

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



MONDAY, JUNE 12, 2017

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, June 12, 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

1.1 Election of Chairman and Vice Chairman

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

3.1 Staff Report Discussion

4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 11, 2017.

5.0 New Business:

- 5.1 Receipt of Capital Projects Comments and Recommendations from the Planning and Zoning Commission 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.
- 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.
- 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.
- 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.
- 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.
- 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 Theiss Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street.
- Conduct Public Hearing on **Zoning Case P17-0057**
- 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.
- Conduct Public Hearing on **Zoning Case P17-0059**

- 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.

- Conduct Public Hearing on **Zoning Case P17-0062**

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 8th day of June, 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: June 12, 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: June 12, 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: June 12, 2017

Topic:
3.1 Staff Report Discussion

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: June 12, 2017

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 11, 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:

5.11.17 Meeting Minutes

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

THURSDAY, MAY 11, 2017



6:00 P.M.

Notice is hereby given of a meeting of the City of Tomball Planning & Zoning Commission, to be held on Thursday, May 11, 2017 at 6:00 p.m., at 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 Commission 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 April 10, 2017.

Discussion/Action of the Following Items:

- 5.0 New Business:
 - 5.1 Consideration to Approve Preliminary 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, 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 Preliminary Plat of **NABORS PARKWAY STREET DEDICATION SEC 1**: Being a subdivision of 4.8826 acres of land in the C. Goodrich Survey, Abstract No. 305, Harris County, Texas.
 - 5.3 Consideration to Approve Preliminary Plat of **WILLOW CREEK INDUSTRIAL PARK SEC 3**: Being a subdivision of 25.3973 acres of land in the C. Goodrich Survey, Abstract No. 305 and in the Sam Lewis Survey, Abstract No. 1704, Harris County, Texas.

- 5.4 Consideration to Approve Final Plat of **BROWN-HUFSMITH CHURCH SUBDIVISION**: Being a subdivision of 6.0474 acres of land situated in the Joseph House Survey, Abstract No. 34, in the City of Tomball, Harris County, Texas; Being a Replat of a portion of Unrestricted Reserve “H” of Leslie’s Park, a subdivision recorded in Harris County Film Code No. 400005, Map Records of Harris County, Texas.
- 5.5 Consideration to Approve Final Plat of **EG3 FOSTER LOT**: A Replat of Lots 39 and 40 into New Lot 39 (0.1607 Ac./ 7000.00 Sq. Ft.) in Block 103 of Revised Map of Tomball, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas. Said Block 103 lying in the Ralph Hubbard Survey (A-383).
- 5.6 Consideration to Approve Final Plat of **WILLOW CREEK PET RANCH**: A subdivision being 11.5408 acres (502,717.25 S.F.) of land out of the Jesse Pruitt Survey, Abstract 629, Harris County, Texas.
- 5.7 Consideration to Approve Final Plat of **ZION VISTA**: A subdivision being 1.8889 acres of land out of the Joseph Miller Survey, Abstract 50, Harris County, Texas.
- 5.8 Consideration to Approve **Zoning Case P17-0036**: Request by DJ and Kelly Ray, on behalf of Lefty’s Auto Crafters, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.17 acres of land, legally described as Lot 9 Block 1 Main Street – Tomball, generally located on the east side of Holderrieth Boulevard, between Main Street and Arnold Street, from the Single-family 6 District to the Commercial District.
- Conduct Public Hearing on **Zoning Case P17-0036**

6.0 Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **8th** day of **April, 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Kim Chandler
Kim Chandler
Board Secretary

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.

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: June 12, 2017

Topic:

Receipt of Capital Projects Comments and Recommendations from the Planning and Zoning Commission for City Manager Consideration regarding Budget of Five Year CIP 2018-2022.

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: June 12, 2017

Topic:

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.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

Engineering Division

ACTION TAKEN

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

Willow Creek Industrial Park Sec 1

STATE OF TEXAS

COUNTY OF HARRIS

We, HARRIS COUNTY, acting by and through Ed Emmett, County Judge, pursuant to an Order of Commissioners' Court dated _____, 2015, and 615 WILLOW CREEK DEVELOPMENT, LTD., a Texas Limited Partnership, by 615 Willow Creek Development GP, Inc., a Texas Corporation, its general partner acting by and through Joe Fogarty, President being an officer of 615 WILLOW CREEK DEVELOPMENT, LTD., a Texas Limited Partnership, by 615 Willow Creek Development GP, Inc., a Texas Corporation, its general partner hereinafter referred to as Owners of the 152.2779 acre tract described in the above and foregoing map of WILLOW CREEK INDUSTRIAL PARK SEC 1 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 ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

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

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

In testimony whereof, HARRIS COUNTY, has caused these presents to me signed by Ed Emmett, County Judge, thereunto authorized this _____ day of _____, 2017.

In testimony whereof, 615 WILLOW CREEK DEVELOPMENT, LTD. A Texas Limited Partnership by 615 Willow Creek Development GP, Inc., A Texas Corporation, its general partner has caused these presents to me signed by Joe Fogarty, President, thereunto authorized, this _____ day of _____, 2017.

HARRIS COUNTY

By: _____
Ed Emmett
County Judge

615 WILLOW CREEK DEVELOPMENT, LTD., a Texas Limited Partnership, by 615 Willow Creek Development GP, Inc., a Texas Corporation, its general partner

By: _____
Joe Fogarty
President

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Ed Emmett, County Judge, known to me to be he whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

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

Notary public in and for the State of Texas

Printed Name

My commission expires _____

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Joe Fogarty, President of 615 WILLOW CREEK DEVELOPMENT, LTD., by 615 Willow Creek Development GP, Inc., a Texas Corporation, its general partner known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

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

Notary public in and for the State of Texas

Printed Name

My commission expires _____

This is to certify that the Planning Commission of the City of Houston, Texas, has approved this plat and subdivision of Willow Creek Industrial Park Sec 1, in conformance with the laws of the State of Texas and the ordinance of the City of Houston as shown hereon and authorized the recording of this plat this _____ day of _____, 2017.

By: _____
Mark A. Kilkenny, Ph.D. Chair or
M. Sonny Garza, Vice-Chairman

By: _____
Patrick Walsh, P.E.
Secretary

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

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

I, Stan Stanart, County Clerk of Harris County and ex officio clerk of the Harris County Commissioners' Court, do hereby certify that the within instrument was approved at a legally convened meeting of the Harris County Commissioners' Court held on _____ 2017 by an order entered into the minutes of the court.

Stan Stanart
County Clerk
of Harris County, Texas

By: _____
Deputy

I, Stan Stanart, Clerk of Harris County, do hereby certify that the within instrument with it's 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, Roger Franklin Dorr, am authorized (or registered) under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature, and other points of reference have been marked with iron (or other objects of a permanent metal) pipes or rods have an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet (unless noted otherwise) and that the plat boundary corners have been tied to Texas Coordinate System of 1983, South Central zone.

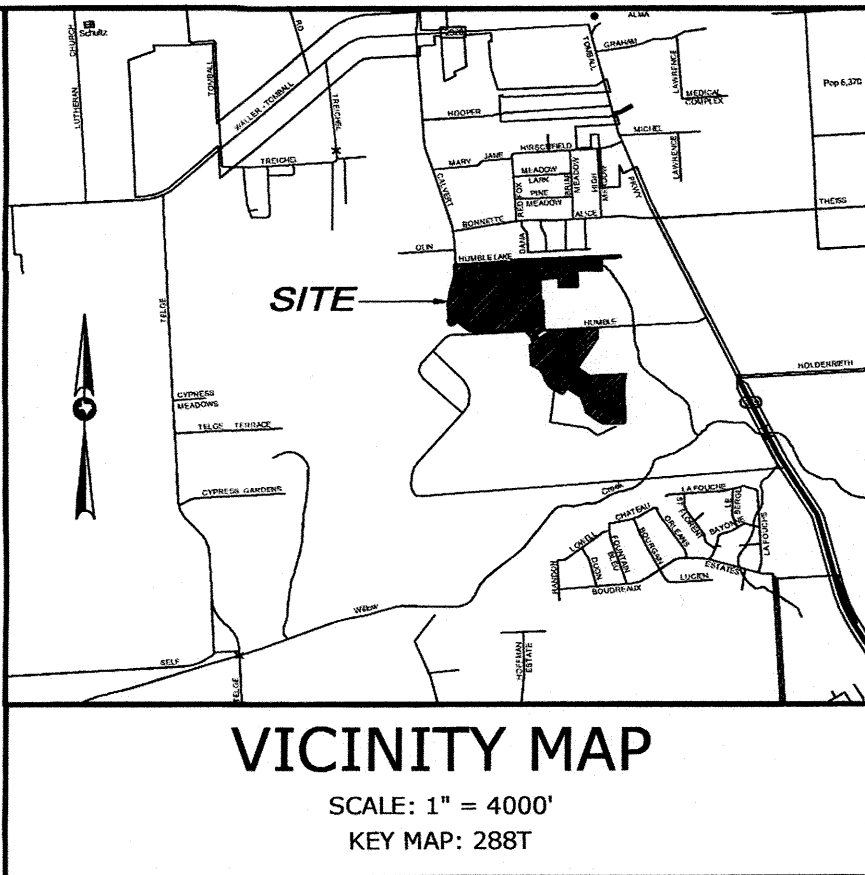
Roger Franklin Dorr
Texas Registration No. 5228

ABBREVIATIONS LEGEND

A.E. = AERIAL EASEMENT
B.L. = BUILDING LINE
D.R.H.C. = DEED RECORDS OF HARRIS COUNTY
FBL = FOUND 5/8 IRON ROD W/ CAP
STAMPED "BASELINE CORPORATION"
FHR = FOUND 5/8 IRON ROD W/ CAP
STAMPED "HOVIS"
H.C.C.F. = HARRIS COUNTY CLERK'S FILE
H.L.&P = HOUSTON LIGHTING AND POWER
M.R.H.C. = MAP RECORDS OF HARRIS COUNTY
NO. = NUMBER
O.P.R.R.P.H.C. = OFFICIAL PUBLIC RECORDS OF REAL
PROPERTY OF HARRIS COUNTY
PG. = PAGE
R.O.W. = RIGHT OF WAY
SHC = SET 5/8 IRON ROD W/ CAP
STAMPED "HARRIS COUNTY"
SQ. FT. = SQUARE FEET
VOL. = VOLUME
W/ = WITH

NOTES:

