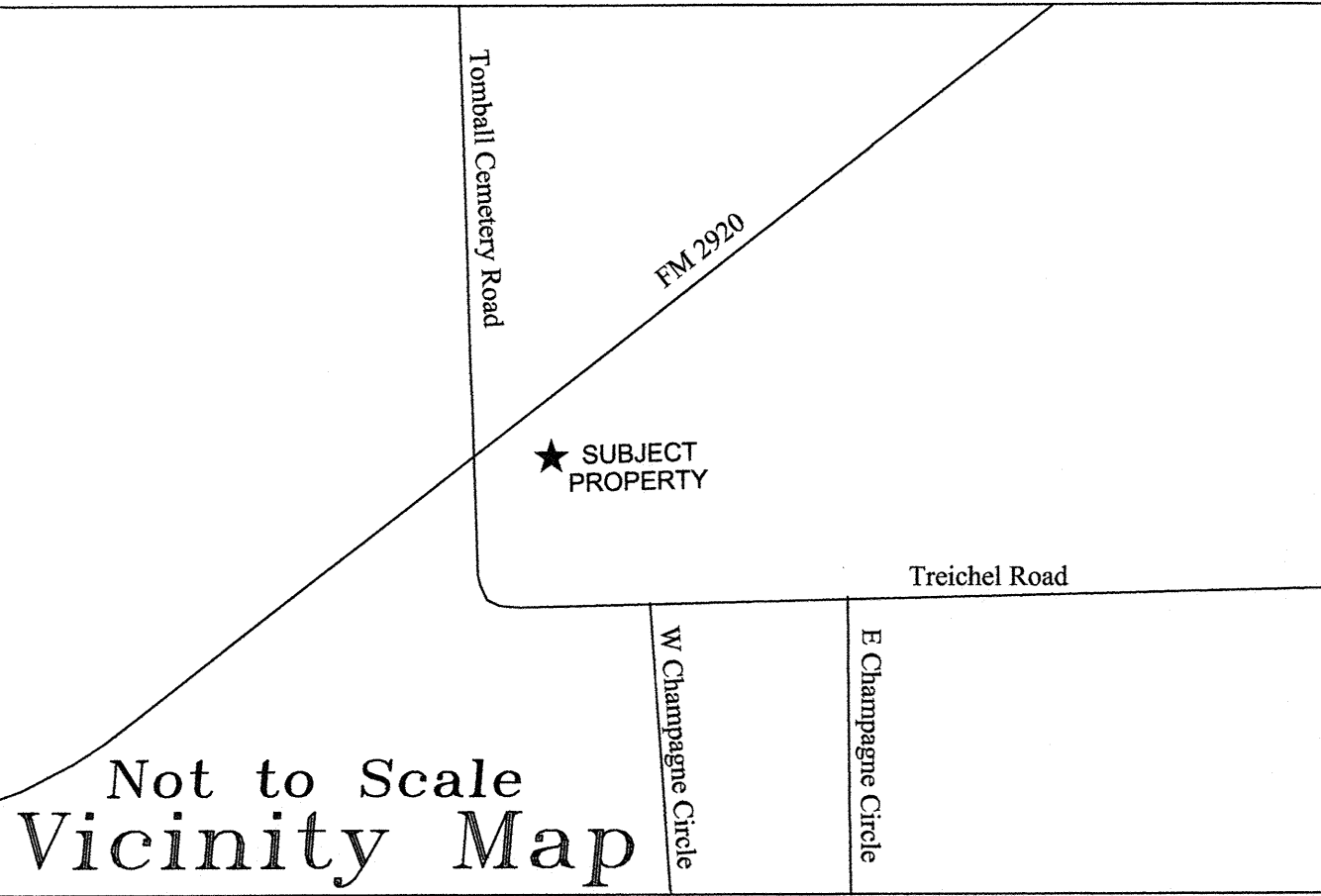
By: _____
Barbara Tague
Chairman

By: _____
Darrell Roquemore
Vice Chairman



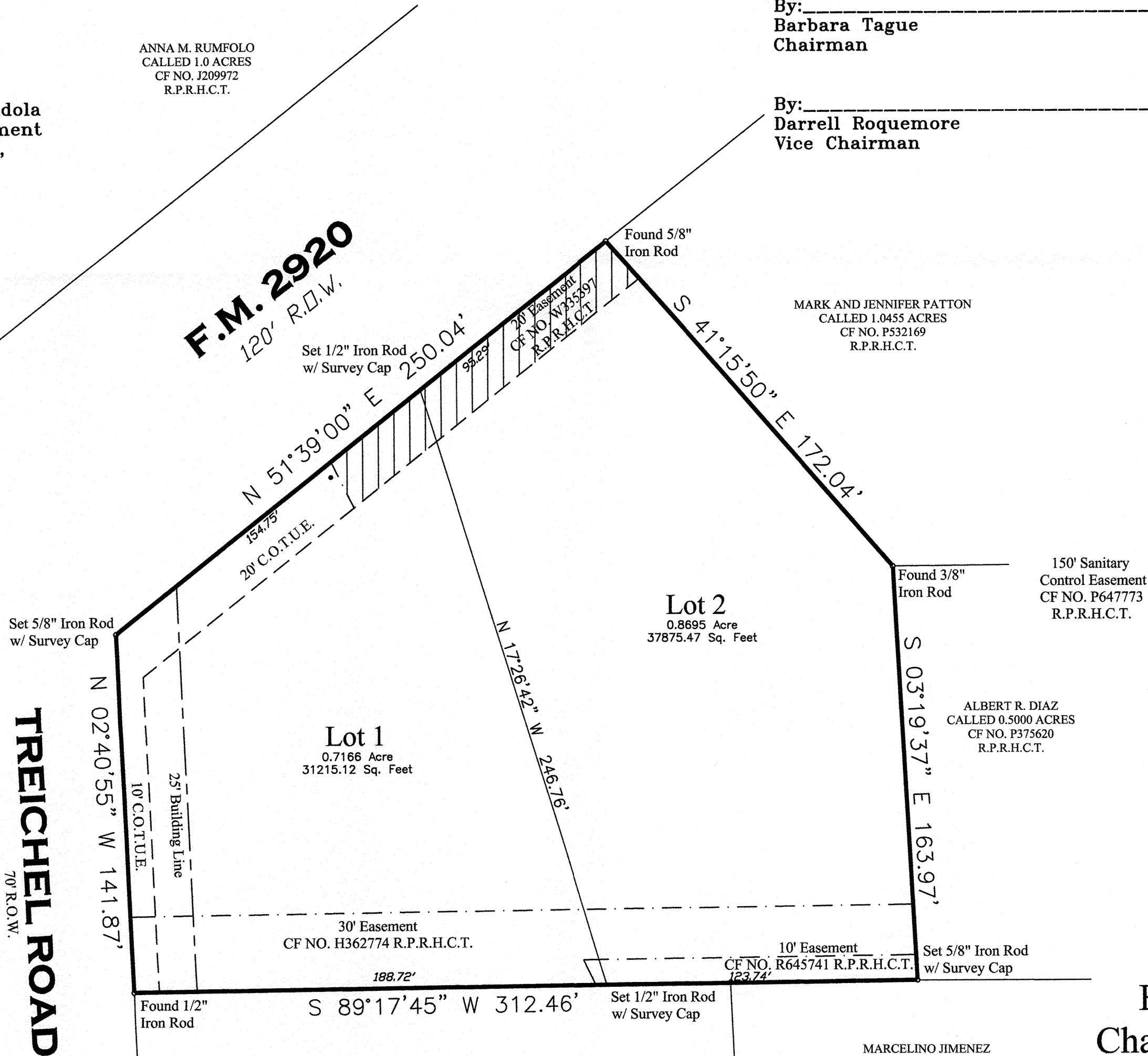
0 40 80

Scale: 1" = 40'



Notes:

- Flood Information:
According to FEMA Firm Panel No. 48201C0210L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
 - All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
 - No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum 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 restrictions or covenants.
 - Public Easements:
Public Easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easement for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of 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.
 - 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 0.99992649133.
 - BL plat note: Unless otherwise indicated, the building line (b.l.) whether one or more, shown on this subdivision plat are established to evidence compliance with the applicable provision of Chapter 42, Code of Ordinances, City of Houston, Texas, in effect at the time this plat was approved, which may be amended from time to time.
 - 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 Engineering Division of Harris County Public Infrastructure Department.



FINAL PLAT MANDOLA COMMERCIAL

Being a 1.5861 acre (690,905.51 SQFT.) tract of land also situated in the Chauncey Goodrich Survey, Abstract Number 311, Harris County, Texas, also known as Tracts 20A and 20-A1 of said Abstract 311, and being out of and part of a called 36.595 acres as described in deed recorded in Volume 1844, Page 155, of the Real Property Records of Harris County, Texas;

2 Lots, 1 Block

Owner:
A&E Mandola Family Partnership
14 Huntington Woods
Tomball, TX 77377

Surveyor:
C & C Surveying Inc.
7424 FM 1488, Suite A Magnolia, Texas 77354
Office: 281-356-5172 Fax: 281-356-1935
onesurveyatime@scglobia.net
www.ccsurveying.com

June 2017
Sheet 1 of 1
17-0134

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve Replat of **HOGAN CRUM**: Being a 10.6424 acre tract of land in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, being a Replat of a portion of Outlot Numbers 18, 24, 30 and 36 of the TOMBALL TOWNSITE, a subdivision according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas, and being out of and part of a called 15.2374 acres as described in deed recorded in Clerk's File Number X609278, of Real Property Records of Harris County, Texas and also including all of that portion of Stansey Road abandoned by the City of Tomball to Daniel Rodano in instrument recorded in Clerk's File Number 20100163186 of said Real Property Records.

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:

Hogan Crum Plat

THE STATE OF TEXAS

COUNTY OF HARRIS

We, Hogan Crum LLC, a Texas limited partnership, acting by and through Michael P. Hogan its trustee, being an officer of Hogan Crum LLC and Daniel Rodano, owners hereinafter referred to as owners of the 10.6424 acre tract described in the above and foregoing plat of Hogan Crum, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet (5') in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

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

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions 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, Hogan Crum LLC has caused these presents to be signed by Michael P. Hogan, its Trustee, thereunto authorized,

this _____ day of _____, 2017.

Hogan Crum LLC

By: _____
Michael P. Hogan
Trustee

Witness my hand in the City of Tomball, Texas this ____ day of _____, 2017.

Owner: _____
Daniel Rodano

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Michael P. Hogan, Trustee of the Hogan Crum LLC, 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 in this section stated, and as the act and deed of said Trust.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2017.

Notary Public in and for the State of Texas

My Commission Expires: _____

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Daniel Rodano, 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 in this section stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2017.

Notary Public in and for the State of Texas

My Commission Expires: _____

I, Steven L. Crews, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference not found have been marked with iron rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.

Steven L. Crews
Texas Registration Number 4141

Harris County Clerk Certificate of Filing:

I, Stan Stanart, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in

my office on _____, 2017, at ____o'clock __M., and duly

recorded on _____, 2017, 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

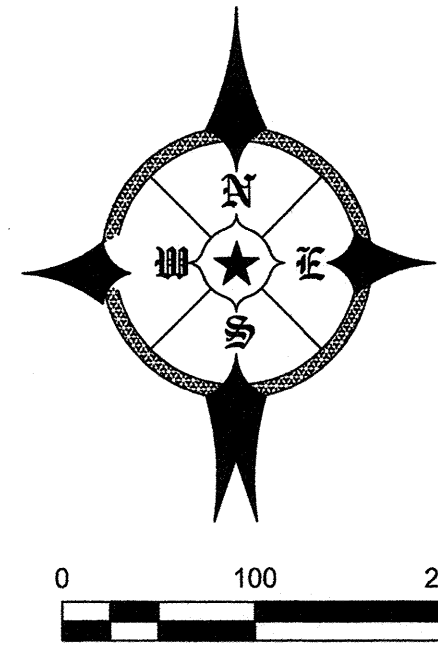
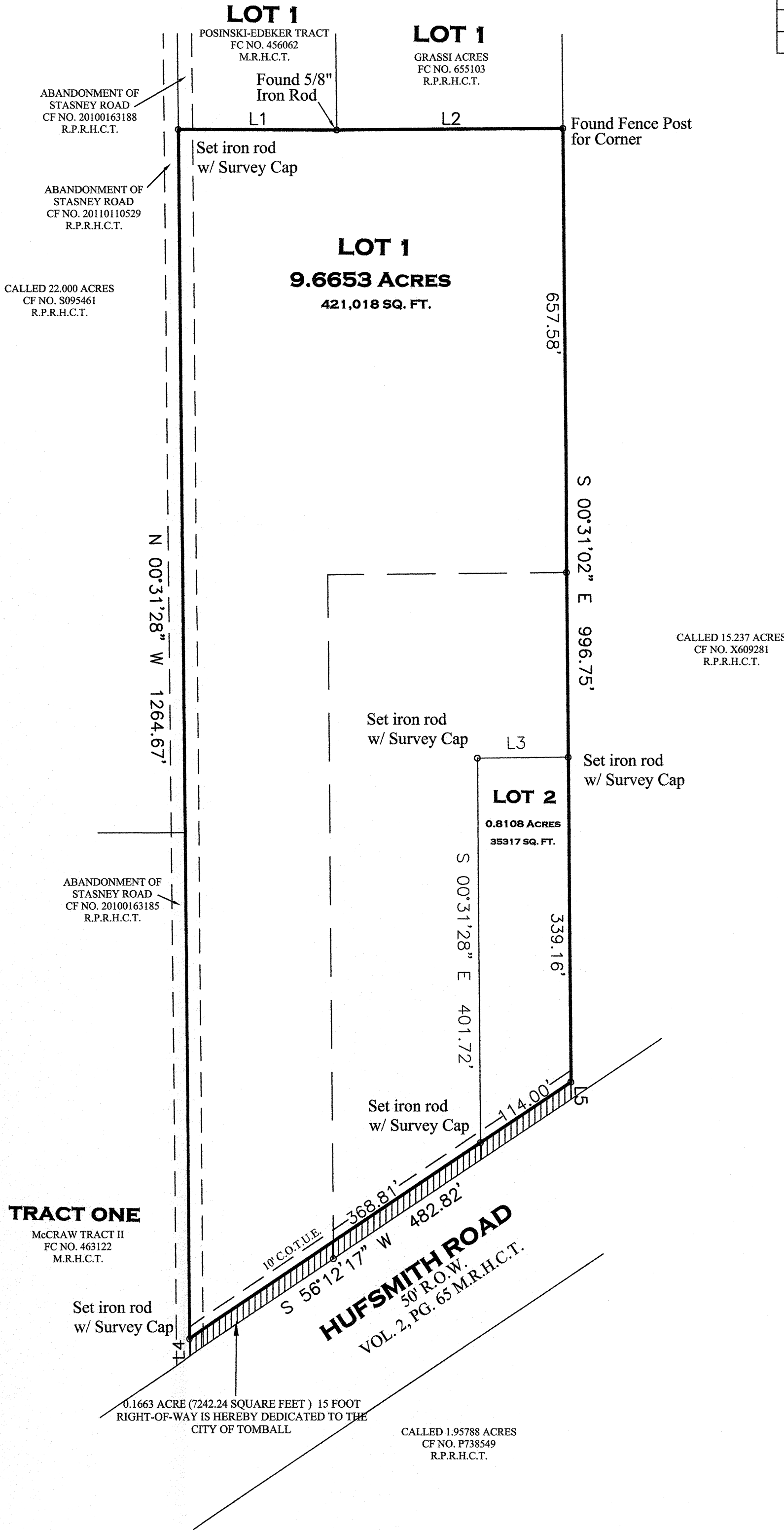
By: _____
Deputy

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of Hogan Crum LLC 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 _____, 2017.

By: _____
Barbara Tague
Chairman

By: _____
Darrell Roquemore
Vice Chairman



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°48'12" E	166.59'
L2	N 89°42'16" E	237.22'
L3	S 89°28'58" E	95.36'
L4	N 00°31'28" W	17.94'
L5	S 00°31'02" E	17.94'

Notes:
Flood Information:
According to FEMA Firm Panel No. 48201C230-L (Effective Date June 18, 2007), this property is in Zone "X" and is partly within the 0.2% Annual Chance Flood Plain.
Note #1:
All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
Note #2:
All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
Note #3:
No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
Note #4:
This plat does not attempt to amend or remove any valid restrictions or covenants.
Note #5:
Public Easements:
Public Easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easement for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

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

HOGAN CRUM

Being a 10.6424 acre tract of land in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, being a Replat of a portion of Outlot Numbers 18, 24, 30 and 36 of the TOMBALL TOWNSITE, a subdivision according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas, and being out of and part of a called 15.2374 acres as described in deed recorded in Clerk's File Number X609278, of Real Property Records of Harris County, Texas and also including all of that portion of Stasney Road abandoned by the City of Tomball to Daniel Rodano in instrument recorded in Clerk's File Number 20100163186 of said Real Property Records.

Surveyor:
C & C Surveying Inc.

7424 FM 1488, Suite A Magnolia, Texas 77354
Office: 281-356-5172 Fax: 281-356-1935
onesurveyatatime@sbcglobla.net
www.ccsurveying.com

June 2017
Sheet 1 of 1
17-0123

Owners:
Hogan Crum LLC
23 McConnell Place
Houston, TX 77070
713-628-9890
and
Daniel Rodano
12125 Zion Road
Tomball, TX 77375
713-824-3454

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve Final Plat of **DRAKE CASA**: Being a subdivision of land containing 0.5002 acres (21,790.51 square feet) of land in the Joseph House Survey, A-34, 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:

Drake Casa Plat

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve Preliminary Plat of **MEDICAL COMPLEX SQUARE**: Being a Plat of 0.8321 acres known as tract 1E-1 located in the J.M. Hooper Survey, Abstract No. 375, located in 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:

Medical Complex Square Plat

GENERAL NOTES:

PUBLIC EASEMENTS

PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID 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 BUILDINGS, 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.

FLOOD INFORMATION

ACCORDING TO FEMA FIRM PANEL NO. 48201C0210L DATED JUNE 18, 2007, THIS PROPERTY IS IN ZONE "X" AND IS NOT IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

NOTE #1
ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS THAT THE SURVEYOR IS AWARE OF WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.

NOTE #2
ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THAT LAND SURVEYOR IS AWARE OF THROUGH THE SUBDIVISION HAVE BEEN SHOWN.

NOTE #3
NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.

NOTE #4
THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.

LAND TITLE SURVEY

TO TEXAS AMERICAN TITLE COMPANY AND ZJ INVESTMENTS, LLC

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE FROM AN ON THE GROUND SURVEY OF THE PROPERTY SHOWN HEREON CONDUCTED BY MYSELF OR UNDER MY SUPERVISION ON AUG. 3, 2015 AND THAT THIS MAP REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE SUBSTANTIALLY CONFORMS TO CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS FOR A CATEGORY 1A, CONDITION II SURVEY.

DEWARD KARL BOWLES
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4966
DATED 6/27/2017

REVISED AUGUST 21, 2015 FOR ADDITIONAL TOPOGRAPHIC INFORMATION
BOUNDARY INFORMATION AND TO COMBINE SURVEY SHEETS
UPDATED MAY 30, 2017



STATE OF TEXAS
COUNTY OF HARRIS

WE ZJ INVESTMENTS, LLC ACTING BY AND THROUGH ZAHER BURGHLLI, PRESIDENT, OWNER, HEREINAFTER REFERRED TO AS OWNERS OF THE 0.8321 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF MEDICAL COMPLEX SQUARE, 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 PURPOSES 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 PURPOSES 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 EASEMENTS TOTAL THIRTY FEET (30'0") IN WIDTH.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE 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 (15'0") 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 HOUSTON, 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 OTHER 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 ADJOINING 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 31C AS AMENDED BY CHAPTER 614, ACTS OF 1973, 83RD 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, ZJ INVESTMENTS, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS ZAHER BURGHLLI AUTHORIZED, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY VICE PRESIDENT, ZACHARY BURGHLLI.

THIS _____ DAY OF _____, 2017.

BY: _____
ZAHER BURGHLLI, PRESIDENT

ATTEST: _____
ZACHARY BURGHLLI, VICE PRESIDENT

STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2017.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

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

THIS IS TO CERTIFY THAT THE PLANNING & ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF MEDICAL COMPLEX SQUARE 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 _____, 2017.

BARBARA TAGUE
CHAIRMAN

DARRELL ROQUEMORE
VICE CHAIRMAN

I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY AND EX OFFICIO CLERK OF THE HARRIS COUNTY COMMISSIONER'S COURT, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS APPROVED AT A LEGALLY CONVENED MEETING OF THE HARRIS COUNTY COMMISSIONER'S COURT HELD ON _____, 2017 BY AND ORDER ENTERED INTO 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 _____, 2017, AT _____ O'CLOCK _____ M. AND FILED RECORDED ON _____, 2017, 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

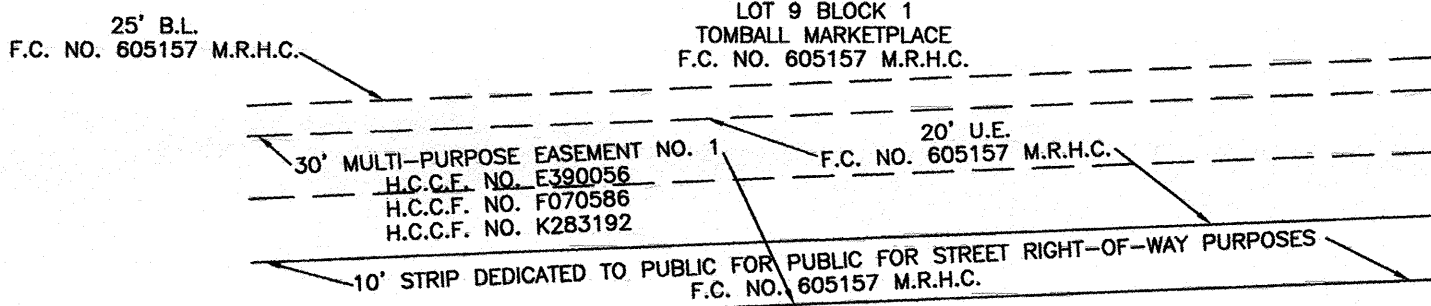
BY: _____
DEPUTY

ADDRESS: 14503 MEDICAL COMPLEX DRIVE

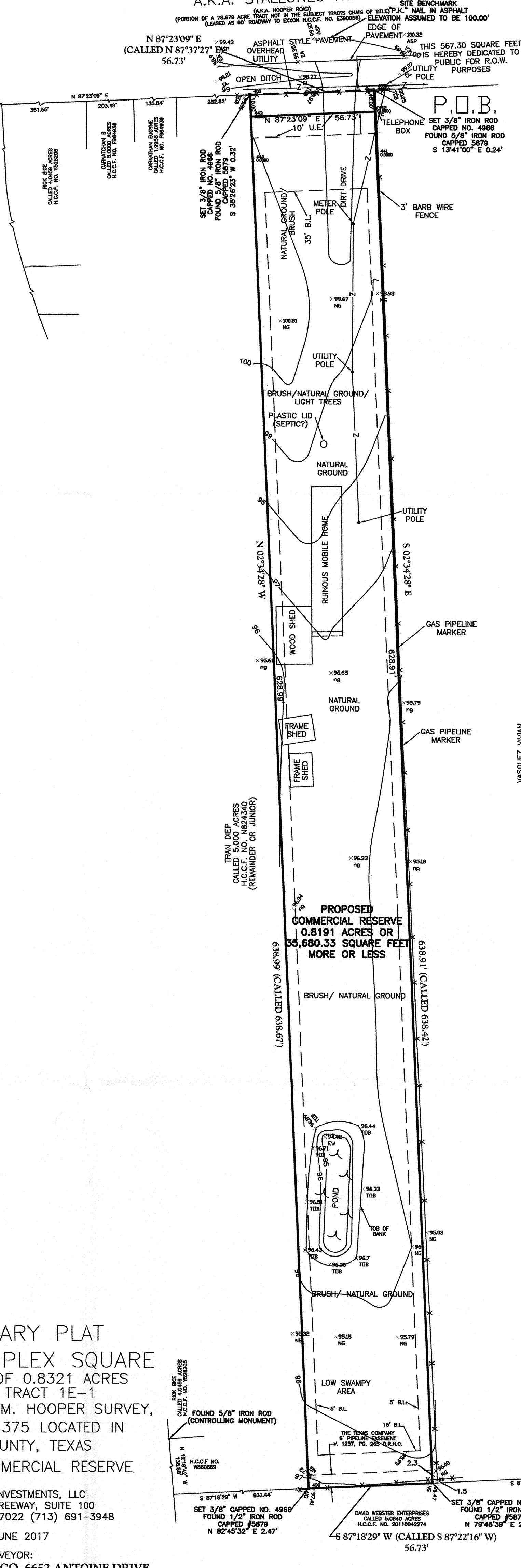
DESCRIPTION:
SEE ATTACHMENT "A" ATTACHED HERETO AND HEREBY MADE PART OF THIS CERTIFICATION.

NOTES:

1. THIS TRACT LIES IN ZONE X (AREA OUTSIDE 100 YEAR FLOOD ZONE) ACCORDING TO GRAPHIC PLOTTING OF FEMA FIRM MAP NO. 48201C0210L DATED JUNE 18, 2007.
2. SURVEYOR RELIED ON INFORMATION PROVIDED BY TEXAS AMERICAN TITLE COMPANY GF NO. 7910-17-3958 TO SUPPORT THE DETERMINATION OF THE LOCATION OF THE INTENDED BOUNDARIES OF THE LAND PARCEL SURVEYED. SURVEYOR RELIED ON INFORMATION FROM THE ABOVE FOR RECORD EASEMENTS, SETBACK LINES AND OTHER MATTERS CONCERNING SUBJECT TRACT.
3. THERE ARE NO VISIBLE INTRUSIONS OR PROTRUSIONS EXCEPT AS SHOWN HEREON.
4. SUBJECT TO ANY AND ALL APPLICABLE ORDINANCES AND STATE LAWS.
5. SUBJECT TO ANY AND ALL ENFORCEABLE RESTRICTIVE COVENANTS.
6. SURVEY BASED ON H.C.C.F. NO. N824340.
7. SUBJECT TO UNLOCATED PIPELINE EASEMENT TO THE TEXAS COMPANY; V. 929, PG. 604 D.R.H.C..
8. SUBJECT TO UNLOCATED PIPELINE EASEMENT TO MAGNOLIA PIPE LINE COMPANY; V. 946, PG. 212 D.R.H.C..
9. SUBJECT TO UNLOCATED PIPELINE EASEMENT TO HUMBLE PIPE LINE COMPANY; V. 7504, PG. 561 D.R.H.C..
10. NOTE VISIBLE EVIDENCE OF PIPELINES CROSSING SUBJECT TRACT ON SURVEY MAP.
11. SURVEYOR RECOMMENDS THAT PIPELINE COMPANIES BE CONTACTED TO DETERMINE EXACT LOCATION OF PIPELINES CROSSING SUBJECT TRACT. ONCE THAT IS DETERMINED SURVEYOR RECOMMENDS AN AGREEMENT BE FORMED AS TO THE EXACT SIZE AND LOCATION OF PIPELINE EASEMENTS CROSSING SUBJECT TRACT.
12. SUCH AGREEMENTS SHOULD BE FILED AT THE COUNTY CLERK'S OFFICE FOR PUBLIC RECORD.
13. SURVEYOR HAS FOUND NO VISIBLE EVIDENCE OF PUBLIC OR PRIVATE WELL ON SUBJECT TRACT.



MEDICAL COMPLEX DRIVE 60' WIDE (CALLED 80' WIDE)
A.K.A. STALLONES ROAD



PRELIMINARY PLAT
MEDICAL COMPLEX SQUARE
BEING A PLAT OF 0.8321 ACRES
KNOWN AS TRACT 1E-1
LOCATED IN THE J.M. HOOPER SURVEY,
ABSTRACT NO. 375 LOCATED IN
HARRIS COUNTY, TEXAS
1 BLOCK 1 COMMERCIAL RESERVE

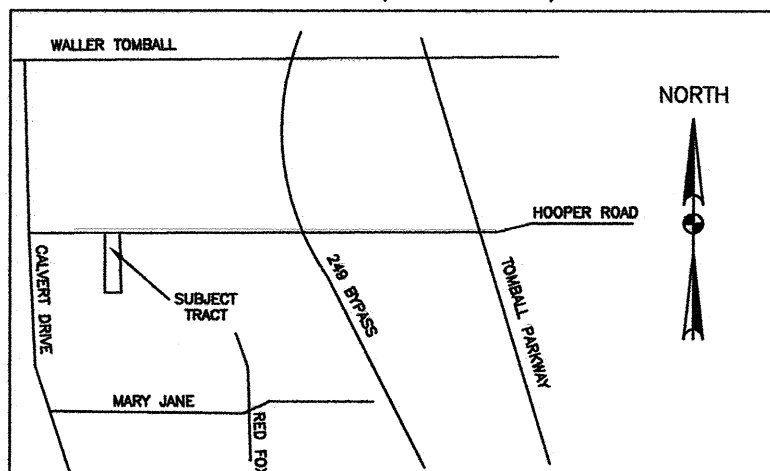
OWNER: ZJ INVESTMENTS, LLC
4615 NORTH FREEWAY, SUITE 100
HOUSTON, TEXAS 77022 (713) 691-3948

DATE: JUNE 2017

SURVEYOR:
B&B SURVEYING CO. 6652 ANTOINE DRIVE
HOUSTON, TEXAS 77091 (713) 942-2000
TEXAS LICENSED SURVEYING FIRM NO. 11022200



VICINITY MAP (NOT TO SCALE)



NORTH

TEXAS STATE PLANE COORDINATE
SYSTEM SOUTH CENTRAL ZONE
NAD 83
NO. 4204 (NAD 83)

SCALE: 1" = 30'



Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve Replat of **ALEXANDER ESTATES**: A Subdivision of 70.3574 (3,064,768.37 SF) acres of land and being a partial replat of Tomball Greens Unrestricted Reserve "C" as recorded in F.C. No 440128, H.C.M.R. out of the Elizabeth Smith Survey, A-70, 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:

Alexander Estates Plat

STATE OF TEXAS §
COUNTY OF HARRIS §

We, BCDE Ltd, a Texas Limited Partnership, by Eibsen and Associates, Inc. a Texas Corporation, its General Partner, acting by and through Douglas J. Eibsen, President, hereinafter referred to as Owner of the 70.3604 acre tract described in the above and foregoing map of Alexander Estates, 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 purposes forever an unobstructed aerial easement, five (5) feet in width from a plane twenty (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 fifteen feet (15' 0") 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 Houston, Harris County or any other governmental agency, the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

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

IN TESTIMONY WHEREOF, BCDE Ltd, a Texas Limited Partnership, by Eibsen and Associates, Inc. a Texas Corporation, its General Partner, has caused these presents to be signed by Douglas J. Eibsen, its President, thereunto authorized, this ____day of _____, 2017.

BCDE Ltd.
a Texas Limited Partnership,

By: Eibsen and Associates, Inc.
a Texas Corporation,

By: _____
Douglas J. Eibsen, President

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Douglas J. Eibsen, President, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed and herein stated, and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2017

Notary Public in and for the State of Texas
My Commission expires: _____

I, Ronald L. Hauck, 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 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 nearest public street intersection.

Ronald L. Hauck
Texas Registration No. 5343

We the City manager and City engineer for the City of Tomball do hereby certify that the plat of this subdivision complies with the City of Tomball Ordinances.

George Shackelford
City Manager

Beth Jones, P.E., C.F.M.
City Engineer

This is to certify that the Planning & Zoning commission of the City of Tomball, Texas, has approved this plat and subdivision of Alexander Estates 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 _____, 2017.

Barbara Tague
Chairman

Darrel Roquemore
Vice Chairman

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public 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 _____, 2017.