- UNLESS OTHERWISE INDICATED, THE BUILDING LINES (B.L.), WHETHER ONE OR MORE, SHOWN ON THIS SUBDIVISION PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISIONS 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.
- THE COORDINATES SHOWN HEREON ARE GRID AND ARE BASED ON THE TEXAS COORDINATE SYSTEM (NAD83), SOUTH CENTRAL ZONE NO. 4204 AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR OF 1.0000587261.
- THE DISTANCES SHOWN HEREON ARE SURFACE DATUM. TO CONVERT TO GRID MULTIPLY BY A COMBINED PROJECT SCALE FACTOR OF 0.9999412773.
- THIS PLAT REQUIRES COMPLIANCE WITH LANDSCAPING REQUIREMENTS PRIOR TO OCCUPANCY OF STRUCTURES AS MANDATED IN "REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE.
- A ONE-FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE PUBLIC STREET AND THE ADJACENT ACREAGE, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ACREAGE IS PLATTED AND APPROVED BY THE CITY PLANNING COMMISSION, THE ONE-FOOT RESERVE SHALL AUTOMATICALLY BE VACATED AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS.
- THE UNOBSTRUCTED VISIBILITY EASEMENT AS SHOWN HEREON AND RECORDED BY THIS PLAT MEETS OR EXCEEDS ALL THE DESIGN STANDARDS AS OUTLINED IN CHAPTER 10 APPENDIX 1, SECTION 10.6 OF THE CITY OF HOUSTON INFRASTRUCTURE DESIGN MANUAL AND ANY CHANGES THERETO MAY CONSTITUTE A REPLAT.
- ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL CENTERPOINT ENERGY AND CITY OF HOUSTON UTILITY EASEMENTS MUST BE KEPT UNOBSTRUCTED BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY THE UTILITY AT THE PROPERTY OWNER'S EXPENSE.
- SUBJECT TO BUILDING SETBACK LINES AS SET FORTH IN H.C.C.F. 2014006155 O.P.R.R.P.H.C.
- LOT SUBJECT TO AN EASEMENT TO HUMBLE PIPELINE CO. (H.C.C.F. D256089 O.P.R.R.P.H.C.) WHICH IS NOT SHOWN ON THE SURVEY.
- LOT SUBJECT TO AN EASEMENT TO NATURAL GAS PIPELINE COMPANY OF AMERICA (H.C.C.F. C221563 O.P.R.R.P.H.C.) WHICH IS NOT SHOWN ON THE SURVEY.
- LOT SUBJECT TO AN EASEMENT TO TEXAS COMPANY (VOL. 1587, PG. 128 H.C.D.R.) WHICH IS NOT SHOWN ON THE SURVEY.
- LOT SUBJECT TO AN EASEMENT TO MAGNOLIA PIPELINE CO. (VOL. 961, PG. 516 H.C.D.R.) WHICH IS NOT SHOWN ON THE SURVEY.
- SURVEYOR FINDS THE EASEMENT GRANTED TO THE TEXAS COMPANY, THE LOCATION WHICH IS REFLECTED IN VOLUME 1947, PAGE 35 OF THE DEED RECORDS OF HARRIS COUNTY, DOES NOT APPLY TO THE SUBJECT TRACT.



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

CONTAINING: 5 BLOCKS AND 5 RESERVES

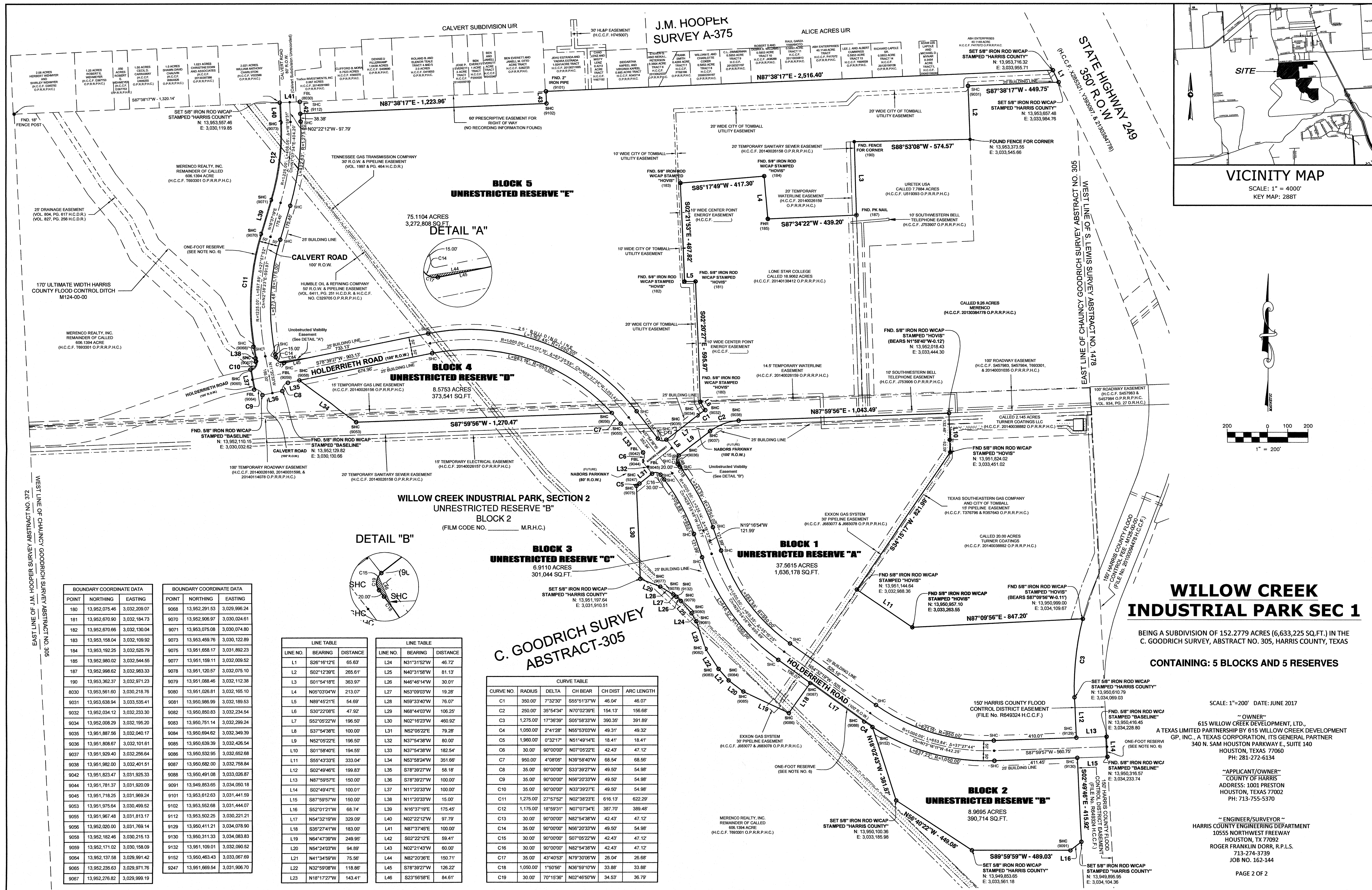
SCALE: 1"=200' DATE: JUNE 2017

~ OWNER ~
615 WILLOW CREEK DEVELOPMENT, LTD.,
A TEXAS LIMITED PARTNERSHIP BY 615 WILLOW CREEK DEVELOPMENT GP, INC., A TEXAS CORPORATION, ITS GENERAL PARTNER
340 N. SAM HOUSTON PARKWAY E., SUITE 140
HOUSTON, TEXAS 77060
PH: 281-272-6134

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

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

PAGE 1 OF 2



Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: June 12, 2017

Topic:

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.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

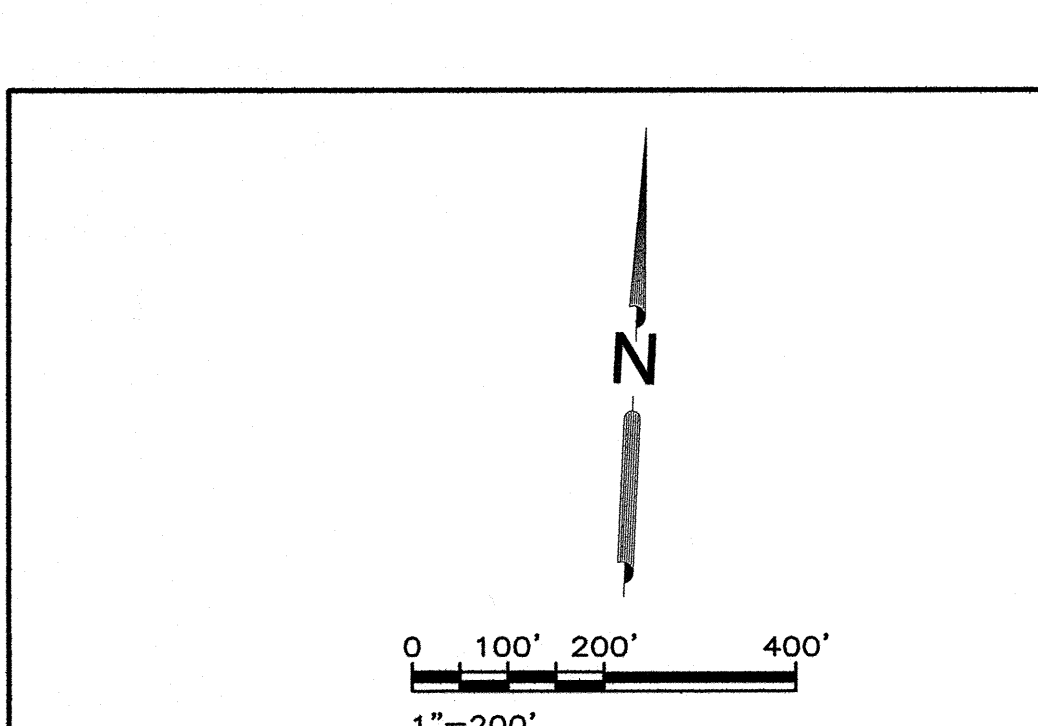
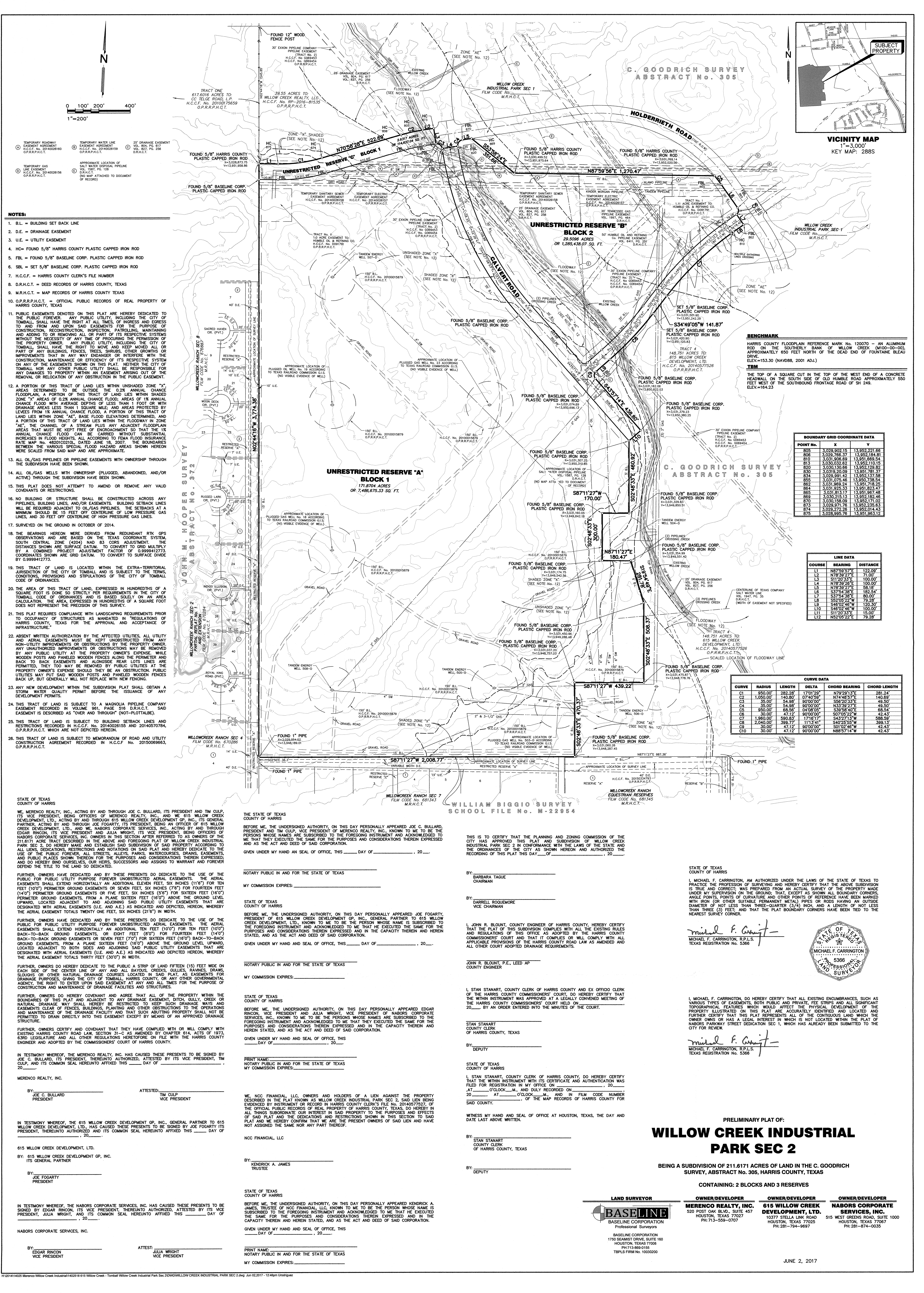
Engineering Division