Gretchen Fagan, Mayor

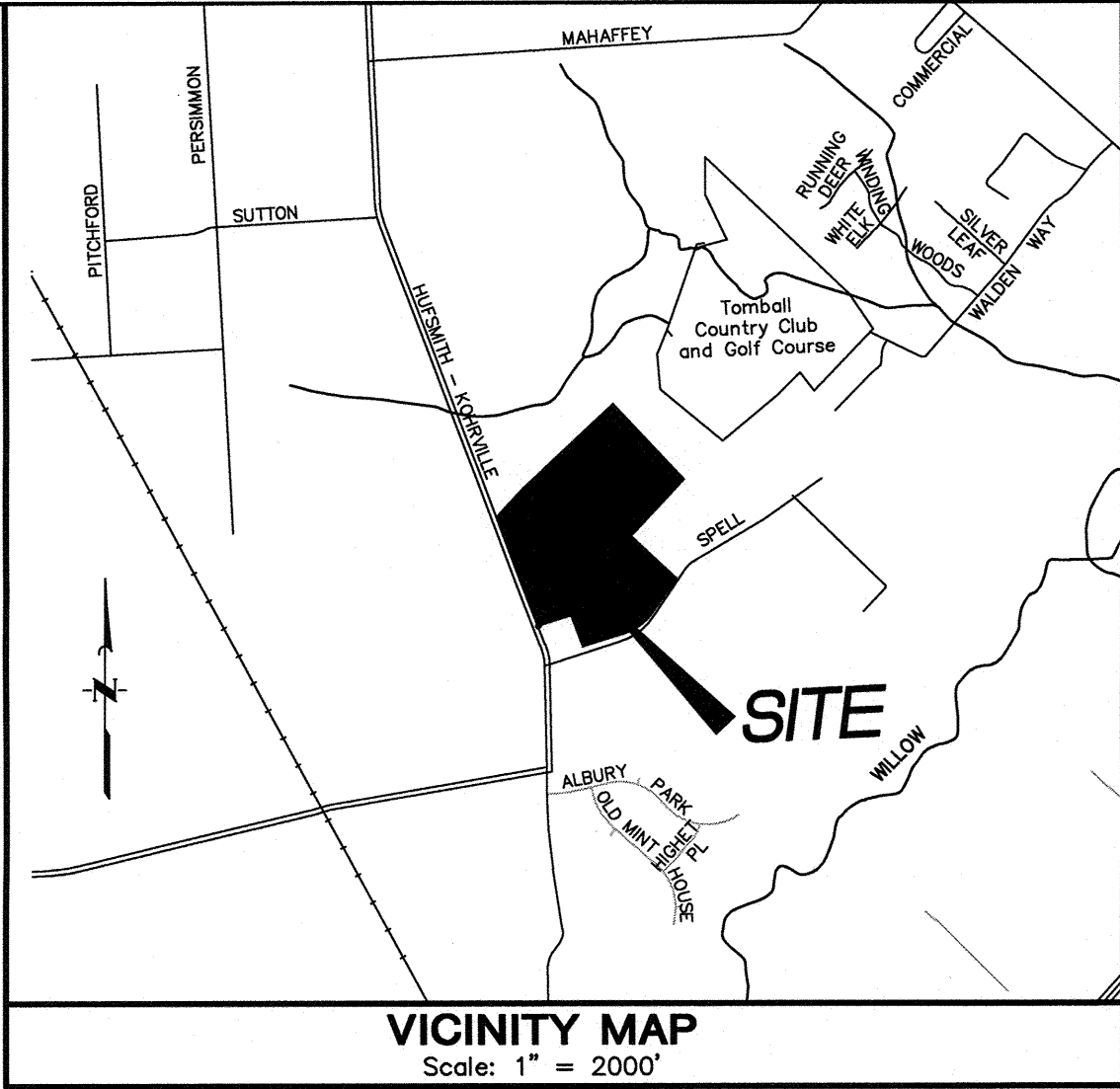
Doris Speer, City Secretary

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 _____, 2017, at ____clock ____M., and duly recorded on _____, 2017, at ____ o'clock ____M., and at Film Code Number _____ of the Map Records of Harris County for said county.

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

Stan Stanart
County Clerk
Of Harris County, Texas

By: _____
Deputy



ALEXANDER ESTATES REPLAT

**A SUBDIVISION OF 70.3574, (3,064,768.37 s.f.) ACRES OF LAND AND
BEING A PARTIAL REPLAT OF TOMBALL GREENS
UNRESTRICTED RESERVE "C"
AS RECORDED IN F.C. NO. 440128, H.C.M.R.
OUT OF THE ELIZABETH SMITH SURVEY, A-70
HARRIS COUNTY, TEXAS**

157 LOTS 13 RESERVES 6 BLOCKS

JUNE 2017

SURVEYOR:



DEVELOPER/OWNER:

BCDE, Ltd
a Texas Limited Partnership
24522 CREEKVIEW ROAD
SPRING, TEXAS 77389
713-628-3628

PLANNER/ENGINEER:



RESTRICTED RESERVE "A"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.2882 AC
12,556.48 Sq Ft

RESTRICTED RESERVE "B"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.0672 AC
2,930.04 Sq Ft

RESTRICTED RESERVE "C"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.1461 AC
6,362.88 Sq Ft

RESTRICTED RESERVE "D"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.1294 AC
5,639.60 Sq Ft

RESTRICTED RESERVE "E"
Restricted to Landscape, Open Space,
Recreation & incidental Utility Purposes Only
1.2453 AC
54,248.27 Sq Ft

RESTRICTED RESERVE "F"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.0918 AC
4,001.05 Sq Ft

RESTRICTED RESERVE "G"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.0918 AC
4,002.04 Sq Ft

RESTRICTED RESERVE "H"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.0681 AC
2,968.88 Sq Ft

RESTRICTED RESERVE "I"
Restricted to Landscape, Open Space
& incidental Utility Purposes Only
0.3721 AC
16,210.35 Sq Ft

RESTRICTED RESERVE "J"
Restricted to Drainage and Detention
Purposes Only
7.8739 AC
342,989.15 Sq Ft

UNRESTRICTED RESERVE "K"
12.8945 AC
561,686.83 Sq Ft

UNRESTRICTED RESERVE "L"
5.7901
252,218.00 Sq Ft

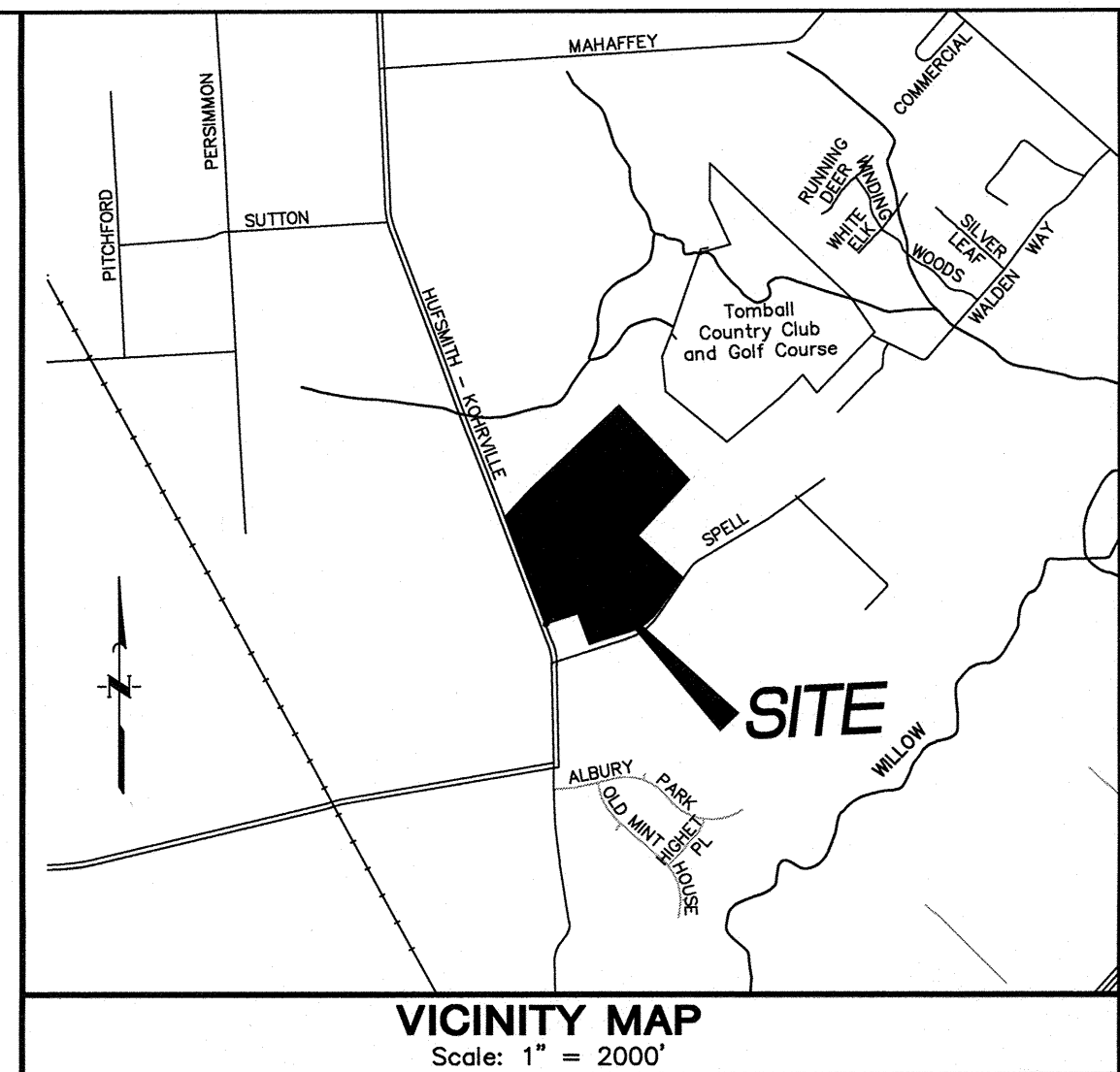
UNRESTRICTED RESERVE "M"
2.3948 AC
104,320.92 Sq Ft

Lot Table		
Lot No.	Square Feet	Acres
BLOCK 1		
1	7373.31	0.169
2	6760.00	0.155
3	6760.00	0.155
4	6760.00	0.155
5	6760.00	0.155
6	6760.00	0.155
7	6760.00	0.155
8	6760.00	0.155
9	6703.88	0.154
10	7471.09	0.172
11	13059.82	0.3
12	8250.84	0.189
13	6359.28	0.146
14	6500.00	0.149
15	6500.00	0.149
16	6500.00	0.149
17	6500.00	0.149
18	6500.00	0.149
19	6500.00	0.149
20	6500.00	0.149
21	6500.00	0.149
22	7038.63	0.162
BLOCK 2		
1	6831.95	0.157
2	6500.00	0.149
3	6500.00	0.149
4	6500.00	0.149
5	6500.00	0.149
6	6500.00	0.149
7	7485.40	0.172
8	8102.29	0.186
9	6500.00	0.149
10	6500.00	0.149
11	6500.00	0.149
12	6500.00	0.149
13	6500.00	0.149
14	6500.00	0.149
15	6500.00	0.149
16	6500.00	0.149
17	8204.62	0.188
18	8181.27	0.188
19	6500.00	0.149
20	6500.00	0.149
21	6470.93	0.149
22	6681.50	0.153
23	12102.84	0.278
24	9063.42	0.208
25	6062.15	0.139
26	6416.97	0.147
27	6555.10	0.15
28	7938.87	0.182
BLOCK 3		
1	10110.57	0.232
2	8720.95	0.2
3	10222.04	0.235
4	11593.10	0.266
5	13789.09	0.317
6	10512.52	0.241
7	10124.41	0.232
8	9143.22	0.21
9	9604.46	0.22
10	9560.59	0.219
11	10452.11	0.24
12	10397.96	0.239
13	9539.21	0.219
14	8840.00	0.203
15	9583.81	0.22
16	10418.17	0.239
17	8190.00	0.188
18	8190.00	0.188
19	8190.00	0.188
20	9555.20	0.219
21	9297.89	0.213
22	8190.00	0.188
23	9974.45	0.229
24	12854.46	0.295
25	12825.15	0.294

Lot Table		
Lot No.	Square Feet	Acres
BLOCK 4		
1	9615.87	0.221
2	7800.00	0.179
3	7800.03	0.179
4	7476.94	0.172
5	18111.18	0.416
6	13974.56	0.321
7	8093.15	0.186
8	7978.89	0.183
9	7800.17	0.179
10	9616.09	0.221
11	9297.30	0.213
12	8893.67	0.204
13	8154.48	0.187
14	7800.00	0.179
15	7800.00	0.179
16	7800.00	0.179
17	7799.23	0.179
18	11770.10	0.27
19	15956.37	0.366
20	7604.96	0.175
21	7800.00	0.179
22	7800.00	0.179
23	7800.00	0.179
24	7800.00	0.179
25	8384.26	0.192
26	8427.97	0.193
27	8425.47	0.193
28	8427.46	0.193
29	8434.05	0.194
30	7704.96	0.177
BLOCK 5		
1	10300.73	0.236
2	6955.00	0.16
3	6955.00	0.16
4	6955.00	0.16
5	6955.00	0.16
6	6955.00	0.16
7	6955.00	0.16
8	10173.17	0.234
9	9504.80	0.218
10	7800.00	0.179
11	7800.00	0.179
12	7800.00	0.179
13	7800.00	0.179
14	9095.87	0.209
15	9615.87	0.221
16	7800.00	0.179
17	7800.00	0.179
18	7777.04	0.179
19	9426.21	0.216
20	12999.54	0.298
21	13271.92	0.305
22	10182.02	0.234
23	11262.30	0.259
24	10336.27	0.237
25	6500.00	0.149
26	6500.00	0.149
27	8315.87	0.191
28	6500.00	0.149
29	6500.00	0.149
30	8592.50	0.197
31	8766.84	0.201
BLOCK 6		
1	7237.10	0.166
2	6500.00	0.149
3	6487.39	0.149
4	6889.10	0.158
5	10389.56	0.239
6	6857.52	0.157
7	6360.84	0.146
8	6482.09	0.149
9	6500.00	0.149
10	6500.00	0.149
11	6500.00	0.149
12	6500.00	0.149
13	6500.00	0.149
14	6482.39	0.149
15	7040.24	0.162
16	11108.15	0.255
17	7210.42	0.166
18	6470.33	0.149
19	6500.00	0.149
20	6500.00	0.149
21	8185.87	0.188