ACTION TAKEN

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

Willow Creek Industrial Park Sec 2



NOTES:

- B.L. = BUILDING SET BACK LINE
- D.E. = DRAINAGE EASEMENT
- U.E. = UTILITY EASEMENT
- HC = FOUND 5/8" HARRIS COUNTY PLASTIC CAPPED IRON ROD
- FBL = FOUND 5/8" BASELINE CORP. PLASTIC CAPPED IRON ROD
- SBL = SET 5/8" BASELINE CORP. PLASTIC CAPPED IRON ROD
- H.C.C.F. = HARRIS COUNTY CLERK'S FILE NUMBER
- D.R.H.C.T. = DEED RECORDS OF HARRIS COUNTY, TEXAS
- M.R.H.C.T. = MAP RECORDS OF HARRIS COUNTY TEXAS
- O.P.R.R.P.C.T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS
- PUBLIC EASEMENTS DEVOTED 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 PURPOSES 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 GROUNDS OR IMPROVEMENTS THAT IN ANY WAY ENDOANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM 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.
- A PORTION OF THIS TRACT OF LAND LIES WITHIN UNSHADED ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, A PORTION OF THIS TRACT OF LAND LIES WITHIN SHADED ZONE "X", AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. A PORTION OF THIS TRACT OF LAND LIES WITHIN ZONE "AE", BASE FLOOD ELEVATIONS DETERMINED, AND A PORTION OF THIS TRACT OF LAND LIES WITHIN THE FLOODWAY IN ZONE "AE", THE CHANNEL OF STREAM OR ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS, ALL ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 4802010201, DATED JUNE 18, 2007. THE BOUNDARIES BETWEEN THE VARIOUS SPECIAL FLOOD HAZARD AREAS SHOWN HEREIN WERE SCALED FROM SAID MAP AND ARE APPROXIMATE.
- 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.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINE, 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.
- SURVEYED ON THE GROUND IN OCTOBER OF 2014.
- THE BEARINGS HEREON WERE DERIVED FROM REDUNDANT RTK GPS OBSERVATIONS AND ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204) NAD 83 CORRS ADJUSTMENT. THE DISTANCES SHOWN ARE SURFACE DATUM. TO CONVERT TO GRID MULTIPLY BY A COMBINED PROJECT ADJUSTMENT FACTOR OF 0.9999412773. COORDINATES SHOWN ARE GRID DATUM. TO CONVERT TO SURFACE DIVIDE BY 0.9999412773.
- THIS TRACT OF LAND IS LOCATED WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF TOMBALL AND IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS AND STIPULATIONS OF THE CITY OF TOMBALL CODE OF ORDINANCES.
- THE AREA OF THIS TRACT OF LAND, EXPRESSED IN HUNDRETHS OF A SQUARE FOOT IS DONE SO STRICTLY PER REQUIREMENTS IN THE CITY OF TOMBALL, CODE OF ORDINANCES AND IS BASED ON THE SURFACE DATUM CALCULATION. THE AREA, EXPRESSED IN HUNDRETHS OF A SQUARE FOOT DOES NOT REPRESENT THE PRECISION OF THIS SURVEY.
- THIS PLAT REQUIRES COMPLIANCE WITH LANDSCAPING REQUIREMENTS PRIOR TO OCCUPANCY OF STRUCTURES AS MANDATED IN REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE.
- ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AERIAL EASEMENTS SHALL BE CONSIDERED AS UNOBTAINED. NO NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER, ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY THE PUBLIC UTILITY. THE PROPERTY OWNERS EXPENSE WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALSO REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
- ANY NEW DEVELOPMENT WITHIN THE SUBDIVISION PLAT SHALL OBTAIN A STORM WATER QUALITY PERMIT BEFORE THE ISSUANCE OF ANY DEVELOPMENT PERMITS.
- THIS TRACT OF LAND IS SUBJECT TO A MAGNOLIA FILM COMPANY EASEMENT RECORDED IN VOLUME 961, PAGE 516 D.R.H.C.T. SAID EASEMENT IS DESCRIBED AS "OVER AND THROUGH" (NOT-PLATTABLE).
- THIS TRACT OF LAND IS SUBJECT TO BUILDING SETBACK LINES AND RESTRICTIONS RECORDED IN H.C.C.F. NO. 20140028155 AND 20140570784, O.P.R.R.P.C.T. WHICH ARE NOT DEPICTED HEREON.
- THIS TRACT OF LAND IS SUBJECT TO MEMORANDUM OF ROAD AND UTILITY CONSTRUCTION AGREEMENT RECORDED IN H.C.C.F. NO. 20150083663, O.P.R.R.P.C.T.

STATE OF TEXAS
COUNTY OF HARRIS

WE, MERENCO REALTY, INC., ACTING BY AND THROUGH JOE C. BULLARD, ITS PRESIDENT AND TIM CULP, ITS VICE PRESIDENT, BEING OFFICERS OF MERENCO REALTY, INC. AND WE, 615 WILLOW CREEK DEVELOPMENT, LTD., ACTING BY AND THROUGH 615 WILLOW CREEK DEVELOPMENT GP, INC., ITS GENERAL PARTNER, ACTING BY AND THROUGH JOE C. BULLARD, ITS PRESIDENT, BEING AN OFFICER OF 615 WILLOW CREEK DEVELOPMENT, LTD. AND WE, NABORS CORPORATE SERVICES, INC., ACTING BY AND THROUGH EDGAR RINCON, ITS VICE PRESIDENT AND JULIA WRIGHT, ITS VICE PRESIDENT, BEING OFFICERS OF NABORS CORPORATE SERVICES, INC. OWNERS IN THIS SECTION AFTER REFERRED TO AS OWNERS OF THE 211.671 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF WILLOW CREEK INDUSTRIAL PARK SEC 2, DO HEREBY DEDICATE TO 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 UNOBTAINED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10') PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5'6") FOR SIXTEEN FEET (16') PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED, 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 UNOBTAINED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10') FOR TEN FEET (10') BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8') FOR FOURTEEN FEET (14') BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7') FOR SIXTEEN FEET (16') BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16') ABOVE THE 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 HEREIN, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30') IN WIDTH.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF TOMBALL, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK OR NATURAL DRAINAGE WAY SHALL BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS, AND EASEMENTS CLEAR OF OBSTRUCTIONS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNERS CERTIFY AND COVENANT THAT THEY HAVE COMPLIED WITH OR WILL COMPLY WITH EXISTING HARRIS COUNTY ROAD LAW, SECTION 31-C AS AMENDED BY CHAPTER 614, ACTS OF 1973, 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, THE MERENCO REALTY, INC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY JOE C. BULLARD, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY ITS VICE PRESIDENT, TIM CULP, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS ____ DAY OF _____, 20__.

MERENCO REALTY, INC.

BY: JOE C. BULLARD
PRESIDENT

ATTESTED: TIM CULP
VICE PRESIDENT

IN TESTIMONY WHEREOF, THE 615 WILLOW CREEK DEVELOPMENT GP, INC., GENERAL PARTNER TO 615 WILLOW CREEK DEVELOPMENT, LTD., HAS CAUSED THESE PRESENTS TO BE SIGNED BY JOE C. BULLARD, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY ITS VICE PRESIDENT, TIM CULP, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS ____ DAY OF _____, 20__.

615 WILLOW CREEK DEVELOPMENT, LTD.

BY: 615 WILLOW CREEK DEVELOPMENT GP, INC.
ITS GENERAL PARTNER

BY: JOE C. BULLARD
PRESIDENT

IN TESTIMONY WHEREOF, THE NABORS CORPORATE SERVICES, INC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY EDGAR RINCON, ITS VICE PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY ITS VICE PRESIDENT, JULIA WRIGHT, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS ____ DAY OF _____, 20__.

NABORS CORPORATE SERVICES, INC.

BY: EDGAR RINCON
VICE PRESIDENT

ATTESTED: JULIA WRIGHT
VICE PRESIDENT

STATE OF TEXAS
COUNTY OF HARRIS

WE, NOC FINANCIAL, LLC, OWNERS AND HOLDERS OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT RECORDED IN HARRIS COUNTY CLERK'S FILE NO. 20140577527, OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND CONSIDERATIONS SHOWN IN SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN IN THIS SECTION TO SAID PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

NOC FINANCIAL, LLC

BY: KENDRICK A. JAMES
TRUSTEE

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENDRICK A. JAMES, TRUSTEE OF NOC FINANCIAL, 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 HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENDRICK A. JAMES, TRUSTEE OF NOC FINANCIAL, 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 HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOE C. BULLARD, PRESIDENT AND TIM CULP, VICE PRESIDENT OF MERENCO REALTY, INC. 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 AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AN SEAL OF OFFICE, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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STATE OF TEXAS
COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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STATE OF TEXAS
COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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STATE OF TEXAS
COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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STATE OF TEXAS
COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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STATE OF TEXAS
COUNTY OF HARRIS

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STATE OF TEXAS
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STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOE C. BULLARD, PRESIDENT AND TIM CULP, VICE PRESIDENT OF MERENCO REALTY, INC. 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 AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF HARRIS

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COUNTY OF HARRIS

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COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

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COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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COUNTY OF HARRIS

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STATE OF TEXAS
COUNTY OF HARRIS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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STATE OF TEXAS
COUNTY OF HARRIS

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STATE OF TEXAS
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COUNTY OF HARRIS

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STATE OF TEXAS
COUNTY OF HARRIS

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STATE OF TEXAS
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STATE OF TEXAS
COUNTY OF HARRIS

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GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20__.

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Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: June 12, 2017

Topic:

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.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

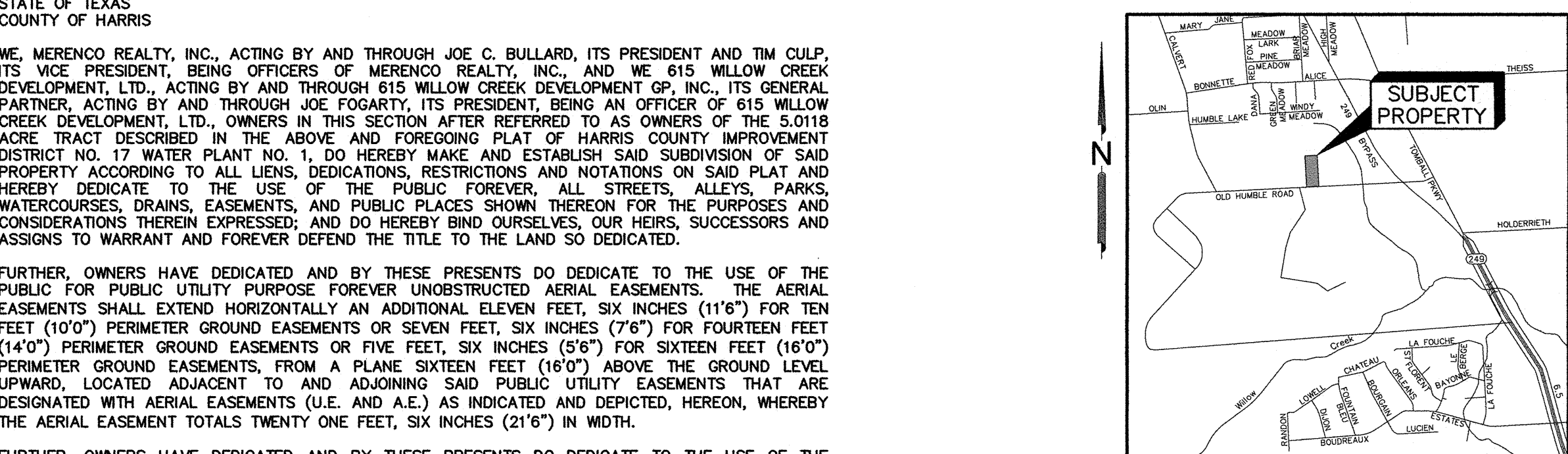
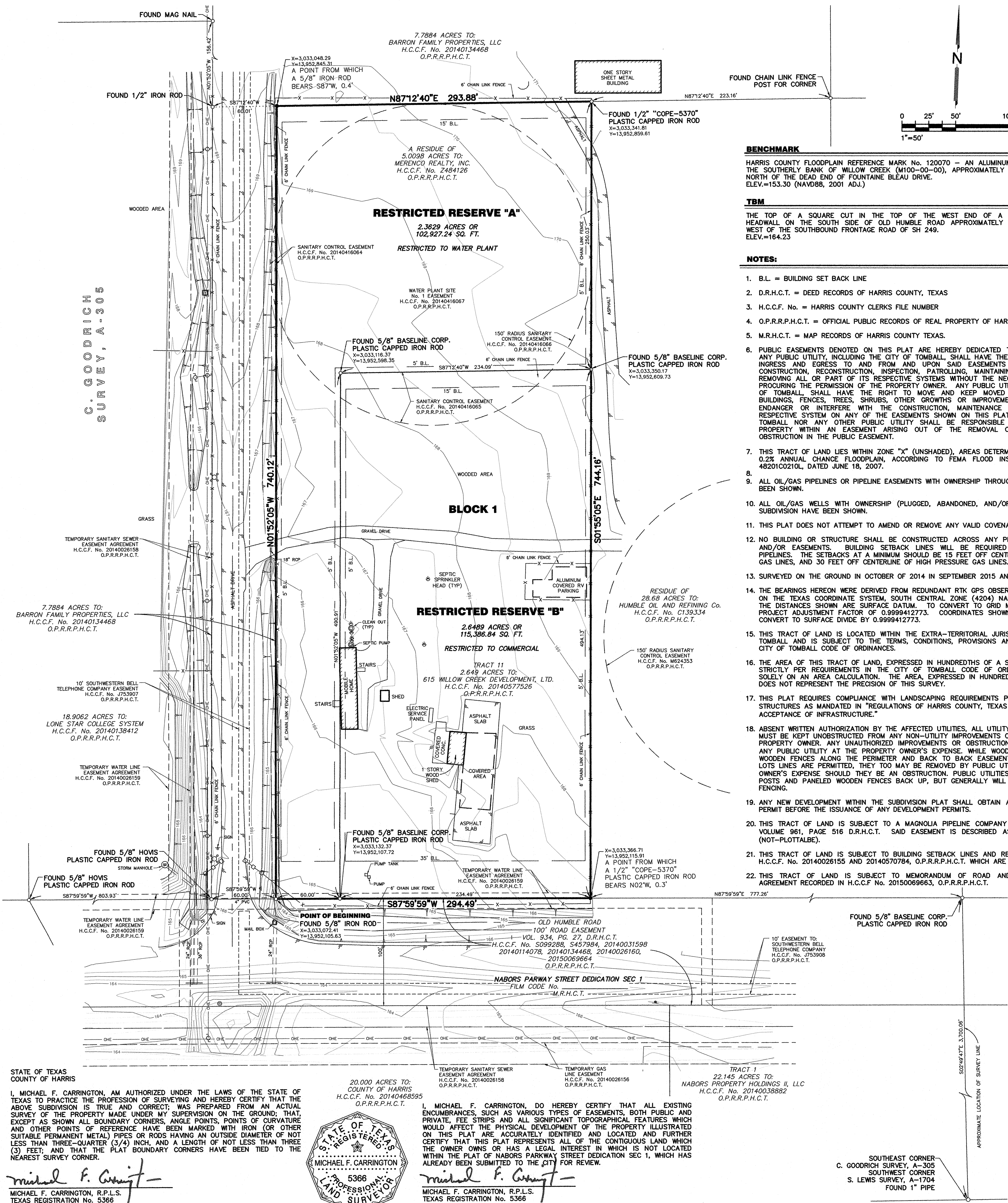
Engineering Division

ACTION TAKEN

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

Harris County Improvement District No. 17 Water Plant No. 1



VICINITY MAP
1"=3,000'
KEY MAP: 288P

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARRIS COUNTY HAS APPROVED THIS PLAT AND SUBDIVISION OF HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1 IN CONFORMANCE WITH THE LAWS OF THE STATE AND THE ORDINANCES OF THE CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ____ DAY OF _____, 20____.

BY: BARBARA TAGUE
CHAIRMAN

BY: DARRELL ROQUEMORE
VICE CHAIRMAN

I, JOHN R. BLOUNT, COUNTY ENGINEER OF HARRIS COUNTY, HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE HARRIS COUNTY COMMISSIONERS' COURT AND THAT IT COMPLIES OR WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE HARRIS COUNTY ROAD LAW AS AMENDED AND ALL OTHER COURT ADOPTED DRAINAGE REQUIREMENTS.

BY: JOE C. BULLARD
PRESIDENT

ATTESTED: TIM CULP
VICE PRESIDENT

IN TESTIMONY WHEREOF, THE 615 WILLOW CREEK DEVELOPMENT GP, INC., GENERAL PARTNER TO 615 WILLOW CREEK DEVELOPMENT, LTD., HAS CAUSED THESE PRESENTS TO BE SIGNED BY JOE C. BULLARD, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY ITS VICE PRESIDENT, TIM CULP, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS ____ DAY OF _____, 20____.

615 WILLOW CREEK DEVELOPMENT, LTD.

BY: 615 WILLOW CREEK DEVELOPMENT GP, INC.
ITS GENERAL PARTNER

BY: JOE FOGARTY
PRESIDENT

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOE C. BULLARD, PRESIDENT AND TIM CULP, VICE PRESIDENT OF MERENCO REALTY, INC., 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 AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOE FOGARTY, PRESIDENT OF 615 WILLOW CREEK DEVELOPMENT GP, INC., GENERAL PARTNER TO 615 WILLOW CREEK DEVELOPMENT, 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 HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20____.

PRINT NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

WE, NCC FINANCIAL, LLC, OWNERS AND HOLDERS OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS HARRIS COUNTY IMPROVEMENT DISTRICT NO. 17 WATER PLANT NO. 1, SAID LIEN BEING EVIDENCED BY INSTRUMENT OR RECORD IN HARRIS COUNTY CLERK'S FILE NO. 20140577527, OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT, AND THE DEDICATIONS AND RESTRICTIONS SHOWN IN SAID PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

NCC FINANCIAL, LLC

BY: KENDRICK A. JAMES
TRUSTEE

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENDRICK A. JAMES, TRUSTEE OF NCC FINANCIAL, 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 HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20____.

PRINT NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

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

CONTAINING: 1 BLOCK 2 RESTRICTED RESERVES

LAND SURVEYOR	OWNER/DEVELOPER	OWNER/DEVELOPER
BASLINE BASELINE CORPORATION 1750 SEAMIST DRIVE, SUITE 180 HOUSTON, TEXAS 77008 PH: 713-869-0155 TBPLS FIRM No. 10030200	MERENCO REALTY, INC. 520 POST OAK BLVD., SUITE 457 HOUSTON, TEXAS 77027 PH: 713-559-0707	615 WILLOW CREEK DEVELOPMENT, LTD. 10377 STELLA LINK ROAD HOUSTON, TEXAS 77025 PH: 281-794-9697

STATE OF TEXAS
COUNTY OF HARRIS

I, MICHAEL F. CARRINGTON, 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, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER (3/4) INCH, AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

20,000 ACRES TO:
COUNTY OF HARRIS
H.C.C.F. No. 20140468595
O.P.R.R.P.H.C.T.

3666
MICHAEL F. CARRINGTON
PROFESSIONAL
LAND SURVEYOR

I, MICHAEL F. CARRINGTON, DO HEREBY CERTIFY THAT ALL EXISTING ENCUMBRANCES, SUCH AS VARIOUS TYPES OF EASEMENTS, BOTH PUBLIC AND PRIVATE, FEE STRIPS AND ALL SIGNIFICANT TOPOGRAPHICAL FEATURES WHICH WOULD AFFECT THE PHYSICAL DEVELOPMENT OF THE PROPERTY ILLUSTRATED ON THIS PLAT ARE ACCURATELY IDENTIFIED AND LOCATED AND FURTHER CERTIFY THAT THIS PLAT REPRESENTS ALL OF THE CONTIGUOUS LAND WHICH THE OWNER OWNS OR HAS A LEGAL INTEREST IN WHICH IS NOT LOCATED WITHIN THE PLAT OF NABORS PARKWAY STREET DEDICATION SEC 1, WHICH HAS ALREADY BEEN SUBMITTED TO THE CITY FOR REVIEW.

22,145 ACRES TO:
NABORS PROPERTY HOLDINGS II, LLC
H.C.C.F. No. 20140038882
O.P.R.R.P.H.C.T.