Curve Table					
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING
C1	11°31'23"	25.00'	5.03'	2.52'	N121°41'11"W
C2	4°10'17"	25.00'	1.82'	0.91'	S20°05'02"E
C3	37°57'20"	573.26'	379.76'	197.14'	N56°11'20"E
C4	11°27'09"	25.00'	5.00'	2.51'	S80°53'35"W
C5	19°50'55"	25.00'	8.66'	4.37'	N65°14'33"E
C6	7°36'00"	800.00'	106.11'	53.14'	N18°38'08"W
C7	71°32'41"	50.00'	62.43'	36.02'	S13°20'13"W
C8	72°02'48"	50.00'	62.87'	36.36'	S85°07'57"W
C9	90°00'00"	50.00'	78.54'	50.00'	N13°50'38"W
C10	44°00'31"	300.00'	230.43'	121.23'	N53°09'37"E
C11	90°00'00"	50.00'	78.54'	50.00'	S59°50'08"E
C12	86°50'15"	50.00'	75.78'	47.31'	S61°25'01"E
C13	14°13'42"	400.00'	99.33'	49.92'	N51°43'48"W
C14	81°51'35"	50.00'	71.44'	43.36'	N3°41'10"W
C15	37°55'22"	400.00'	264.75'	137.43'	N56°12'19"E
C16	91°09'57"	25.00'	39.78'	25.51'	S62°24'55"E
C17	90°00'00"	25.00'	39.27'	25.00'	S27°00'07"W
C18	78°27'47"	25.00'	34.24'	20.41'	N32°46'13"E
C19	90°00'00"	25.00'	39.27'	25.00'	N62°59'53"W
C20	83°06'57"	25.00'	36.27'	22.16'	S63°43'03"E
C21	85°14'00"	25.00'	37.19'	23.00'	S24°37'07"W
C22	2°59'17"	500.00'	26.08'	13.04'	S76°13'07"W
C23	2°59'17"	500.00'	26.08'	13.04'	N67°47'07"E
C24	4°46'00"	500.00'	41.60'	20.81'	N74°23'07"E
C25	4°46'00"	500.00'	41.60'	20.81'	S69°37'07"W
C26	90°14'24"	25.00'	39.37'	25.10'	N26°52'55"E
C27	93°09'45"	25.00'	40.65'	26.42'	N61°25'01"W
C28	37°54'31"	25.00'	16.54'	8.59'	N41°23'23"W
C29	147°22'34"	50.00'	128.61'	170.85'	S13°20'39"W
C30	37°55'22"	25.00'	16.55'	8.59'	N68°04'14"E
C31	71°32'41"	25.00'	31.22'	18.01'	S13°20'13"W
C32	36°52'12"	25.00'	16.09'	8.33'	N30°40'27"E
C33	145°47'12"	50.00'	127.22'	162.46'	S85°07'57"W
C34	36°52'12"	25.00'	16.09'	8.33'	S40°24'33"E
C35	72°02'48"	25.00'	31.44'	18.18'	S85°07'57"W
C36	90°00'00"	25.00'	39.27'	25.00'	N76°09'22"E
C37	90°00'00"	25.00'	39.27'	25.00'	S13°50'38"E
C38	48°45'12"	25.00'	21.27'	11.33'	S73°13'39"E
C39	190°20'33"	50.00'	166.11'	552.48'	N22°55'59"W
C40	61°34'56"	25.00'	26.87'	14.90'	S61°56'50"W
C41	90°00'00"	25.00'	39.27'	25.00'	N13°50'38"W
C42	90°00'00"	25.00'	39.27'	25.00'	N76°09'22"E
C43	36°52'12"	25.00'	16.09'	8.33'	S40°24'33"E
C44	274°38'20"	50.00'	239.67'	46.11'	S20°42'23"W
C45	57°46'09"	25.00'	25.21'	13.79'	N87°43'43"W
C46	90°00'00"	25.00'	39.27'	25.00'	N13°50'38"W
C47	90°00'00"	25.00'	39.27'	25.00'	S13°50'38"E
C48	90°00'00"	25.00'	39.27'	25.00'	S76°09'22"W
C49	83°39'02"	25.00'	36.50'	22.37'	S26°54'27"W
C50	89°55'04"	25.00'	39.23'	24.96'	N59°52'36"W
C51	41°29'06"	25.00'	18.10'	9.47'	S54°25'19"W
C52	164°29'57"	50.00'	143.55'	367.37'	S64°04'16"E
C53	33°00'50"	25.00'	14.41'	7.41'	N1°40'17"E
C54	90°00'00"	25.00'	39.27'	25.00'	S59°50'08"E
C55	31°44'54"	25.00'	13.85'	7.11'	S60°29'24"E
C56	145°21'23"	50.00'	126.85'	160.32'	N3°41'10"W
C57	31°44'54"	25.00'	13.85'	7.11'	S53°07'05"W
C58	81°51'35"	25.00'	35.72'	21.68'	N3°41'10"W
C59	86°06'05"	25.00'	37.57'	23.35'	S61°46'57"E
C60	90°05'04"	25.00'	39.31'	25.04'	S30°07'28"W
C61	89°54'56"	25.00'	39.23'	24.96'	S59°52'32"E
C62	90°05'04"	25.00'	39.31'	25.04'	N30°07'28"E
C63	89°54'56"	25.00'	39.23'	24.96'	N59°52'32"W
C64	86°16'13"	25.00'	37.64'	23.42'	N32°01'54"E
C65	2°57'31"	500.00'	25.82'	12.91'	N12°34'58"W
C66	2°56'28"	500.00'	25.67'	12.84'	S17°15'40"E
C67	90°57'18"	25.00'	39.69'	25.42'	S29°41'13"W
C68	256°34'04"	50.00'	223.90'	63.35'	N46°41'55"W
C69	70°08'50"	25.00'	30.61'	17.55'	N40°05'27"E
C70	89°55'04"	25.00'	39.23'	24.96'	S59°52'36"E
C71	90°46'24"	25.00'	39.61'	25.34'	N59°26'56"W
C72	90°04'56"	25.00'	39.31'	25.04'	N30°07'24"E
C73	86°50'15"	25.00'	37.89'	23.66'	S61°25'01"E
C74	36°52'12"	25.00'	16.09'	8.33'	S56°43'46"W
C75	160°34'38"	50.00'	140.13'	292.16'	S61°25'01"E
C76	36°52'12"	25.00'	16.09'	8.33'	N0°26'13"E
C77	90°00'00"	25.00'	39.27'	25.00'	N13°50'38"W
C78	90°00'00"	25.00'	39.27'	25.00'	S76°09'22"W

Line Table		
Line	Bearing	Distance
L1	S72°00'07"W	31.71
L2	N61°39'52"W	20.71
L3	S72°00'07"W	118.49
L4	N72°00'07"E	50.00
L5	N74°56'48"E	141.29
L6	N45°27'57"E	92.63
L7	N47°13'24"E	49.60
L8	N46°22'25"E	49.31
L9	N47°54'06"E	49.47
L10	S14°50'08"E	14.93
L11	S30°07'28"W	21.2



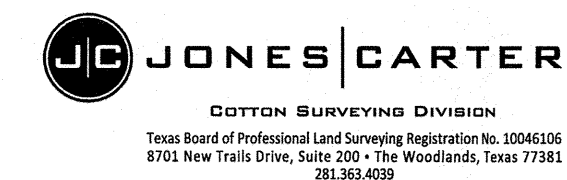
ALEXANDER ESTATES REPLAT

A SUBDIVISION OF 70.3574, (3,064,768.37 s.f.) ACRES OF LAND AND
BEING A PARTIAL REPLAT OF TOMBALL GREENS
UNRESTRICTED RESERVE "C"
AS RECORDED IN F.C. NO. 440128, H.C.M.R.
OUT OF THE ELIZABETH SMITH SURVEY, A-70
HARRIS COUNTY, TEXAS

157 LOTS 13 RESERVES 6 BLOCKS

JUNE 2017

SURVEYOR:

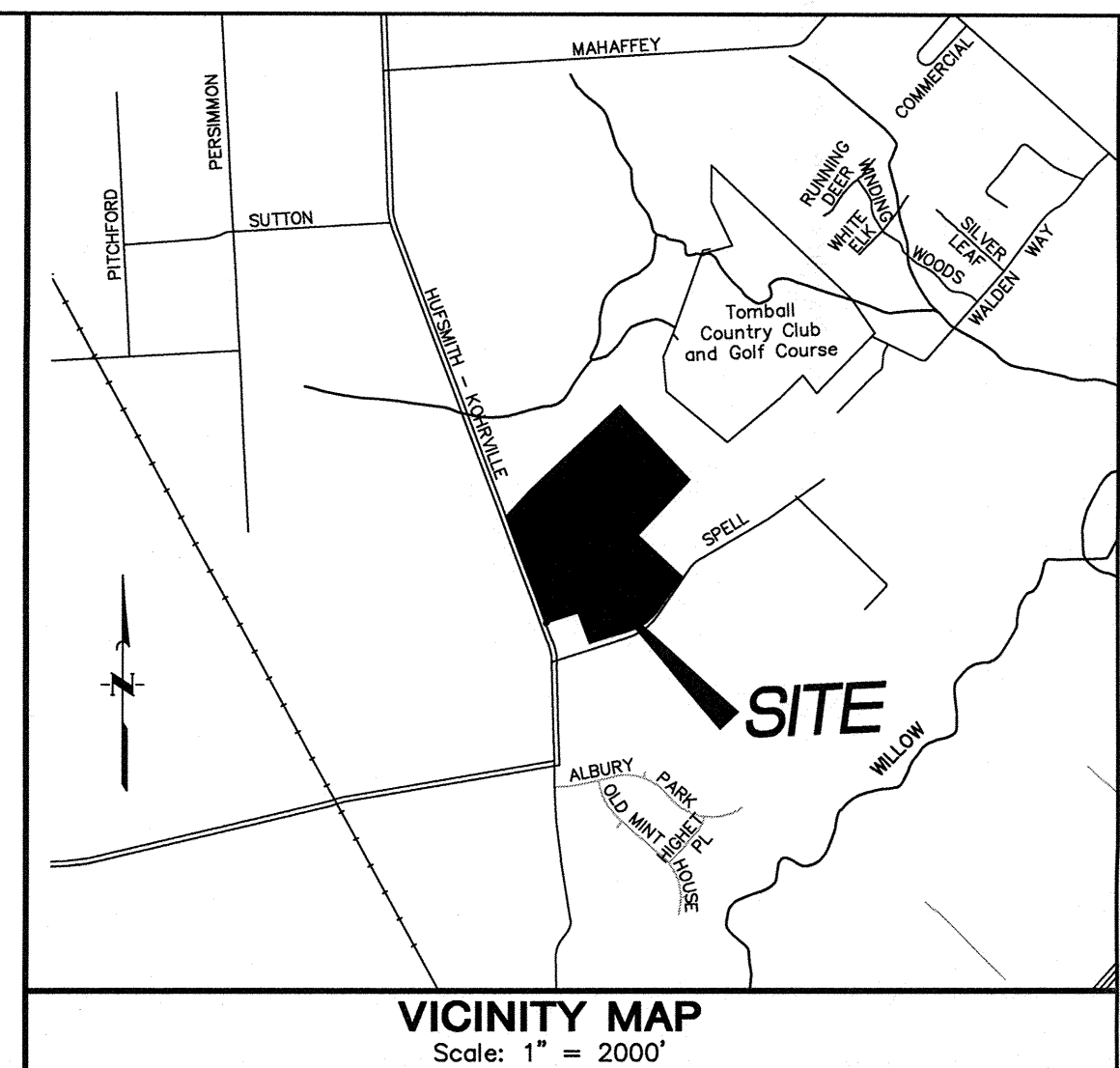


DEVELOPER/OWNER:

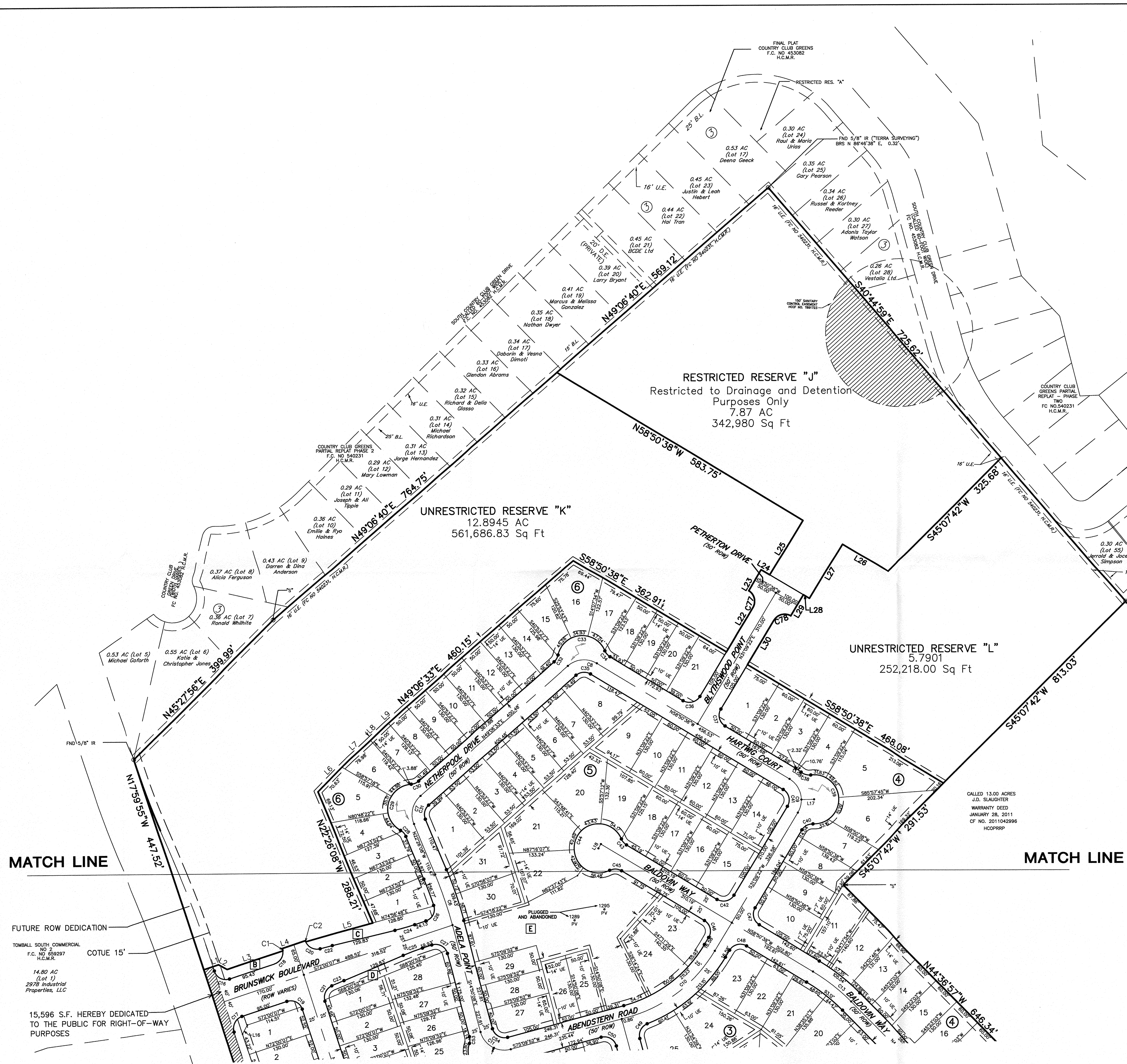
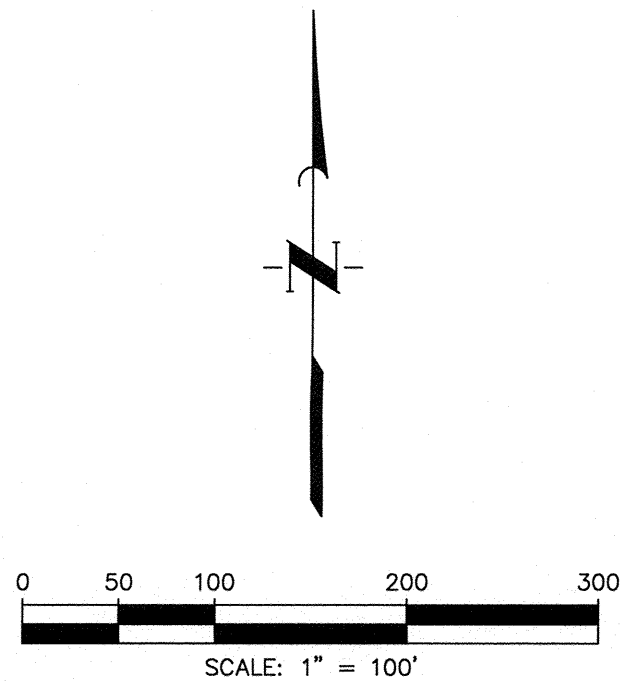
BCDE, Ltd
a Texas Limited Partnership
24522 CREEKVIEW ROAD
SPRING, TEXAS 77389
713-628-3628

PLANNER/ENGINEER:





VICINITY MAP
Scale: 1" = 2000'



ALEXANDER ESTATES REPLAT

A SUBDIVISION OF 70.3574, (3,064,768.37 s.f.) ACRES OF LAND AND
BEING A PARTIAL REPLAT OF TOMBALL GREENS
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HARRIS COUNTY, TEXAS

157 LOTS 13 RESERVES 6 BLOCKS
JUNE 2017

SURVEYOR: J.C. JONES | CARTER
DEVELOPER/OWNER: BCDE, Ltd
PLANNER/ENGINEER: J.C. JONES | CARTER

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve **Zoning Case P17-0068**: Request by Susan Alt for a Conditional Use Permit for an accessory dwelling at 202 Florence Street. The property is approximately 5,000 square feet, legally described as Lot 2 Block 24 Tomball Outlots, generally located on the north side of Florence Street between Cherry Street and Walnut Street and is zoned Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P17-0068**

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

P17-0068 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 10, 2017
&
CITY COUNCIL
JULY 17, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 10, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 17, 2017, 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 P17-0068: Request by Susan Alt for a Conditional Use Permit for an *accessory dwelling* at 202 Florence Street. The property is approximately 5,000 square feet, legally described as Lot 2 Block 24 Tomball Outlots, generally located on the north side of Florence Street between Cherry Street and Walnut Street and is zoned Single-Family 6 District.

Zoning Case P17-0069: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.7 acres of land legally described as Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Harris County, Texas, generally located on the south side of East Hufsmith Road west of Lovett Street from the Single-Family 9 District to the Single-Family 6 District.

Zoning Case P17-0070: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13 acres of land legally described as Lots 157, 161 and Tract 153A Tomball Outlots, Harris County, Texas, generally located on the east side of South Cherry Street north of Justin Court, from the Single-Family 20 Estate District to the Single-Family 6 District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the 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 **July 2017** by 5:00 p.m., and remained posted for at least 72 continuous

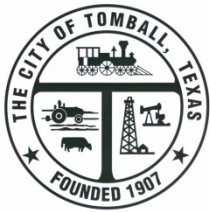
hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Secretary of the Board

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



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: P17-0068

APPLICANT/OWNER: Susan Alt

LOCATION: Generally located on the north side of Florence Street between Cherry Street and Walnut Street

PROPOSAL: A Conditional Use Permit for an *accessory dwelling* at 202 Florence Street. The property is approximately 5,000 square feet, legally described as Lot 2 Block 24 Tomball Outlots, and is zoned Single-Family 6 District.