3666
MICHAEL F. CARRINGTON, R.P.L.S.
TEXAS REGISTRATION No. 5366

SOUTHEAST CORNER
C. GOODRICH SURVEY, A-305
SOUTHWEST CORNER
S. LEWIS SURVEY, A-1704
FOUND 1" PIPE

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: June 12, 2017

Topic:

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.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

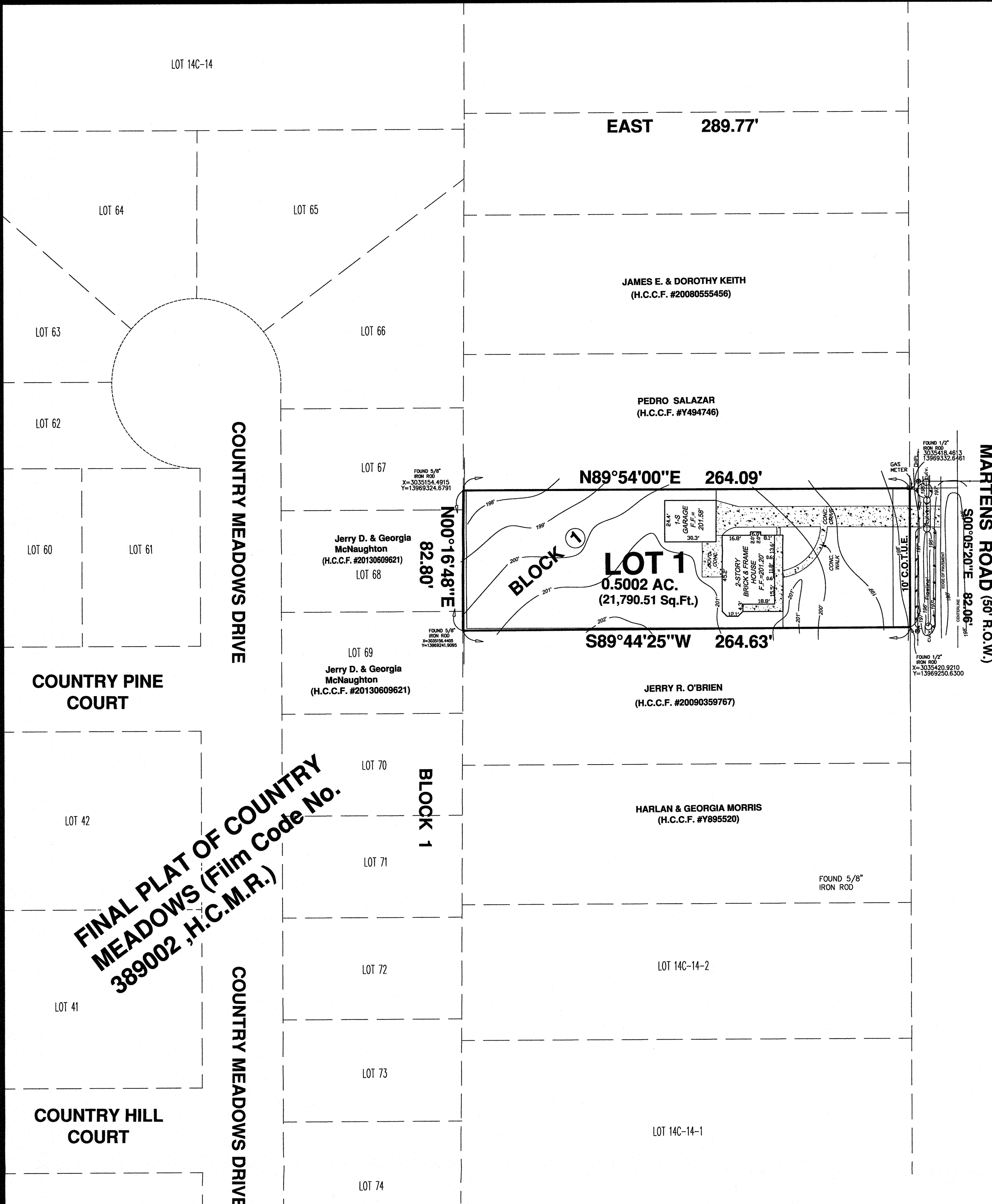
Engineering Division

ACTION TAKEN

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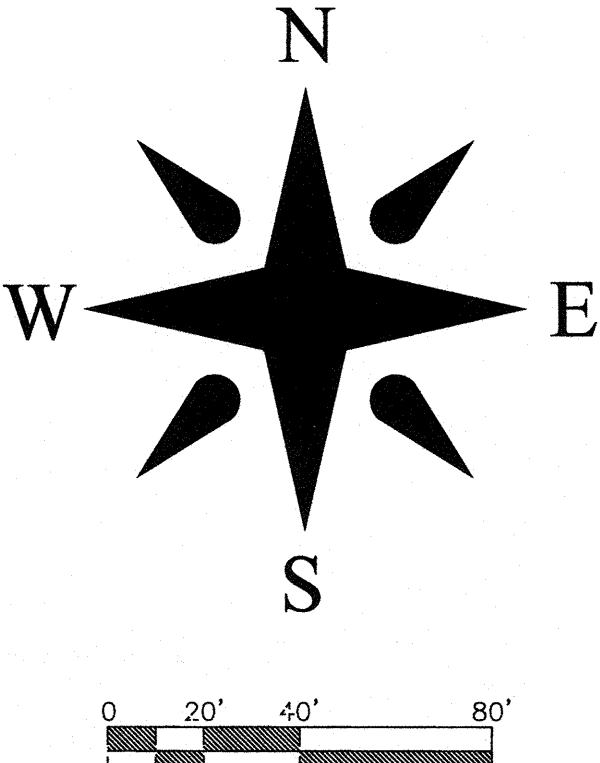
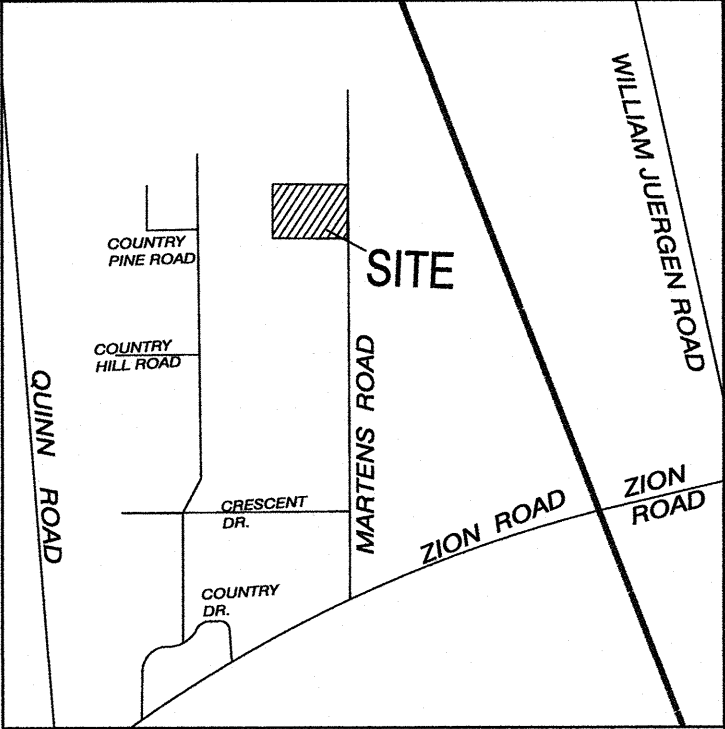
ATTACHMENTS:

Drake Casa Plat



FINAL PLAT OF COUNTRY MEADOWS (Film Code No. 389002, H.C.M.R.)

RICHARD & NANCY LYNCH
(H.C.C.F. #20080555456)



- NOTES:
- ELEVATIONS SHOWN HEREON ARE BASED ON RM 100355 LOCATED ON TOP OF A CONCRETE DRAINAGE HEADWALL, WITH A PUBLISHED ELEVATION OF 179.94 FEET.
 - ALL VISIBLE EXISTING PIPELINES OR PIPELINE EASEMENTS THROUGH THE SUBDIVISION HAVE BEEN SHOWN WITHIN THE LIMITS OF THE SUBDIVISION.
 - THERE ARE NO VISIBLE EXISTING OIL/GAS WELLS (PLUGGED, ABANDONED AND/OR ACTIVE) WITHIN THE LIMITS OF THE SUBDIVISION.
 - REFERENCE COMMITMENT FOR TITLE INSURANCE ISSUED STARTEK TITLE COMPANY, G.F. NO. 4692CPL HAVING AN EFFECTIVE DATE OF December 28, 2015. NO FURTHER RESEARCH FOR EASEMENTS OR ENCUMBRANCES WAS PERFORMED BY ROBINSON SURVEYING, INC..
 - PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL OR ANY PUBLIC UTILITY SHALL BE RESPONSIBLE FOR THE REPLACING OR REIMBURSING THE PROPERTY OWNER DUE TO REMOVAL OR RELOCATION OF ANY OBSTRUCTION ON THE PUBLIC EASEMENTS.
 - THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" WHICH IS AN AREA CONSIDERED TO BE OUTSIDE THE 100-YEAR FLOOD PLAIN AS REFLECTED ON FEMA FLOOD INSURANCE RATE MAP COMMUNITY 48201C 0275 M FOR THE CITY OF TOMBALL, DATED FEBRUARY 18, 2009.
 - ALL OIL-GAS PIPELINES OR PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 - ALL OIL-GAS WELLS WITH OWNERSHIP (PLUGGED ABANDONED, AND-OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 - NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL-GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
 - THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
 - THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL NOT LIMIT OR REPLACE ANY BUILDING LINES REQUIRED BY THE CITY OF TOMBALL CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.
 - ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNERS EXPENSE. WHILE WOODEN POST AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNERS EXPENSE SHOULD THE BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
 - THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE 0.9999952072412.
 - THE BUILDING LINE FOR PROPERTY ADJACENT TO TWO INTERSECTING STREETS SHALL NOT ENCRDACH INTO ANY VISIBILITY TRIANGLE, THE TRIANGULAR AREA ADJACENT TO THE INTERSECTION OF ANY STREET ESTABLISHED BY MEASURING A A DISTANCE OF 15 FEET FROM THE POINT OF INTERSECTION OF TWO STREETS ALONG THE RIGHT-OF-WAY OF EACH OF THE INTERSECTING STREETS AND CONNECTING THE ENDS OF EACH MEASURED DISTANCE TO ASSURE ADEQUATE VISIBILITY SIGHT LINES FOR VEHICULAR TRAFFIC APPROACHING THE INTERSECTION.
 - C.D.T.U.E. = CITY OF TOMBALL UTILITY EASEMENT

STATE OF TEXAS
COUNTY OF HARRIS

I, CHARLENE DRAKE, HEREIN AFTER REFERRED TO AS OWNER OF THE 0.5002 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF DRAKE CASA, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE DEDICATED TO THE USE OF THE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, STREETS DESIGNATED AS PRIVATE PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THERE ON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENT 5' IN WIDTH FROM A PLANE 20' ABOVE THE GROUND UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE, HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS (1-3/4) SQUARE FEET (6" DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN (15) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF TOMBALL, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

STATE OF TEXAS
COUNTY OF HARRIS

WITNESS MY HAND IN THE CITY OF TOMBALL, TEXAS, THIS _____ DAY OF _____, 2017.

OWNER: CHARLENE DRAKE

STATE OF TEXAS
COUNTY OF HARRIS

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

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

Notary Public in and for the State of Texas

Print name: _____

My commission expires: _____

THIS IS TO CERTIFY THAT THE TOMBALL PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT OF DRAKE CASA 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

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

I, STAN STANART, CLERK OF THE COUNTY COURT 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 DULY RECORDED

ON, _____, 2017, AT _____ O'CLOCK _____ M., AND IN FILM CODE _____

NO. _____ OF THE MAPS 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

THOMAS G. ROBINSON
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 1874

LEGEND

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

SURVEYOR: ROBINSON SURVEYING, INC.
P.O. BOX 11925
SPRING, TEXAS 77391-1925
PHONE (832) 236-8210
robinsonsurveyinginc@gmail.com

OWNER: DRAKE, CHARLENE
3706 ECHO MOUNTAIN DR.
KINGWOOD, TX. 77345

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: June 12, 2017

Topic:

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.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

Engineering Division

ACTION TAKEN

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

ATTACHMENTS:

Lot 2A & Lot 2B, Block 1 Park Manor of Tomball Replat No. 1

±300 FEET WEST OF THE INTERSECTION OF SCHOOL STREET AND MEDICAL COMPLEX DRIVE

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: June 12, 2017

Topic:

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 Theiss Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street.

- Conduct Public Hearing on **Zoning Case P17-0057**

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
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ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
P17-0057 Response Forms
P17-0057 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JUNE 12, 2017
&
CITY COUNCIL
JUNE 19, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 12, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, June 19, 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 P17-0057: 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 Theiss Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street.

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.

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.

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.