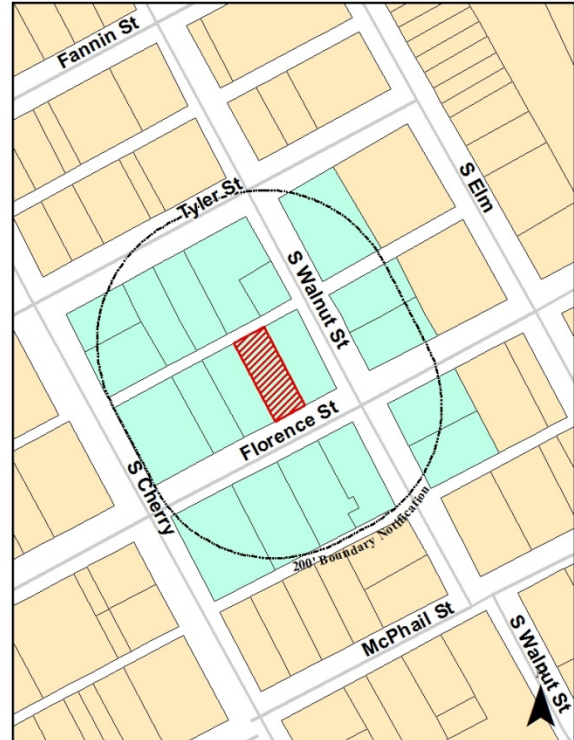
CONTACT: Amelia Lindley

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:**

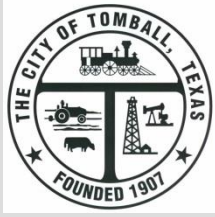
Monday, July 10, 2017, 6:00 PM

City Council Public Hearing:

***Monday, July 17, 2017, 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: July 10, 2017
City Council Public Hearing Date: July 17, 2017

Rezoning Case: P17-0068
Property Owner(s): Nancy Bandy
Applicant(s): Susan Alt
Legal Description: Lot 2 Block 24 Tomball Outlots
Location: North side of Florence Street between Cherry Street and Walnut Street at 202 Florence Street (Exhibit "A")
Area: 0.11 acres (5,000 square feet)
Comp Plan Designation: Old Town Use (Exhibit "B")
Present Zoning and Use: Single-Family 6 District (Exhibit "C") / Single-family residence (Exhibit "D")
Proposed Use(s): 288 Square Foot Accessory Dwelling
Request: Conditional Use Permit (CUP) to allow the operation of an *accessory dwelling*

Adjacent Zoning & Land Uses:

North: Single-Family 6 / Single-family residence
South: Single-Family 6 / Single-family residence
West: Single-Family 6 / Single-family residence
East: Single-Family 6 / Single-family residence

BACKGROUND

City Staff met with the applicant in May 2017. The applicant explained the desire for a 288 square foot accessory dwelling on a lot belonging to a family member. Staff explained that a Conditional Use Permit (CUP) would need to be presented to the Planning & Zoning Commission and approved by City Council.

ANALYSIS

Section 50-82(b) (*Use Charts*) allows accessory dwellings by-right in the Agricultural, Single-Family 20 Estate, Single-Family 9 and Old Town & Mixed Use Districts.

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 identifies the subject site as Old Town Use. The purpose of Old Town Use is to preserve the eclectic and historic ambiance and charm of Tomball. It is understood that as Tomball continues to evolve, neighborhood revitalization and housing modifications will become more predominate.

- 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 50-71, “the Single-Family 6 District is intended to provide for development of primarily low-density detached, single-family residences”. An accessory dwelling may be allowed as a subordinate building to the main structure with the approval of a Conditional Use Permit.

- 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.

The accessory dwelling must be clearly a subordinate building, detached from the primary structure and may not be used to conduct business. The applicant has proposed a 12’ x 24’ (288 square feet) building (Exhibit “F”). According to Harris County Appraisal District, the primary structure is 896 square feet.

- 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 and will not diminish the unique character of old town Tomball.

- 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 June 23, 2017. A sign was placed on the property and Notice of Public Hearing was published in the paper on June 28, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P17-0068.

EXHIBITS

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

Exhibit "A"
Aerial Photo

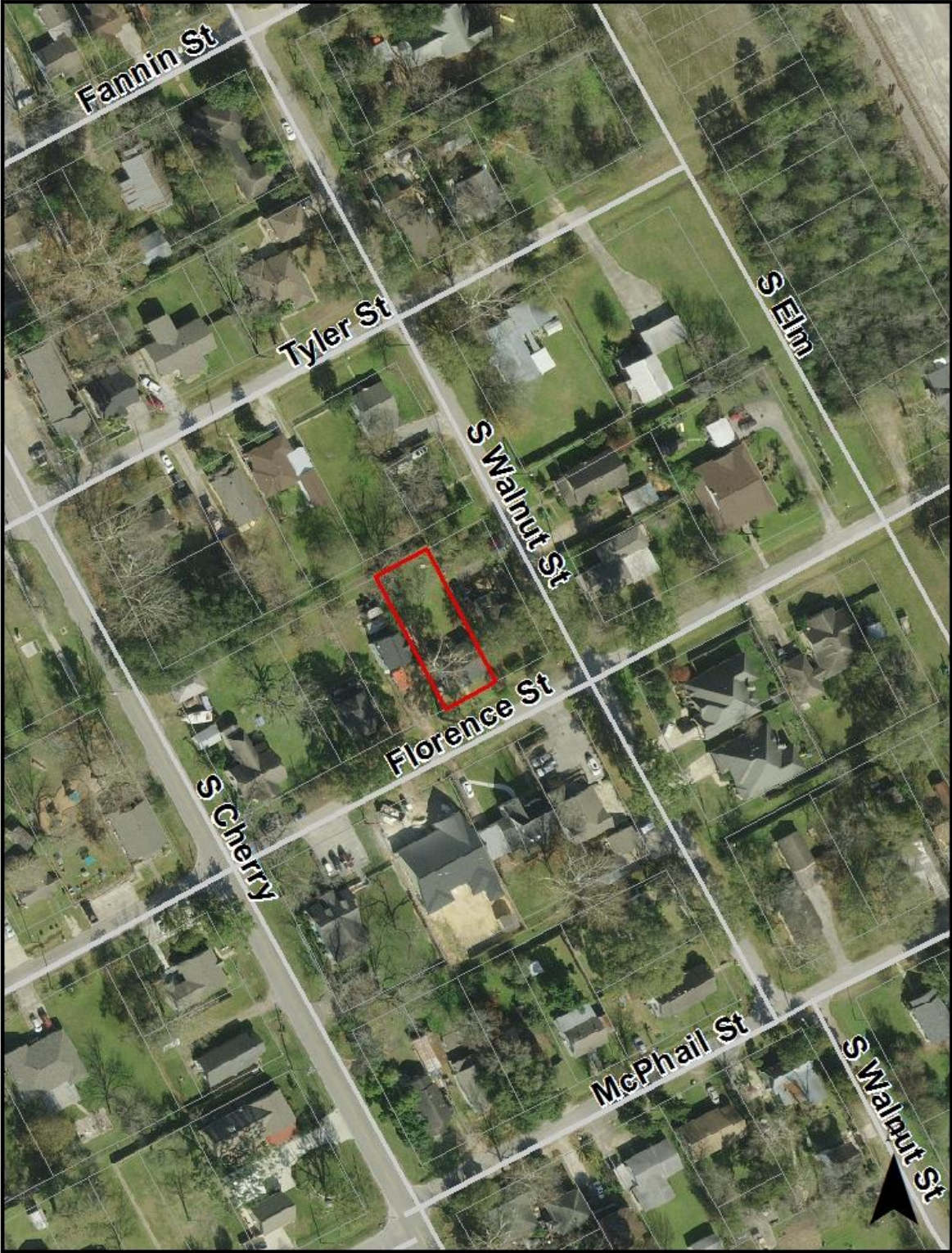
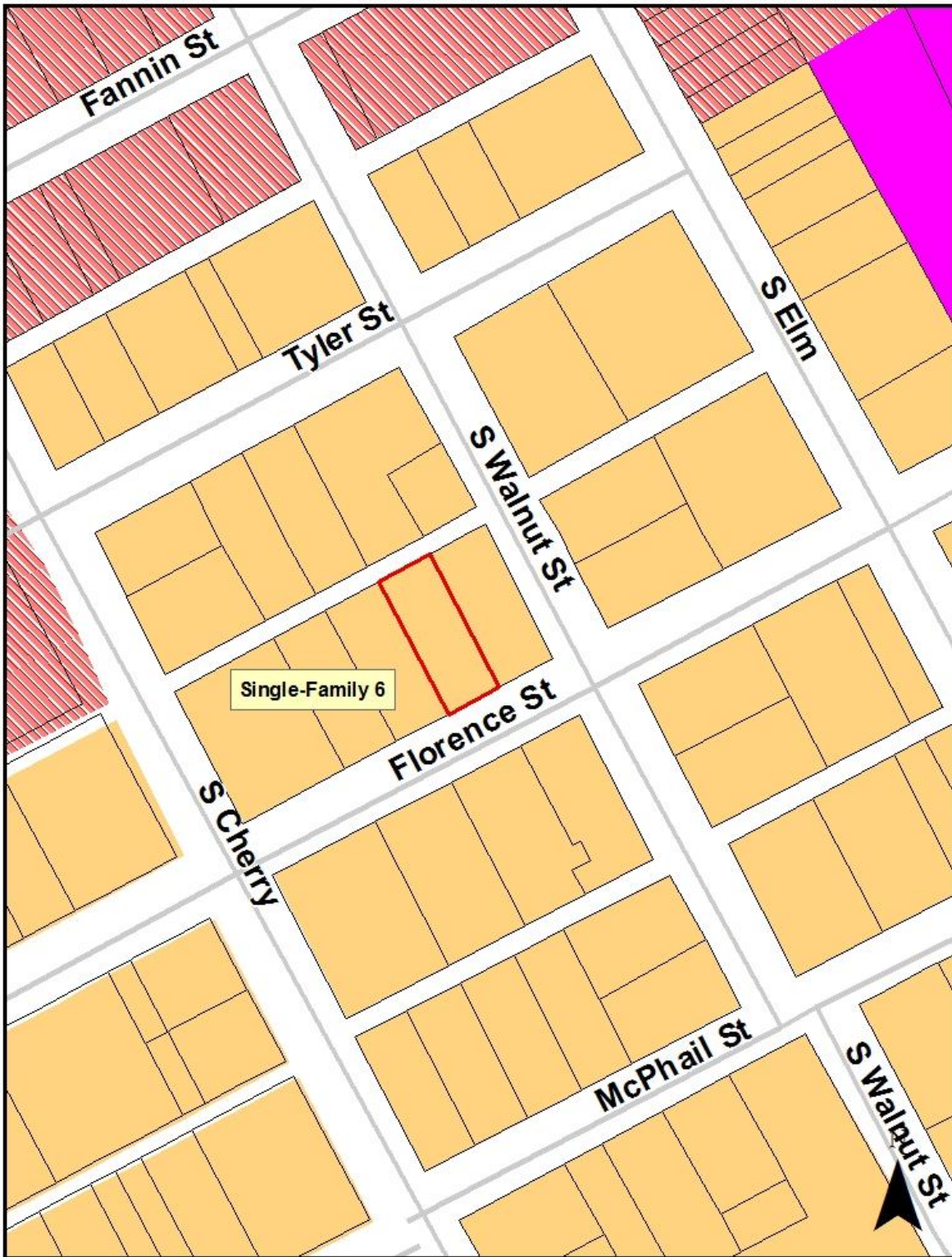


Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
CUP Application

Revised 5/19/15



P17-0068
APPLICATION FOR
CONDITIONAL USE PERMIT
Community Development Department
Planning Division



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.

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 Section 50-34 of the Code of Ordinances.

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: Susan Alt Title: _____
Mailing Address: 554 Maple Street City: Wyandotte State: Mi
Zip: 48192
Phone: (734) 308-4407 Fax: (____) _____ Email: suealtswim@gmail.com

Owner

Name: Nancy Bandy Title: _____
Mailing Address: 205 Florence City: Tomball State: Tx
Zip: 77375
Phone: (310) 827-0173 Fax: (____) _____ Email: nancysnotty@gmail.com

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: 12x24 Habitable guest space

Physical Location of Property: Florence/Walnut - 50 feet
[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: 202-0003 see plat map
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: _____ Acreage: 5000 sf

Current Use of Property: Private Residence single family

Proposed Use of Property: Private Residence single family

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

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

X Susan Alt 5/30/2017
Signature of Applicant Date

X [Signature] 5-30-17
Signature of Owner Date

CITY OF TOMBALL
281-351-5484

REC#: 00984060 5/31/2017 11:11 AM
OPER: RP TERM: 005
REF#: W 447

TRAN: 130.0000 PLANNING AND ZONING
202 FLORANCE
NANCY BANDY
100-5442

City of Tomball, Texas 501

CONDITIONAL USE PER 600.00CR

www.tomballtx.gov

TENDERED: 600.00 CHECK
APPLIED: 600.00-
CHANGE: 0.00

Community Development Department

Planning Division:

I am requesting authorization to build a 12 x 24 foot single level building on the property located at 202 Florence in Tomball. The building will include a laundry, bath and living area and will replace an existing garage and laundry that measures 10 x 23 feet. The existing building is in bad shape and the new building will be designed to match the home and surrounding area.

I wish to use this habitable space as a guest house as I enjoy extended visits with my sister (the property owner, Nancy Bandy). My permanent residence is in Wyandotte, Michigan. The building will not be rented.

Thank you sincerely,

Susan Alt

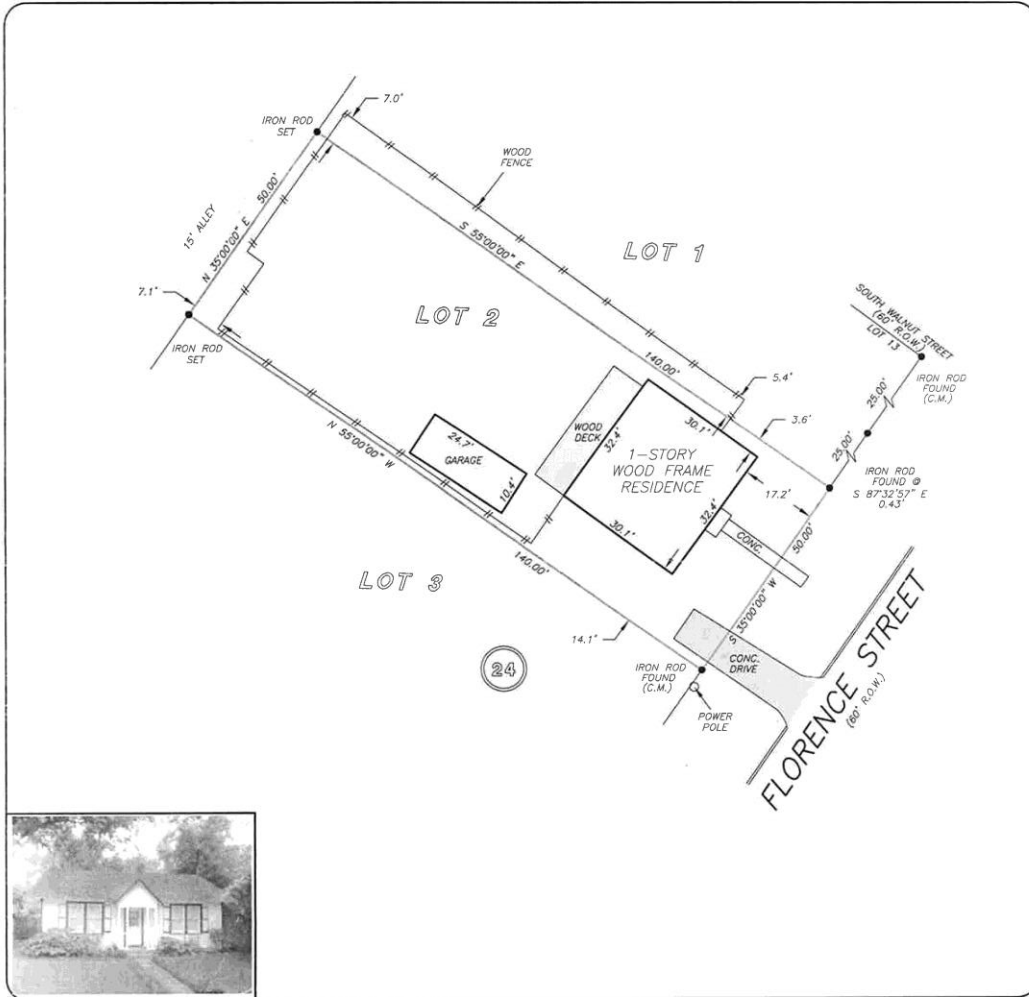
734-308-4407

A handwritten signature in cursive script that reads "Susan alt". The signature is written in black ink and is positioned below the printed name and phone number.

GF NO. 07121130 STEWART TITLE
 ADDRESS: 202 FLORENCE STREET
 TOMBALL, TEXAS 77375
 BORROWER: NANCY BANDY

LOT 2, BLOCK 24 TOMBALL

ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
 IN VOLUME 2, PAGE 36 OF THE MAP RECORDS
 OF HARRIS COUNTY, TEXAS



THIS PROPERTY DOES NOT LIE WITHIN THE
 100 YEAR FLOOD PLAIN AS PER FIRM
 FEMA NO. 48201C 0230 L
 MAP REVISION: 6/18/2007
 /DNB X
 BASED ONLY ON VISUAL EXAMINATION OF MAPS.
 INACCURACIES OF FEMA MAPS PREVENT EXACT
 DETERMINATION WITHOUT DETAILED FIELD STUDY

A SURFACE INVESTIGATION
 WAS BEYOND THE SCOPE OF THIS SURVEY

RECORD BEARING: ASSUMED BASIS OF BEARINGS

DRAWN BY: AL

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE
 ON THE GROUND, THAT THIS PLAT CORRECTLY
 REPRESENTS THE FACTS FOUND AT THE
 TIME OF SURVEY AND THAT THERE ARE NO
 ENCROACHMENTS APPARENT ON THE GROUND,
 EXCEPT AS SHOWN HEREON. THIS SURVEY IS
 CERTIFIED FOR THIS TRANSACTION ONLY AND
 ABSTRACTING PROVIDED IN THE ABOVE
 REFERENCED TITLE COMMITMENT WAS RELIED
 UPON IN PREPARATION OF THIS SURVEY.

TERRANCE MISH
 PROFESSIONAL LAND SURVEYOR
 NO. 4981
 JOB NO. 07-07781
 JUNE 25, 2007



stewart
 title
 MARY ELLEN LOGSDON
 281-357-8277

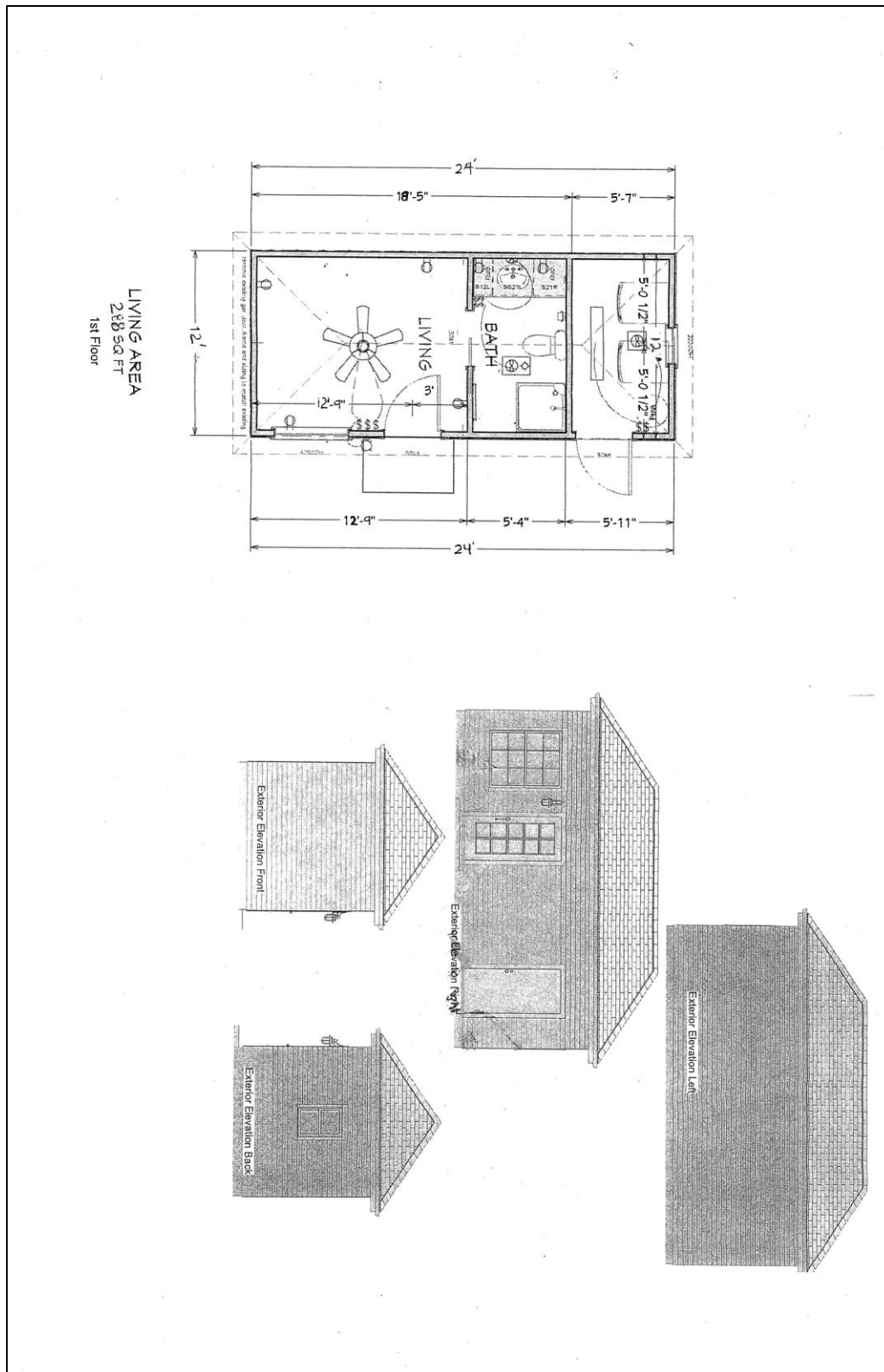


PRECISION SURVEYORS, INC.

1-800-LANDSURVEY 281-496-1586
 1-800-526-3787 FAX 281-496-1867
 14925 MEMORIAL DRIVE SUITE 8100 HOUSTON, TEXAS 77079

FORM 8/2/05

Figure "F"
Concept Plan



Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve **Zoning Case P17-0069**: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.7 acres of land legally described as Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Harris County, Texas, generally located on the south side of East Hufsmith Road west of Lovett Street from the Single-Family 9 District to the Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P17-0069**

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
P17-0069 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 10, 2017
&
CITY COUNCIL
JULY 17, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 10, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 17, 2017, 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 P17-0068: Request by Susan Alt for a Conditional Use Permit for an *accessory dwelling* at 202 Florence Street. The property is approximately 5,000 square feet, legally described as Lot 2 Block 24 Tomball Outlots, generally located on the north side of Florence Street between Cherry Street and Walnut Street and is zoned Single-Family 6 District.

Zoning Case P17-0069: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.7 acres of land legally described as Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Harris County, Texas, generally located on the south side of East Hufsmith Road west of Lovett Street from the Single-Family 9 District to the Single-Family 6 District.

Zoning Case P17-0070: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13 acres of land legally described as Lots 157, 161 and Tract 153A Tomball Outlots, Harris County, Texas, generally located on the east side of South Cherry Street north of Justin Court, from the Single-Family 20 Estate District to the Single-Family 6 District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the 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 **July 2017** by 5:00 p.m., and remained posted for at least 72 continuous

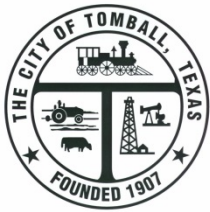
hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Secretary of the Board

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Notice of Public Hearing

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

CASE NUMBER: P17-0069

APPLICANT/OWNER: Benson Development, LLC

LOCATION: Generally located on the south side of East Hufsmith Road west of Lovett Street

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 11.7 acres of land legally described as Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Harris County, Texas, from the Single-Family 9 District to the Single-Family 6 District.

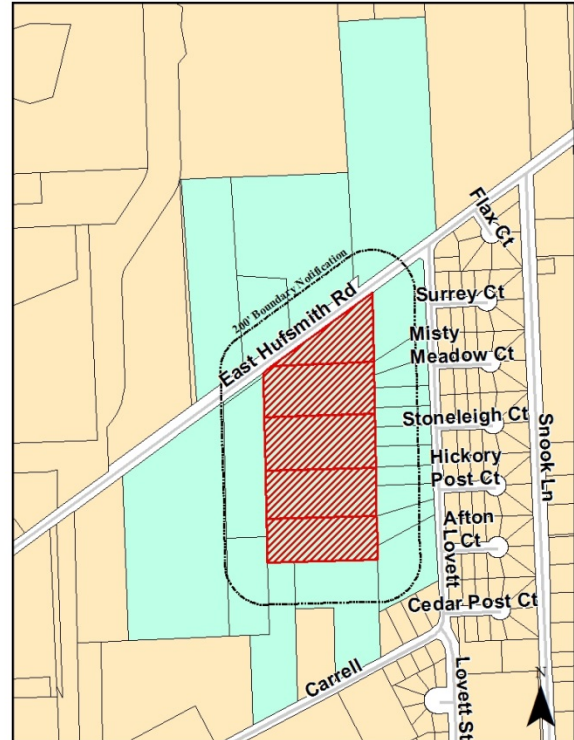
CONTACT: Amelia Lindley, Planner

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.

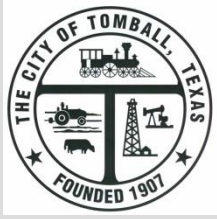


**Planning & Zoning Commission
Public Hearing:
Monday, July 10, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, July 17, 2017, 6:00 PM**

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

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



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 10, 2017
City Council Public Hearing Date: July 17, 2017

Rezoning Case: P17-0069
Property Owner(s): David Smith
Applicant(s): Benson Development, LLC
Legal Description: Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots
Location: South side of East Hufsmith Road west of Lovett Street (Exhibit "A")
Area: Approximately 11.7 acres
Comp Plan Designation: Medium Density Residential (Exhibit "B")
Present Zoning and Use: Single-Family 9 (Exhibit "C") / Undeveloped land (Exhibit "D")
Request: Rezone to the Single-Family 6 District

Adjacent Zoning & Land Uses:

North: Single-Family 20 Estate / Single-family residences

South: Multi-family / Apartment complex

West: Single-family 9 / Single-family residence and undeveloped land

East: Single-family 9 and Duplex / Single-family and multi-family residences

BACKGROUND

City Staff met with the applicant to discuss the development of a single-family residential subdivision. A rezoning application was received in May 2017 for the subject site.

ANALYSIS

The subject site is approximately 11.7 acres and currently undeveloped. To the north, there are a few single-family residences on large lots. There are multiple single-family and multi-family residences to the south and east. To the west, there is one single-family residence and mostly undeveloped land.

The zoning districts in the area include Single-Family 20 Estate to the north, Single-Family 9 to the west, Single-Family 9 and Duplex to the east and Multi-family to the south.

The Future Land Use Map designates the property as Medium Density Residential which includes lots ranging from 6,000 to 20,000 square feet. Property to the west is also designated Medium Density Residential. Property to the north is Rural Residential, to the south is High Density Residential and to the east is Medium and High Density Residential.

ZONING CONSIDERATIONS

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

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

The uses that are permitted in the Single-Family 6 Zoning District appear to be appropriate with the immediate area. There is a similar residential development on the south side of East Hufsmith Road along Lovett Street and Snook Lane.

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

Adequate utilities are nearby to serve the property and will need to be extended at the developer's expense. The existing arterial street adjacent to the property can accommodate traffic generated by a Single-Family 6 District development. A traffic impact analysis will be required at the time of development which will determine if offsite traffic enhancements are needed for the adjacent roadways.

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

There is very little vacant property in the City that is zoned Single-Family 6, especially considering the size of the proposed development. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

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

There is not vacant land in the area of the subject site zoned Single-Family 6. There have been recent rezoning requests for the Single-Family 6 District.

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

City Staff does not anticipate any adverse impacts on other areas designated for similar development.

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

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

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

The Future Land Use Map designates a majority of the property Medium Density Residential, which is intended for lots ranging from 6,000 to 20,000 square feet. The Comprehensive Plan also outlines goals for the need for “a wide variety of housing products” and “higher density residential development adjacent to or in close proximity to high capacity roadways and multimodal facilities”. The development will also be located in close proximity to a Broussard Community Park which will encourage pedestrian linkages to public facilities, another goal of the Comprehensive Plan. The request would meet the goals of the Comprehensive Plan.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 23, 2017. The Notice of Public Hearing was published in the paper and a sign was placed on the property on June 28, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends APPROVAL of Zoning Case P17-0069 for the following reasons:

1. The request will meet the goals of City’s Comprehensive Plan;
2. The request is generally in conformance with the Future Land Use Map;
3. The request is generally appropriate with the surrounding zoning districts.