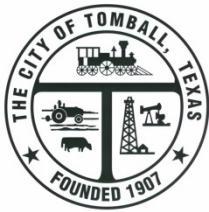
CERTIFICATION

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 8th day of **June 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: P17-0057

APPLICANT/OWNER: Request by Rene Rodriguez

LOCATION: Generally located on the south side of Theiss Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street

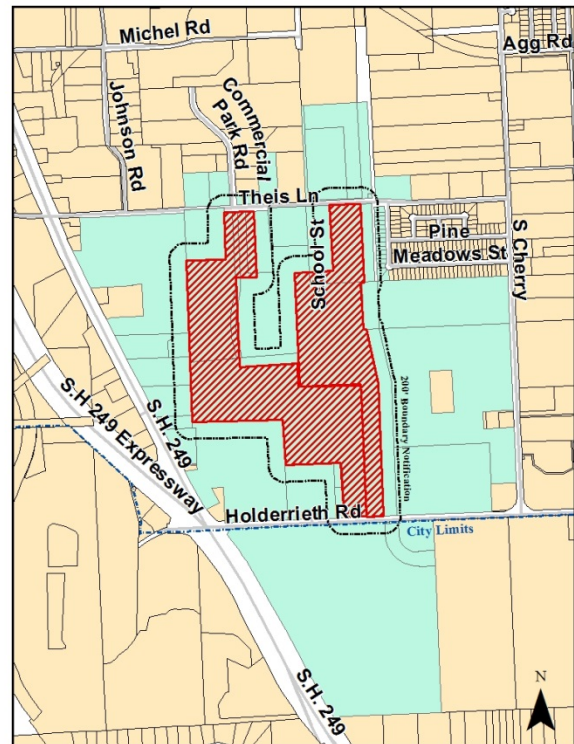
PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 6.5 acres of land from the Commercial District to the Single-Family 6 District and approximately 95.7 acres of land from the Agricultural District to the Single-Family 6 District. The properties are legally 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.)

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.



**Planning & Zoning Commission
Public Hearing:
Monday, June 12, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, June 19, 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.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

DUNG T. LE

(please print)

Address:

2018 Scotch Pine St.

TOMBALL, TX 77375

Signature:

Dung Le

Date:

5/30/17

I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P17-0057. (Please state reasons below)**

☒ I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P17-0057. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, June 12, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, June 19, 2017, 6:00 PM

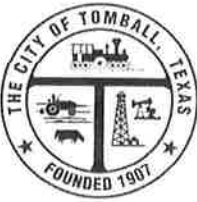
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

EDWARD L. PFENT, JR

(please print)

Address:

12810 PINE MEADOWS ST.
TOMBALL, TX 77375

Signature:

Edward L. Pfent, Jr.

Date:

5-31-17

I am **FOR** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)

X

I am **AGAINST** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, June 12, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, June 19, 2017, 6:00 PM

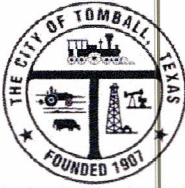
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

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Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

Jeff STALLONES

46 PALMER CREST

SPRING TX 77381

Signature:

Date:

[Handwritten Signature]

5-31-17

I am **FOR** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)

I am **AGAINST** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, June 12, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, June 19, 2017, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

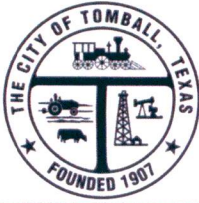
COMMENTS:

GREAT FOR TOM BALL !

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name: STUART A. RATHE

(please print)

Address: 917 Franklin St. #550
Houston, Tx. 77002

SH 249 & HOLDERREITH
26 ACRES
MAPLE GROUP LTD.

Signature: Stuart A. Rathe

Date: 5/31/17



I am **FOR** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)



I am **AGAINST** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, June 12, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, June 19, 2017, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

William G. HIGHTOWER

(please print)

Address:

6015 THEALL

Houston TX 77066

Signature:

[Handwritten Signature]

Date:

05/30/17

☒

I am **FOR** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)

☐

I am **AGAINST** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0057. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, June 12, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, June 19, 2017, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
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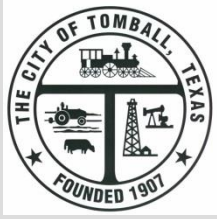
COMMENTS:

GOOD PLAN FOR THAT PROPERTY

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: June 12, 2017

City Council Public Hearing Date: June 19, 2017

Rezoning Case: P17-0057

Property Owner(s): Tomball 39 Partners and Maritia LP

Applicant(s): Rene Rodriguez

Legal Description: 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.)

Location: South side of Theis Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street (Exhibit "A")

Area: Approximately 102 acres

Comp Plan Designation: Medium Density Residential and Employment/Office (Exhibit "B")

Present Zoning and Use: Commercial District (6.5 acres) and Agricultural District (95.7 acres) (Exhibit "C") / Undeveloped land (Exhibit "D")

Request: Rezone approximately 6.5 acres from the Commercial District to the Single-Family 6 and rezoning approximately 95.7 acres from the Agricultural District to the Single-Family 6 District

Adjacent Zoning & Land Uses:

North: Agricultural and Light Industrial District / Commercial business including Inline Services, Dental Frontiers and QTRCO, Inc. and large lot residences

South: Outside City Limits / Undeveloped land

West: Commercial and Planned Development 8 / Walmart, commercial shopping centers, Tractor Supply Co., National Transmission and undeveloped land

East: Agricultural and General Retail / M121 West Drainage Ditch

BACKGROUND

City Staff met with the applicant and other representatives in April 2017 to discuss a proposed single-family development at the subject site. Staff explained that in order to develop a subdivision in this area, a rezoning would be required.

ANALYSIS

The subject site is approximately 102 acres, most of which is zoned Agricultural with a small portion at the southern end on Holderrieth Road zoned Commercial. Because of the size of the proposed project, there are multiple land uses surrounding it. To the north, there are multiple commercial businesses and two large lot residences. The east side of the subject area is separated from Pine Meadows subdivision by a City drainage ditch, M121 West. Land uses to the west include Walmart, commercial shopping centers, Tractor Supply Co., National Transmission and undeveloped land. Property south of the subject site is outside of the City Limits and mostly undeveloped with two large lot residences.

The zoning districts in the area include Light Industrial and Agricultural to the north, Agricultural and General Retail to the east, Commercial and Planned Development 8 to the west and property to the south is outside of the City Limits.

The Future Land Use Map designates most of the property as Medium Density Residential which typically includes lots ranging from 6,000 to 20,000 square feet, according to the City Comprehensive Plan. A small portion at the southern end of the subject site is designated Employment/Office.

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 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 streets 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. School Street, a collector road, will bisect the development and run north/south.

Tomball ISD has been notified of the proposed neighborhood and is able to accommodate the anticipated influx of students.

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.

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.

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 across the street from a City 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 May 25, 2017. The Notice of Public Hearing was published in the paper and a sign was placed on the property on May 31, 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 P17-0057 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