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

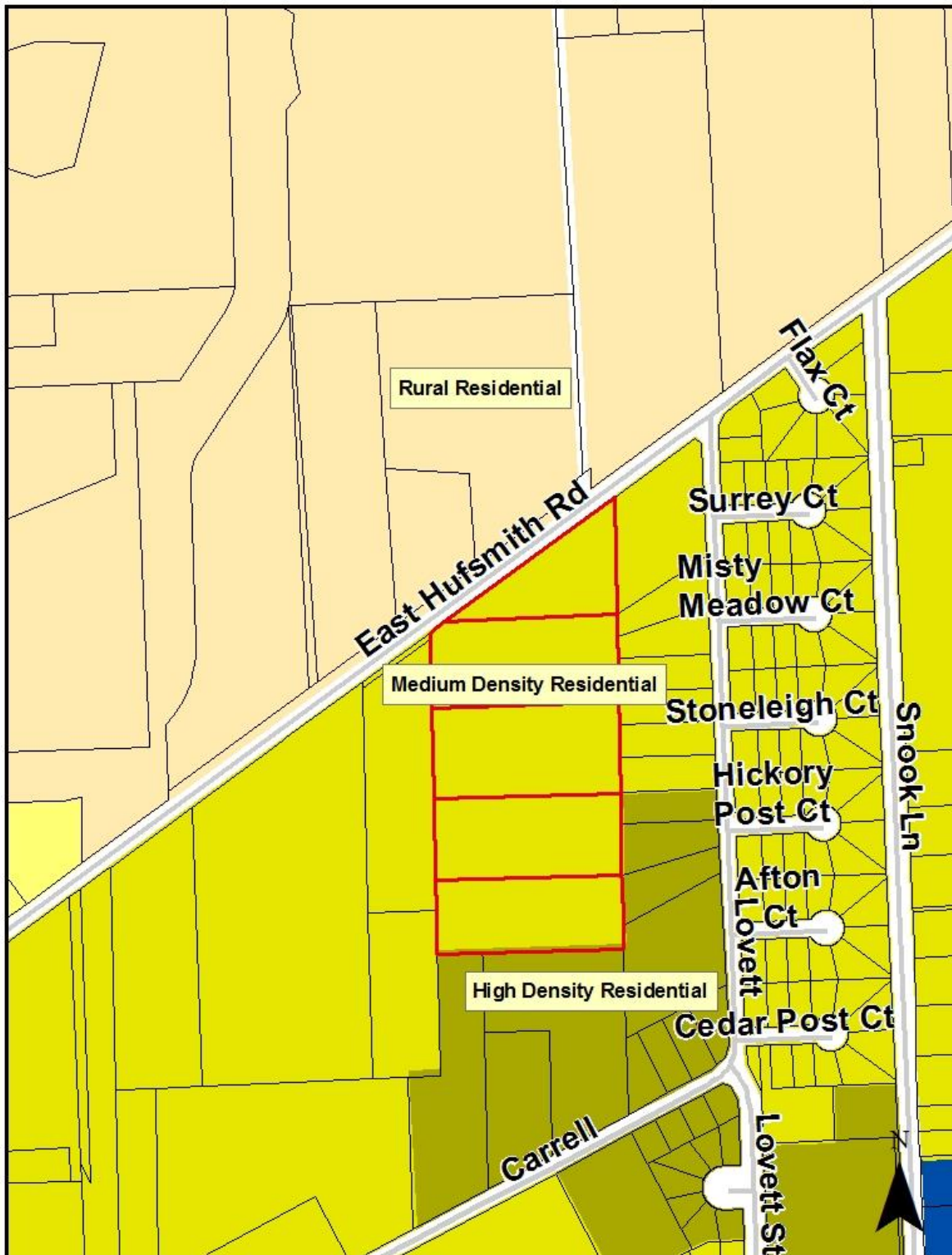
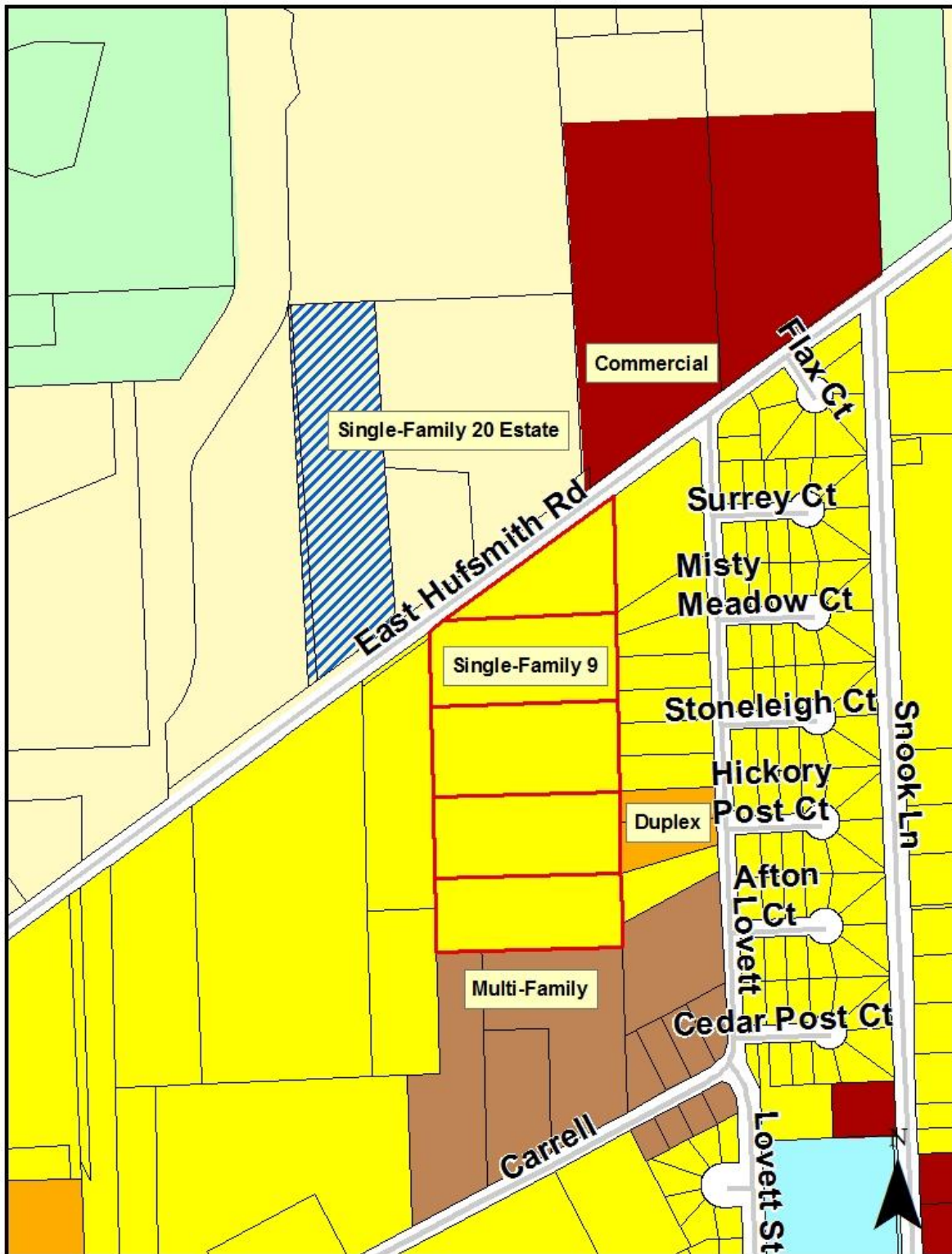


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
Application



P17-0069
APPLICATION FOR REZONING
Community Development Department
Planning Division



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

Applicant

Name: Benson Development, LLC Title: _____
Mailing Address: P.O. Box 2331 City: Tomball State: TX
Zip: 77375
Phone: (281) 932-7836 Fax: (____) _____ Email: will@bensondev.com

Owner

Name: David Smith Title: _____
Mailing Address: 6801 Linkway St. City: San Antonio State: TX
Zip: 78240
Phone: (210) 771-7398 Fax: (____) _____ Email: papa.lotedave@sbcglobal.net

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: Single Family SF-6

Physical Location of Property: +/- 11.7 Acres located at 818 E. Hufsmith Rd. Tomball, TX

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

Legal Description of Property: Tracts 71D, 73B, 76B, 80B, & 83C Tomball Outlots

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

Current Zoning District: SF-9

Current Use of Property: Undeveloped

Proposed Zoning District: SF-6

Proposed Use of Property: Single Family Residential Subdivision

HCAD Identification Number: See Below Acreage: Total +/- 11.7 acres

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

www.tomballtx.gov

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

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

<u>X</u> 	<u>5.23.2017</u>
Signature of Applicant	Date
<u>X</u> 	<u>5/25/17</u>
Signature of Owner	Date

CITY OF TOMBALL
281-351-5484

REC#: 00984495 6/05/2017 8:47 AM
OPER: LS TERM: 005
REF#: W 1030

TRAN: 130.0000 PLANNING AND ZONING
BENSON DEV. 818 E. HUFSMITH RD
100-5441
REZONING APPLICATIO 510.00CR

TENDERED: 510.00 CHECK
APPLIED: 510.00-

CHANGE: 0.00

BENSON

DEVELOPMENT LLC

May 30, 2017

Mrs. Amelia Lindley
501 James St.
Tomball, TX 77375

RE: +/-11.75 ac on Hufsmith Rd. Tomball, TX

Dear Mrs. Lindley;

This zone change request application seeks to re-zone property currently zoned SF-9 for SF-6 use. This request is consistent with the City's Comprehensive Land Use Plan. The proposed use is to build a residential subdivision of approximately 46-48 single family units.

Respectfully,



Will Benson
President

Benson Development, LLC

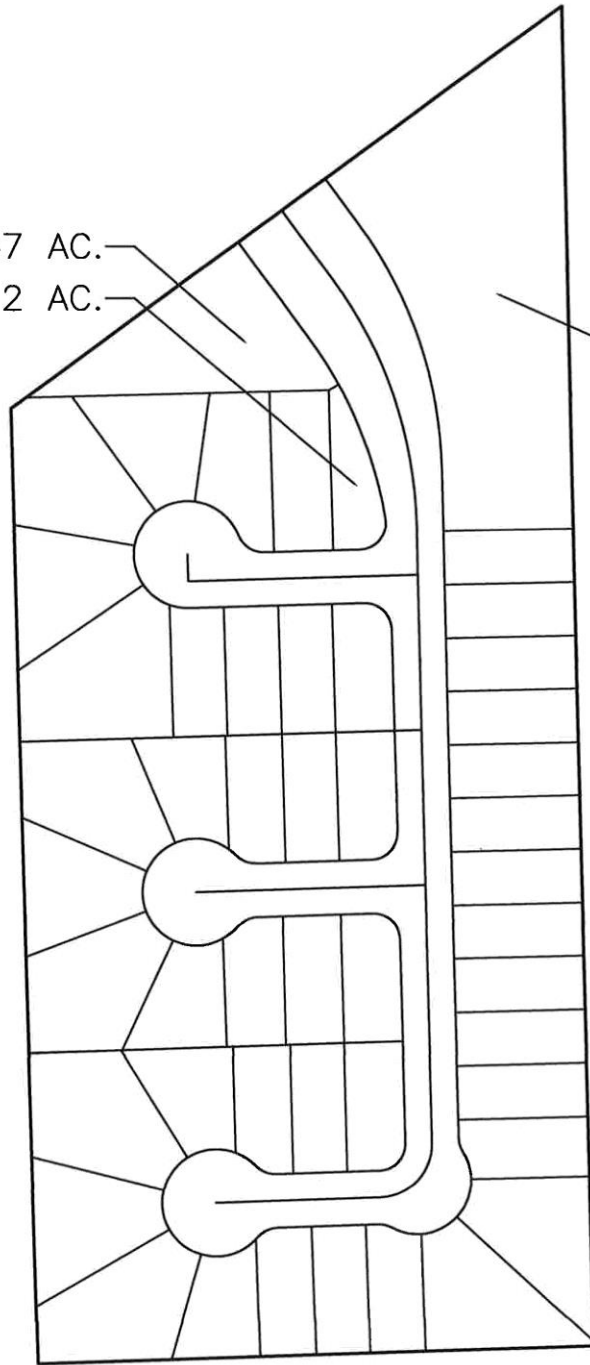
PO BOX 2331, Tomball, TX 77377

(281) 932-7836

0.47 AC.

0.12 AC.

1.53 AC.



Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: July 10, 2017

Topic:

Consideration to Approve **Zoning Case P17-0070**: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13 acres of land legally described as Lots 157, 161 and Tract 153A Tomball Outlots, Harris County, Texas, generally located on the east side of South Cherry Street north of Justin Court, from the Single-Family 20 Estate District to the Single-Family 6 District.

- Conduct Public Hearing on **Zoning Case P17-0070**

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
P17-0070 Staff Report
P17-0070 Comment Forms

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 10, 2017
&
CITY COUNCIL
JULY 17, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 10, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 17, 2017, 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 P17-0068: Request by Susan Alt for a Conditional Use Permit for an *accessory dwelling* at 202 Florence Street. The property is approximately 5,000 square feet, legally described as Lot 2 Block 24 Tomball Outlots, generally located on the north side of Florence Street between Cherry Street and Walnut Street and is zoned Single-Family 6 District.

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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 **July 2017** by 5:00 p.m., and remained posted for at least 72 continuous

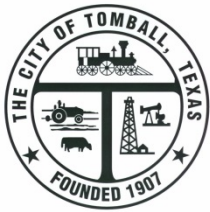
hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Secretary of the Board

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Notice of Public Hearing

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

CASE NUMBER: P17-0070

APPLICANT/OWNER: Benson Development, LLC

LOCATION: Generally located on the east side of South Cherry Street north of Justin Court

PROPOSAL: Request by Benson Development, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 13 acres of land legally described as Lots 157, 161 and Tract 153A Tomball Outlots, Harris County, Texas, from the Single-Family 20 Estate District to the Single-Family 6 District.

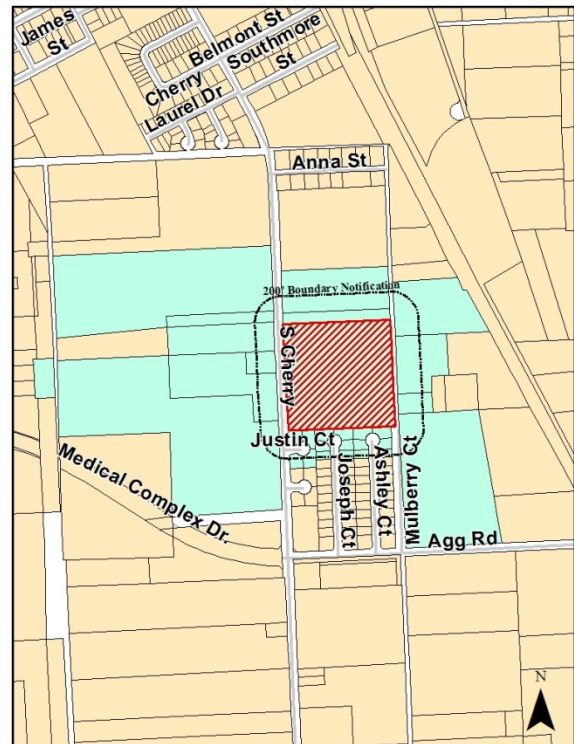
CONTACT: Amelia Lindley, Planner

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.

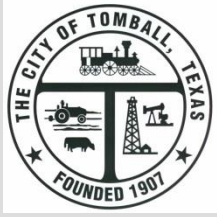


**Planning & Zoning Commission
Public Hearing:
Monday, July 10, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, July 17, 2017, 6:00 PM**

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

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



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: July 10, 2017
City Council Public Hearing Date: July 17, 2017

Rezoning Case: P17-0070
Property Owner(s): Mustafa Mandviwala Profit Sharing Plan T
Applicant(s): Benson Development, LLC
Legal Description: Lots 157, 161 and Tract 153A Tomball Outlots
Location: East side of South Cherry Street north of Justin Court (Exhibit "A")
Area: Approximately 13 acres
Comp Plan Designation: Medium Density Residential (Exhibit "B")
Present Zoning and Use: Single-Family 20 Estate District (Exhibit "C") / Undeveloped land (Exhibit "D")
Request: Rezone approximately 13 acres from the Single-Family 20 Estate District to the Single-Family 6

Adjacent Zoning & Land Uses:

North: Single-Family 9 District / Step-by-Step Child Care

South: Single-Family 6 District / Single-family residences

West: Light Industrial, Commercial and Single-Family 20 Estate District / Dicar Inc., PIC Chemicals and single-family residences

East: Single-Family 20 Estate District / Undeveloped land and single-family residence

BACKGROUND

City Staff met with the applicant to discuss the development of a single-family residential subdivision. A rezoning application was received in May 2017 for the subject site.

ANALYSIS

The subject site is approximately 13 acres and is currently undeveloped. There are multiple land uses in the area including a single-family subdivision to the south, which is zoned Single-Family 6, a childcare center to the north zoned Single-Family 9, a few single-family residences to the east and west, zoned Single-Family 20 Estate and two commercial businesses to the west, zoned Light Industrial and Commercial.

The Future Land Use Map designates the property as Medium Density Residential which typically includes lots ranging from 6,000 to 20,000 square feet, according to the City's Comprehensive Plan. The proposed rezoning is in accordance with the Future Land Use Map.

ZONING CONSIDERATIONS

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

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

The uses permitted in the Single-Family 6 Zoning District appear to be appropriate with the immediate area. There is a similar residential development in the area as well as multiple commercial uses. The proposed subdivision will create a balance between employment and residential land uses in the area and the City as a whole.

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

Adequate utilities are available to serve this property and the existing arterial street adjacent to the property can accommodate traffic generated by a Single-Family 6 District development. A traffic impact analysis will be required at the time of development which will determine if offsite traffic enhancements are needed for the adjacent roadways.

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

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

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

The most recent development in the Single-Family 6 District is Pine Meadows, which was completed in 2015. As mentioned, there is not a lot of available land of this size zoned Single-Family 6. Recently, the City has seen multiple rezoning requests for the Single-Family 6 District.

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

City Staff does not anticipate any adverse impacts on other areas designated for similar development.

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

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

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

The Future Land Use Map designates a majority of the property Medium Density Residential, which is intended for lots ranging from 6,000 to 20,000 square feet. The Comprehensive Plan also outlines goals for the need for “a wide variety of housing products” and “higher density residential development adjacent to or in close proximity to high capacity roadways and multimodal facilities”. The request would meet the goals of the Comprehensive Plan.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on June 23, 2017. The Notice of Public Hearing was published in the paper and a sign was placed on the property on June 28, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends APPROVAL of Zoning Case P17-0070 for the following reasons:

1. The request will meet the goals of City’s Comprehensive Plan;
2. The request is generally in conformance with the Future Land Use Map;
3. The request is generally appropriate with the surrounding land uses in the area;
4. The request is generally appropriate with the surrounding zoning districts.