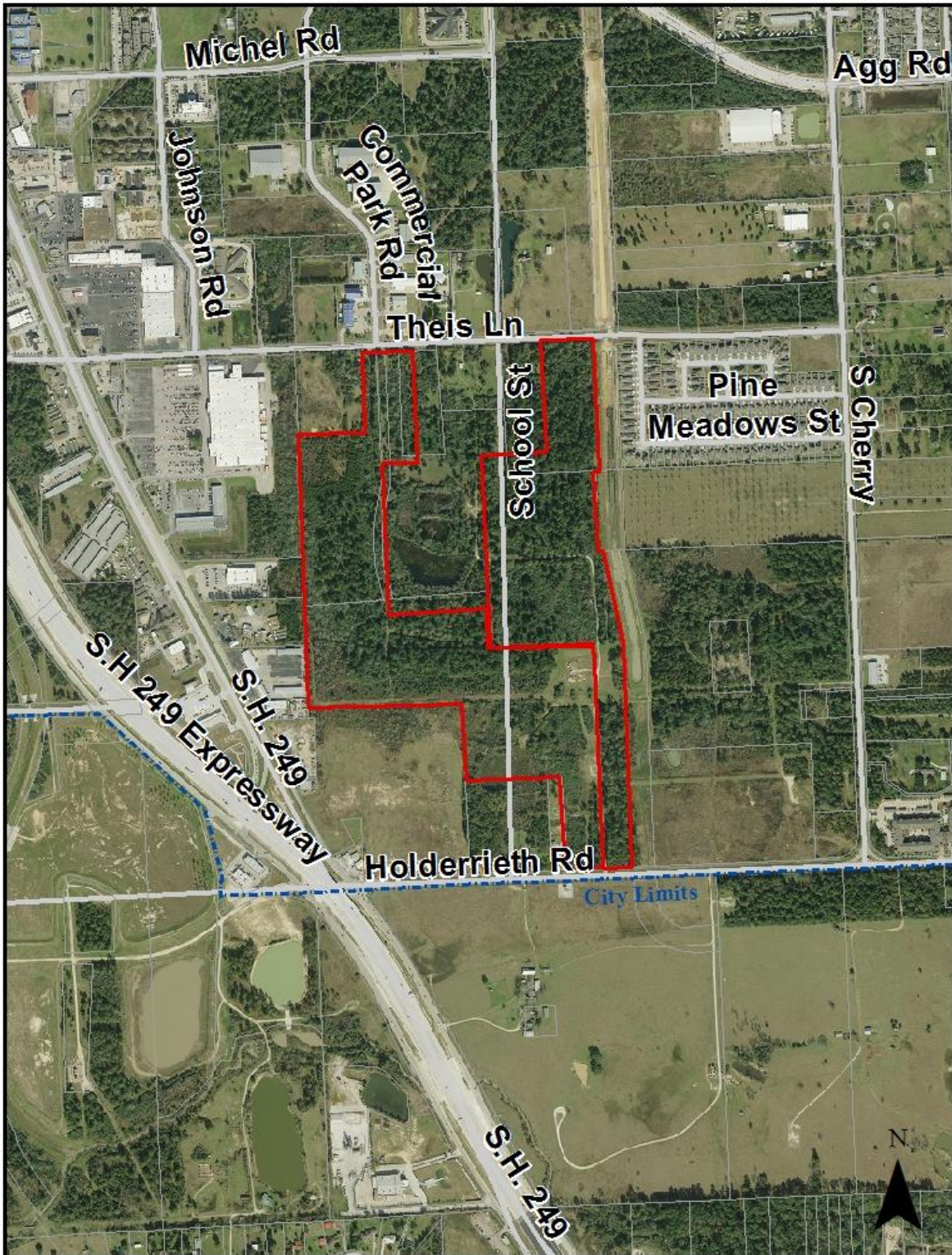


Exhibit "B"
Comprehensive Plan

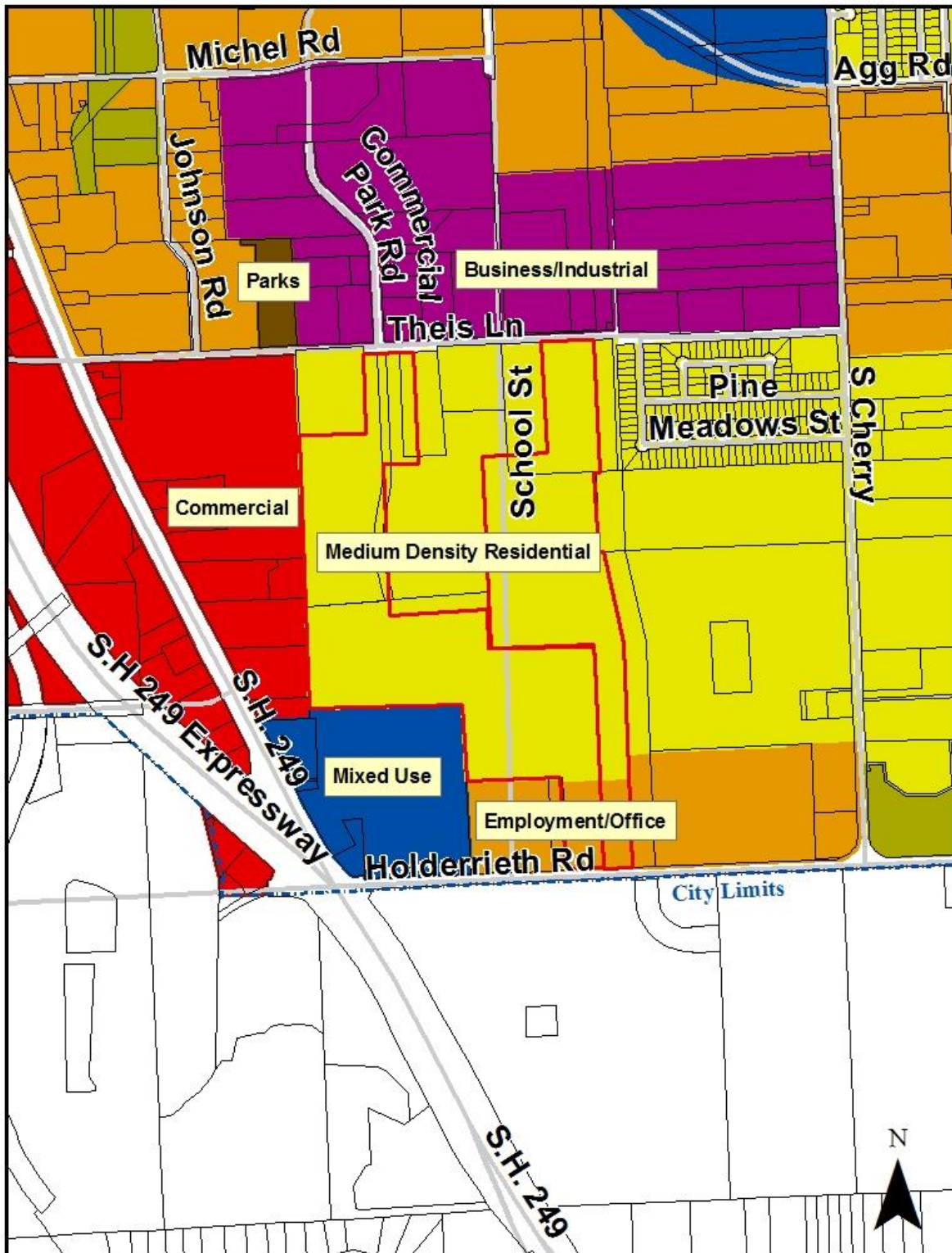
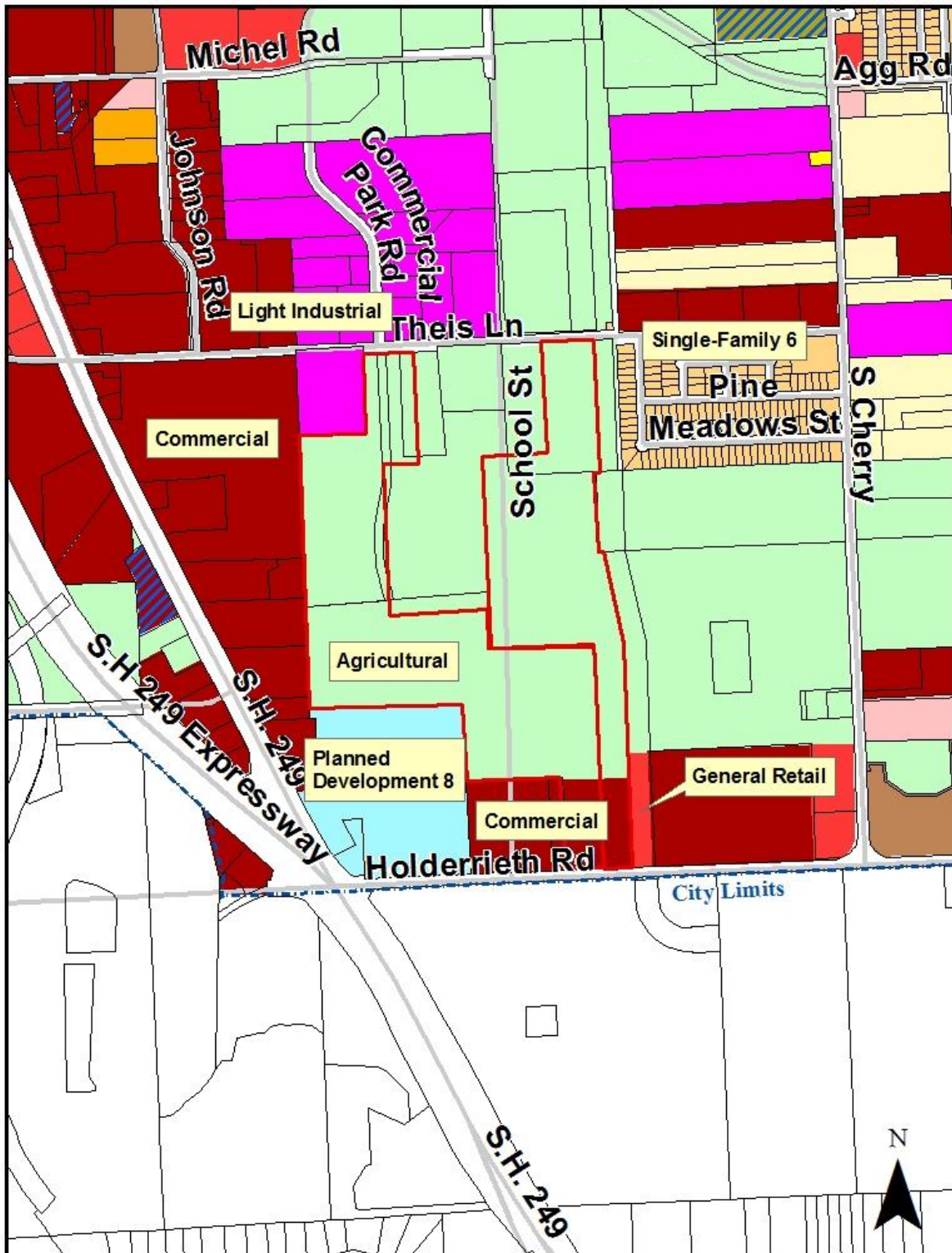


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Subject Site view from Theis Lane



Subject Site view from Holderrieth Road

Exhibit "E"

Application

Revised 5/19/15



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: Rene Rodriguez Title: Platting Manager
Mailing Address: 2929 Briarpark, Suite 600 City: Houston State: Texas
Zip: 77042
Phone: (713) 953-5228 Fax: (713) 953-5026 Email: rerodriguez@lja.com

Owner

Name: Maritta LP Louis H. S. Muldean Title: E.V.P.
Mailing Address: 30 E. Rivercrest Dr City: Houston State: Texas
Zip: 77042
Phone: () Fax: () Email:

Engineer/Surveyor (if applicable)

Name: Alan McKee Title: Sr. Vice President
Mailing Address: 2929 Briarpark, Suite 600 City: Houston State: Texas
Zip: 77042
Phone: (713) 953-5121 Fax: (713) 953-5026 Email: amckee@lja.com

Description of Proposed Project: 63.11 Acres out of the Isaac Mansfield Survey, Abstract 344

Physical Location of Property: E. of SH 249, N. of Holderrieth Rd, S. of Theiss Rd, & W. of S. Cherry

Legal Description of Property: 63.11 Acres of out of the Isaac Mansfield Survey, Abstract 344
[General Location - approximate distance to nearest existing street corner]
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: AG - Agricultural

Current Use of Property: Vacant

Proposed Zoning District: SF-6 Single Family 6 District

Proposed Use of Property: Single Family Residential

HCAD Identification Number: 044-058-000-0285 Acreage: 63.11

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 
Signature of Applicant

April 26, 2017

Date

X 
Signature of Owner

April 26, 2017

Date

COY'S H. SUGDEN

Revised 5/19/15



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: Rene Rodriguez Title: Platting Manager
Mailing Address: 2929 Briarpark, Suite 600 City: Houston State: Texas
Zip: 77042
Phone: (713) 953-5228 Fax: (713) 953-5026 Email: rerodriguez@lja.com

Owner

Name: Tomball 39 Partners LLP Title: _____
Mailing Address: 14015 Park Dr, Suite 101 City: Tomball State: Texas
Zip: 77377
Phone: (____) _____ Fax: (____) _____ Email: _____

Engineer/Surveyor (if applicable)

Name: Alan McKee Title: Sr. Vice President
Mailing Address: 2929 Briarpark, Suite 600 City: Houston State: Texas
Zip: 77042
Phone: (713) 953-5121 Fax: (713) 953-5026 Email: amckee@lja.com

Description of Proposed Project: 39 Acres out of the Isaac Mansfield Survey, Abstract 344

Physical Location of Property: E. of SH 249, N. of Holderrieth Rd, S. of Theiss Rd, & W. of S. Cherry
(General Location - approximate distance to nearest existing street corner)

Legal Description of Property: 39 Acres of out of the Isaac Mansfield Survey, Abstract 344
(Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block)

Current Zoning District: AG - Agricultural

Current Use of Property: Vacant

Proposed Zoning District: SF-8 Single Family 6 District

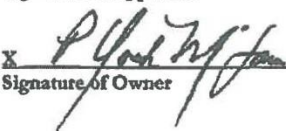
Proposed Use of Property: Single Family Residential

HCAD Identification Number: 035-286-000-0198 Acreage: 39

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.

☒ 	April 26, 2017
Signature of Applicant	Date
☒ 	April 26, 2017
Signature of Owner	Date

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: June 12, 2017

Topic:

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.

- Conduct Public Hearing on **Zoning Case P17-0059**

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

P17-0059 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JUNE 12, 2017
&
CITY COUNCIL
JUNE 19, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 12, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, June 19, 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 P17-0057: 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 Theiss Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street.

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.

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.

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.

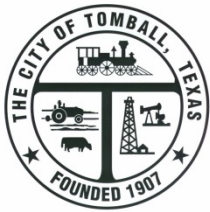
CERTIFICATION

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 8th day of **June 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: P17-0059

APPLICANT/OWNER: Request by Hogan Crum LLC

LOCATION: Generally located on the north side of East Hufsmith Road at Lovett Street

PROPOSAL: 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, currently zoned Single-Family 20 Estate District.