EXHIBITS

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

Exhibit "A"
Aerial Photo

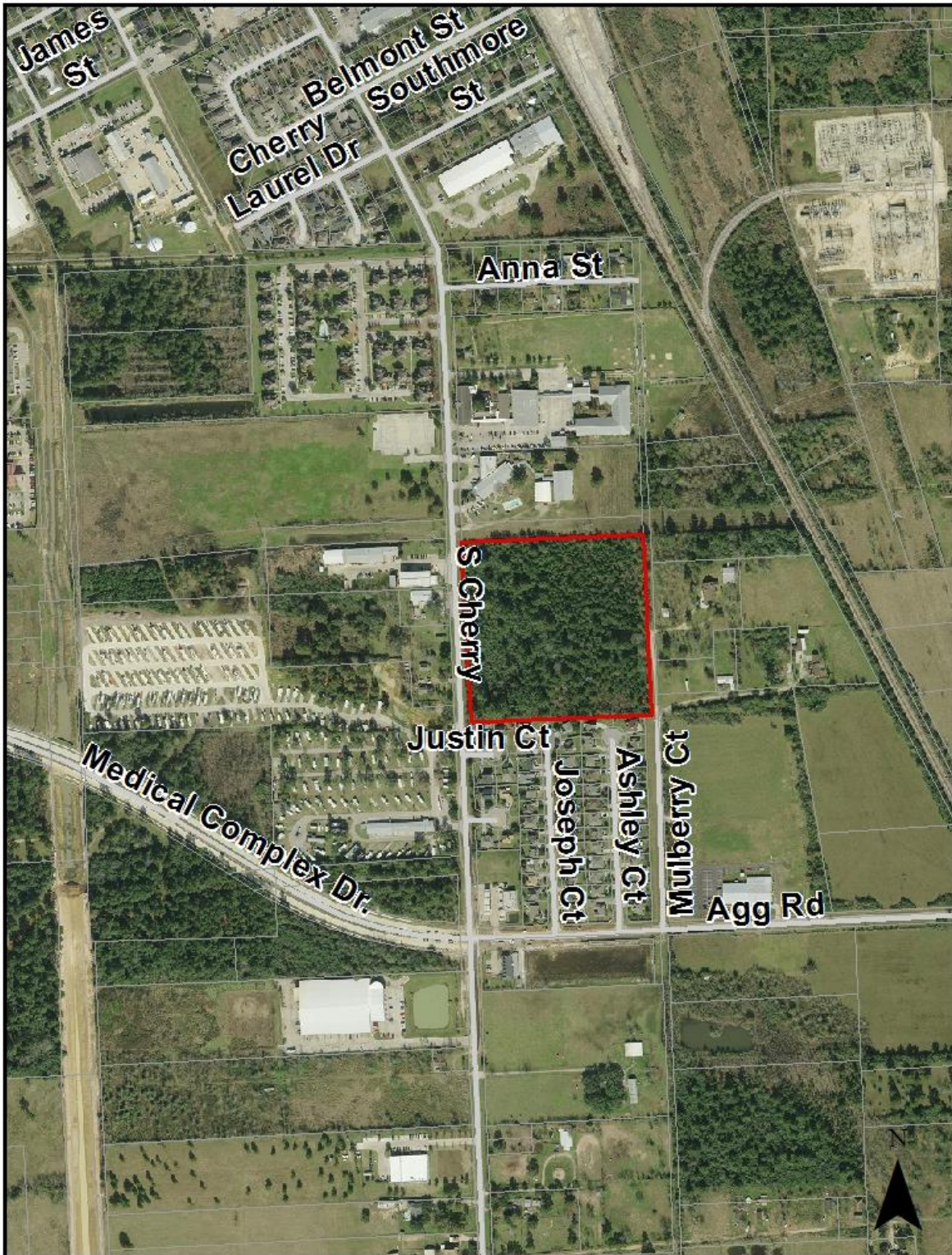


Exhibit "B"
Comprehensive Plan

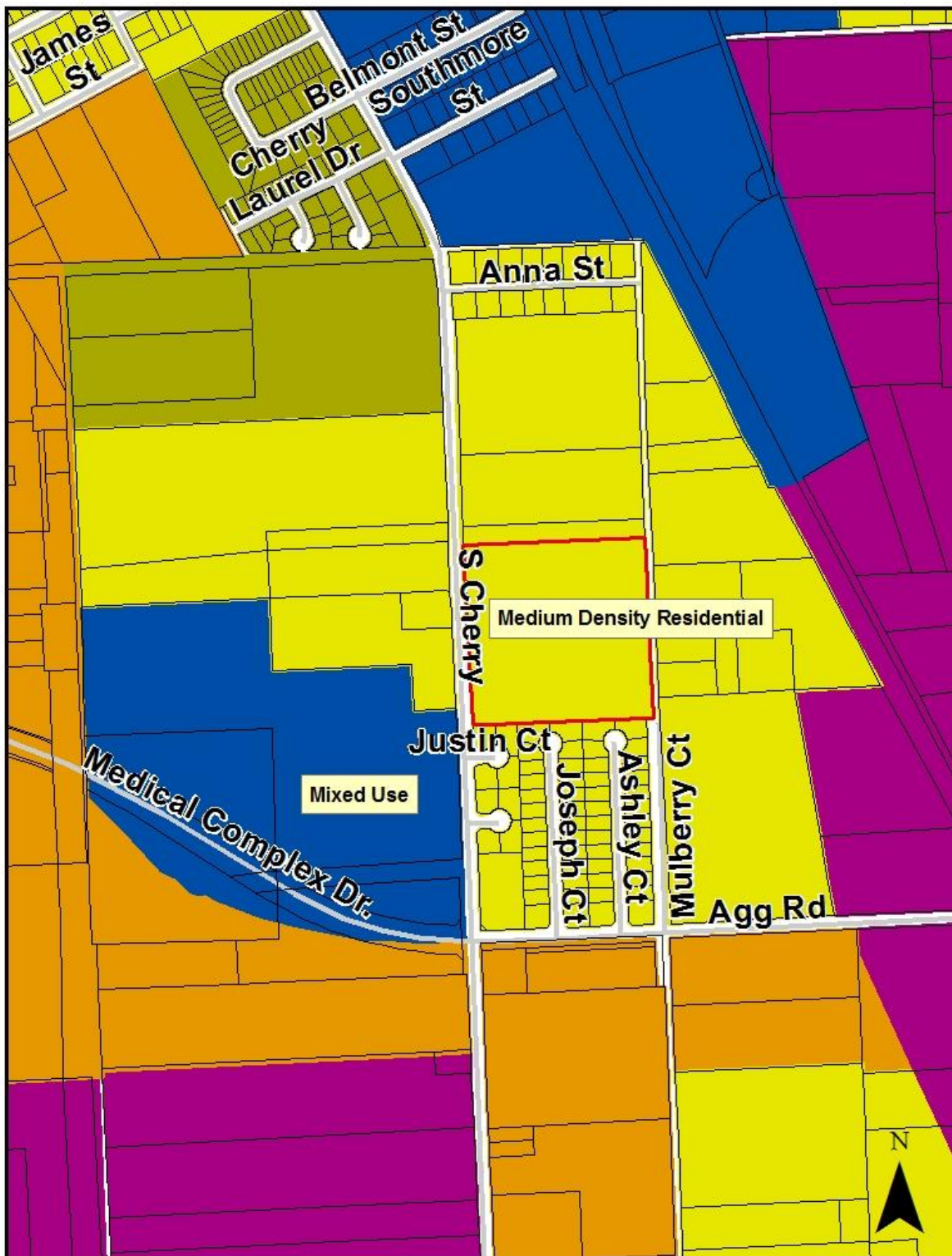
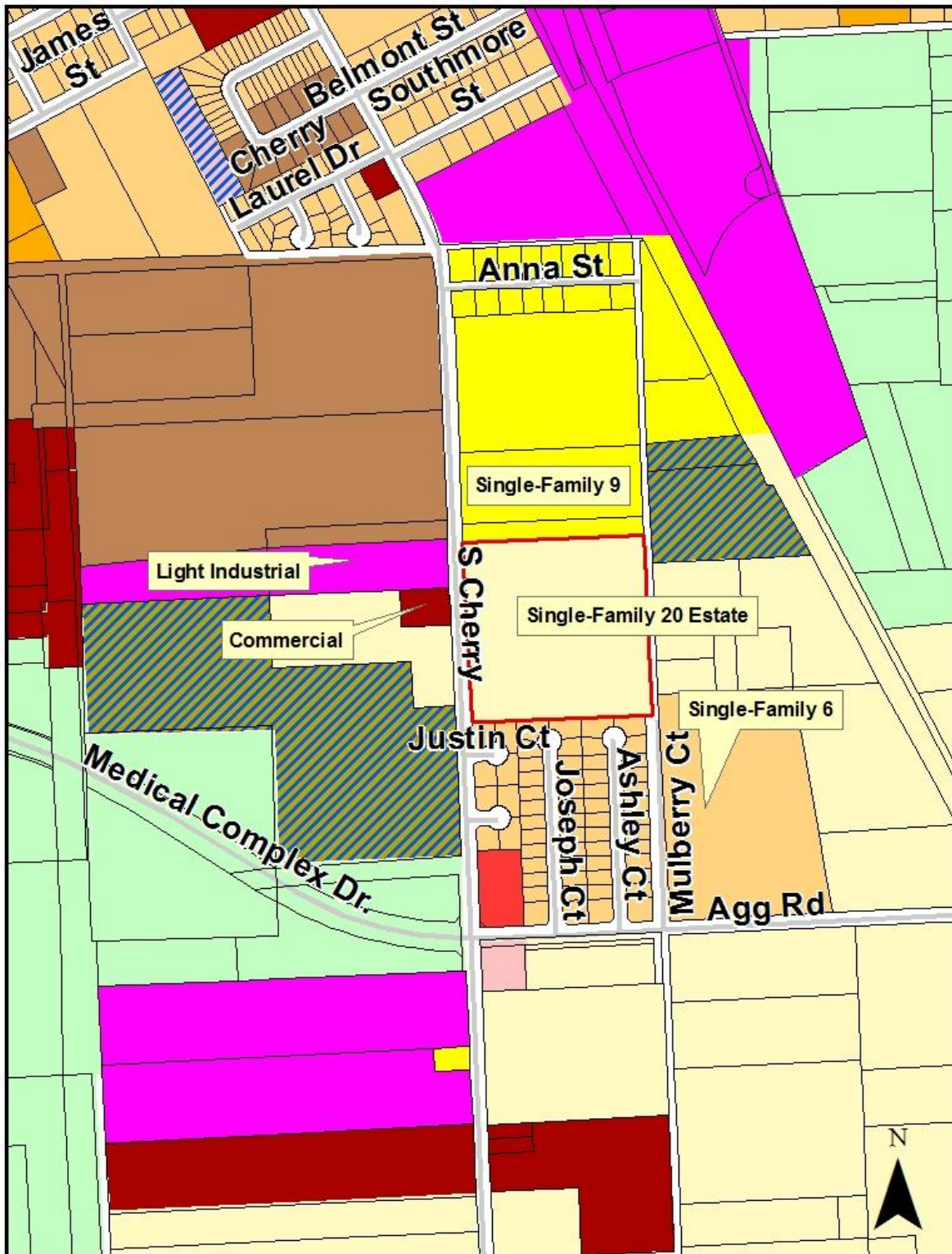


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
Application



177-0070
APPLICATION FOR REZONING

Community Development Department
Planning Division



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

Applicant

Name: BENSON DEVELOPMENT, LLC Title: PRESIDENT
Mailing Address: P.O. Box 2331 City: Tomball State: Tx
Zip: 77377
Phone: (281) 932-1836 Fax: () _____ Email: will@bensondev.com

Owner

Name: Mustafa Mandiwala Profit Sharing Plan T Title: _____
Mailing Address: 12402 Normont Dr. City: Houston State: Tx
Zip: 77070
Phone: () _____ Fax: () _____ Email: MUSTAF4HRT@aol.com

Engineer/Surveyor (if applicable)

Name: Justin Ring Odyssey Engineering Title: _____
Mailing Address: 2560 Tanglewilde City: Houston State: Tx
Zip: 77063
Phone: (281) 306-0240 Fax: () _____ Email: Jring@odysseyeg.com

Description of Proposed Project: Single Family SF-6

Physical Location of Property: 0 Cherry St.
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: Lots 157, 161, & Tract 153A Tomball old lots
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF-20

Current Use of Property: Undeveloped

Proposed Zoning District: SF-6

Proposed Use of Property: Single Family Residential

HCAD Identification Number: _____ **Acreage:** _____

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

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

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

X Mustafa Mandviwala 5-30-2017
Signature of Applicant Date
X Mustafa Mandviwala
Signature of Owner Date

CITY OF TOMBALL
281-351-5484

REC#: 00984732 6/06/2017 4:19 PM
OPER: RP TERM: 005
REF#: M 1029

TRAN: 130.0000 PLANNING AND ZONING
0 cherri st
mustafa mandviwala
100-5441
REZONING APPLICATIO 530.00CR

TENDERED: 530.00 CHECK
APPLIED: 530.00-

CHANGE: 0.00

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

www.tomballtx.gov

BENSON
DEVELOPMENT LLC

May 30, 2017

Mrs. Amelia Lindley
501 James St.
Tomball, TX 77375

RE: +/-13.2 ac on Cherry St. Tomball, TX

Dear Mrs. Lindley;

This zone change request application seeks to re-zone property currently zoned SF-20 for SF-6 use. This request is consistent with the City's Comprehensive Land Use Plan. The proposed use is to build a residential subdivision of approximately 50-56 single family units.

Respectfully,

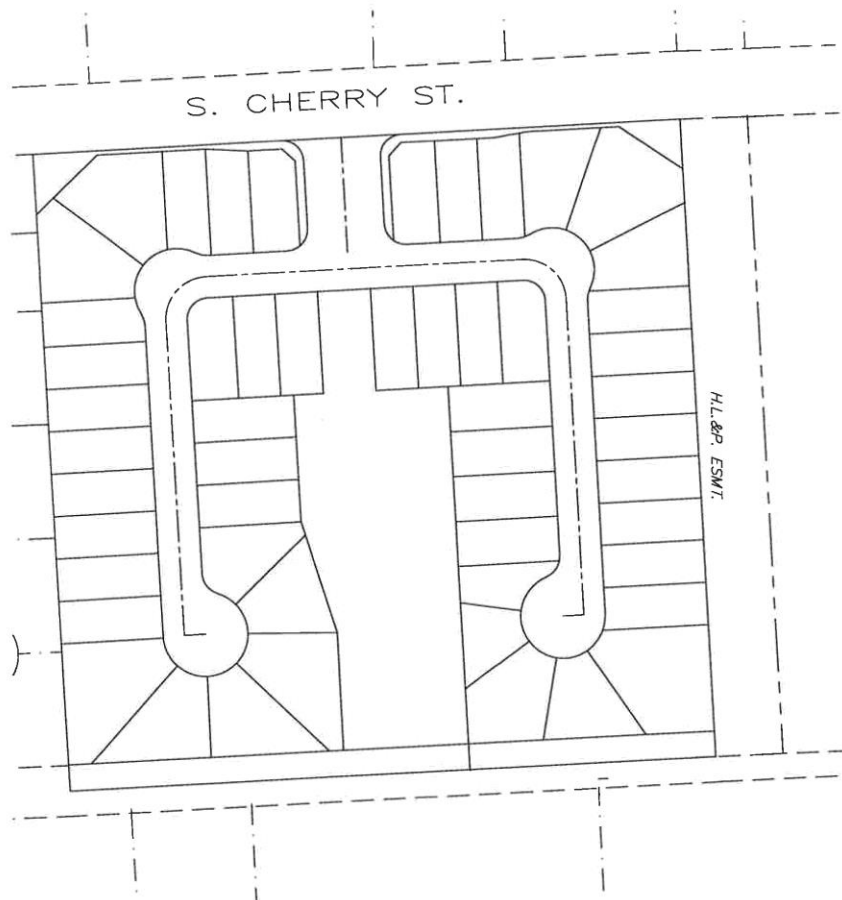


Will Benson
President

Benson Development, LLC

PO BOX 2331, Tomball, TX 77377

(281) 932-7836



Amelia Lindley

From: Mike O'Brien <mob@houstonrvpark.com>
Sent: Monday, July 03, 2017 3:10 PM
To: Amelia Lindley
Subject: Zoning Case P17-0070

to City of Tomball

I received a Public Comment form which I am answering through e-mail

Mike O'Brien

1402 S Cherry

Tomball TX. 77375

Date: July 3, 2017

I am Against the request Rezoning as explained on the public notice for Zoning Case p17-0070

I am Against the rezoning case P17-0070 I have not seen a good reason for reducing the size of the lots. My first impression is the reason to have low cost/affordable housing. I would reconsider if a minimum of 2500 sq.ft building/housing were required or additional information why we need this type of housing inside the city limits. I am open to change if its going to help City of Tomball.

If I get an undesirable into the Corral RV Park I can and do get rid of them out of the city. if they are in house it's completely different. I feel City of Tomball is growing in a safe and good way. Does this put additional pressure on the police Department verse it going commercial?

Mike O'Brien
713-557-1821