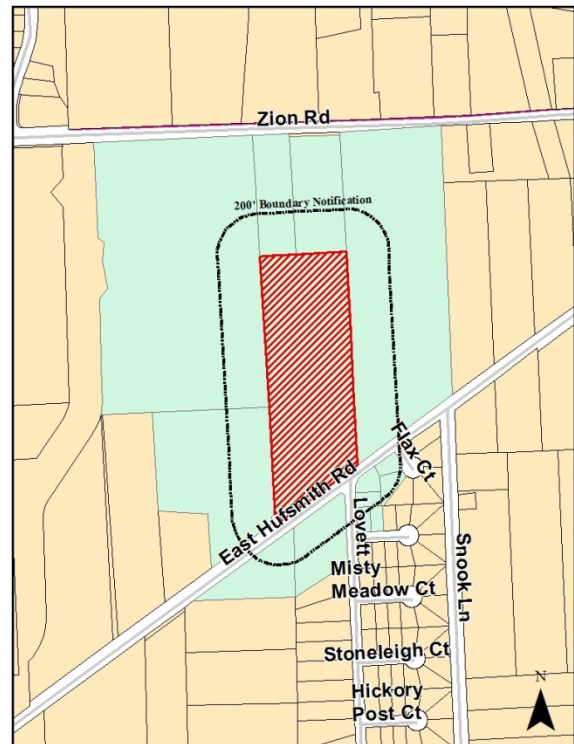
CONTACT: Amelia Lindley

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:**

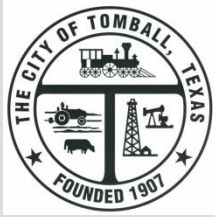
Monday, June 12, 2017, 6:00 PM

City Council Public Hearing:

***Monday, June 19, 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: June 12, 2017

City Council Public Hearing Date: June 19, 2017

Rezoning Case: P17-0059

Property Owner(s): Michael P. Hogan

Applicant(s): Hogan Crum LLC

Legal Description: (Approximately 2.5 acres out of a 9.8 acre tract) Tracts 18, 24, 30 & 36 and Tract B (Abandoned Part of Stansey Road)

Location: North side of East Hufsmith Road at Lovett Street (Exhibit "A")

Area: 2.5 acres

Comp Plan Designation: Rural Residential (Exhibit "B")

Present Zoning and Use: Single-Family 20 Estate District (Exhibit "C") / Undeveloped property (Exhibit "D")

Proposed Use(s): Reception Venue

Request: Conditional Use Permit (CUP) to allow the operation of a *reception venue*

Adjacent Zoning & Land Uses:

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

South: Commercial / Undeveloped property

West: Single-Family 20 Estate / Single-family residence

East: Commercial and Single-Family 20 Estate / Cornerstone Electric Company and undeveloped property

BACKGROUND

In February 2017, City Staff met with the property owner to discuss a proposed reception venue at the subject site. City Staff explained that the majority of the lot was zoned Commercial, and therefore, a reception venue was allowed by-right; however, the northern 2-2.5 acres are zoned Single-Family 20 Estate and would require Conditional Use Permit approval.

ANALYSIS

According to Section 50-81(f) of the Chapter 50 (Zoning), when considering applications for a Conditional Use Permit, 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's Future Land Use Map identifies the subject site as Rural Residential. It does not appear that the request is consistent with the goals of the Future Land Use Map.

- 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."

In December 2015, City Council adopted Ordinance No. 2015-25 (Exhibit "G"). This ordinance was a text amendment to Section 50-82(b) (*Use Charts*) to add a land use and associated regulations for a *reception venue*. The use is permitted by-right in the Light Industrial, Commercial, General Retail and Old Town & Mixed Use Zoning Districts and with a Conditional Use Permit in the Office, Agricultural and Single-Family 20 Estate Districts.

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

Should the Conditional Use Permit application be approved, 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.

- 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 is adjacent to a few large lot residential homes, an electric company and undeveloped property. Chapter 50 (Zoning) has regulations in place to protect the adjacent residential homes; the Code of Ordinances also has noise and nuisance ordinances that would restrict the level of noise allowed from the property. The Conditional Use Permit can place greater restrictions on the development to ensure the preservation of the residences.

- 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.**

The proposed use does not appear to be detrimental to the public health, safety, and welfare. As mentioned, Tomball has ordinances already in place to protect the adjacent properties. Some of these regulations include: landscape buffer, screening requirements, light shielding, and noise and nuisance ordinances.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on May 26, 2017. A sign was placed on the property and Notice of Public Hearing was published in the paper on May 31, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets of 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 P17-0059.

The Conditional Use Permit process allows the Planning & Zoning Commission and City Council to place conditions on the approval of the request. City Staff recommends the following conditions:

1. Landscape buffers along all sides that abut residential zoning districts shall not be less than 20 feet;
2. A minimum of five large trees shall be planted along each property line in the landscape buffer;
3. An opaque screening fence of not less than eight feet shall be installed along each property line.

Again, it is important to note that these conditions only apply to the 2-2.5 acres that are zoned Single-Family 20 Estate. The remaining acreage zoned Commercial will be developed under the Commercial regulations.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photos
- E. CUP Application
- F. Concept Plan
- G. Ordinance No. 2015-25

Exhibit "A"
Aerial Photo

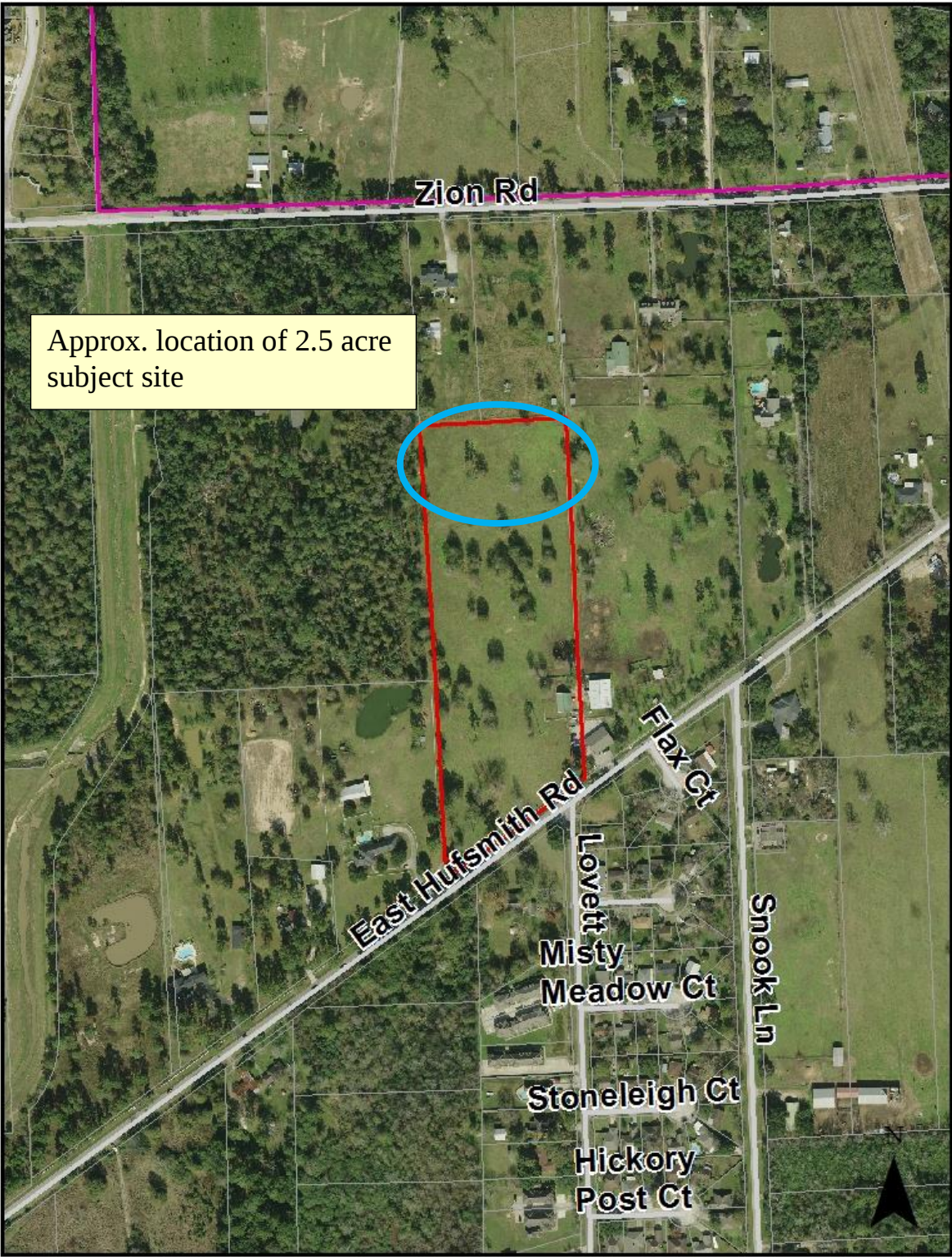


Exhibit "B"
Comprehensive Plan

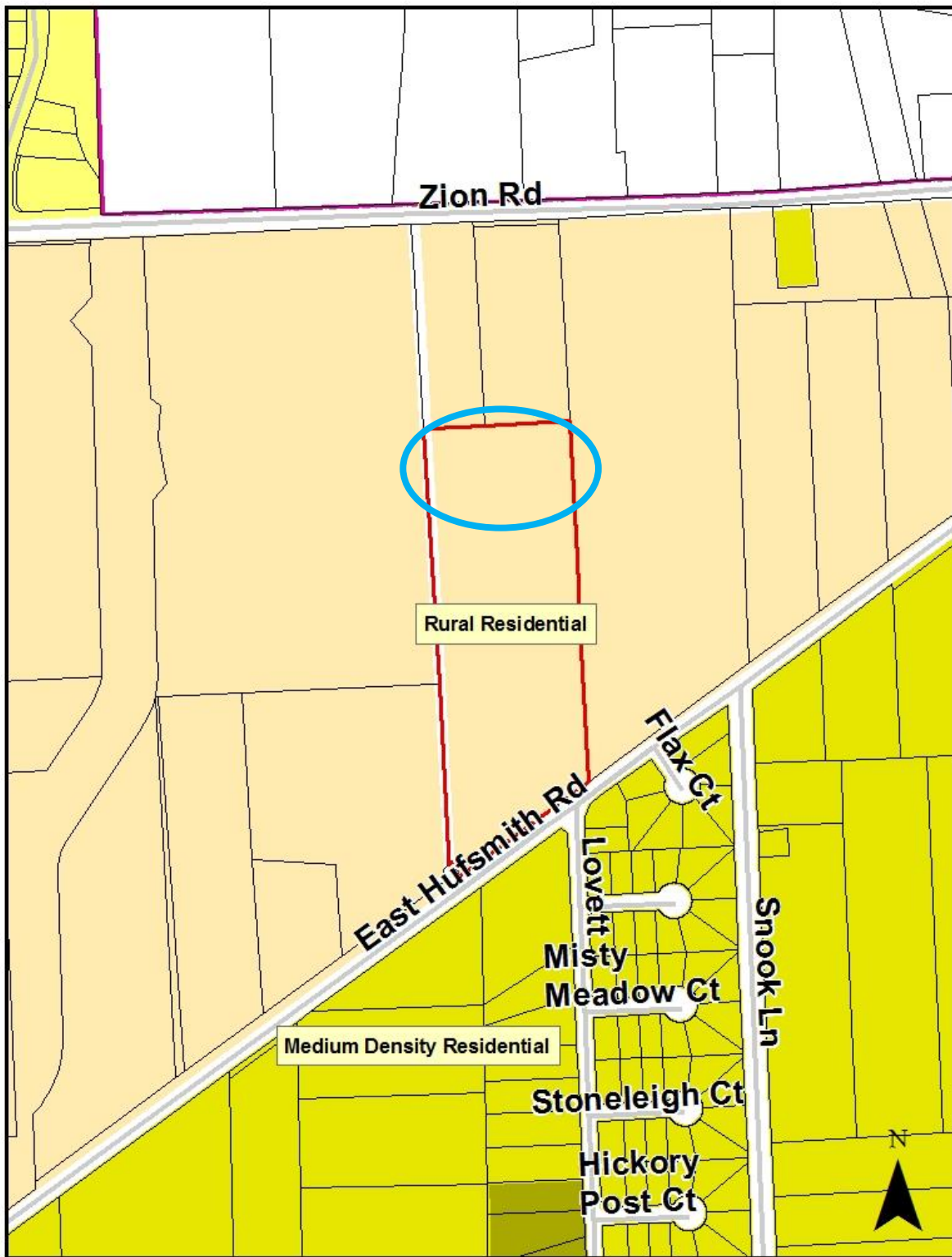
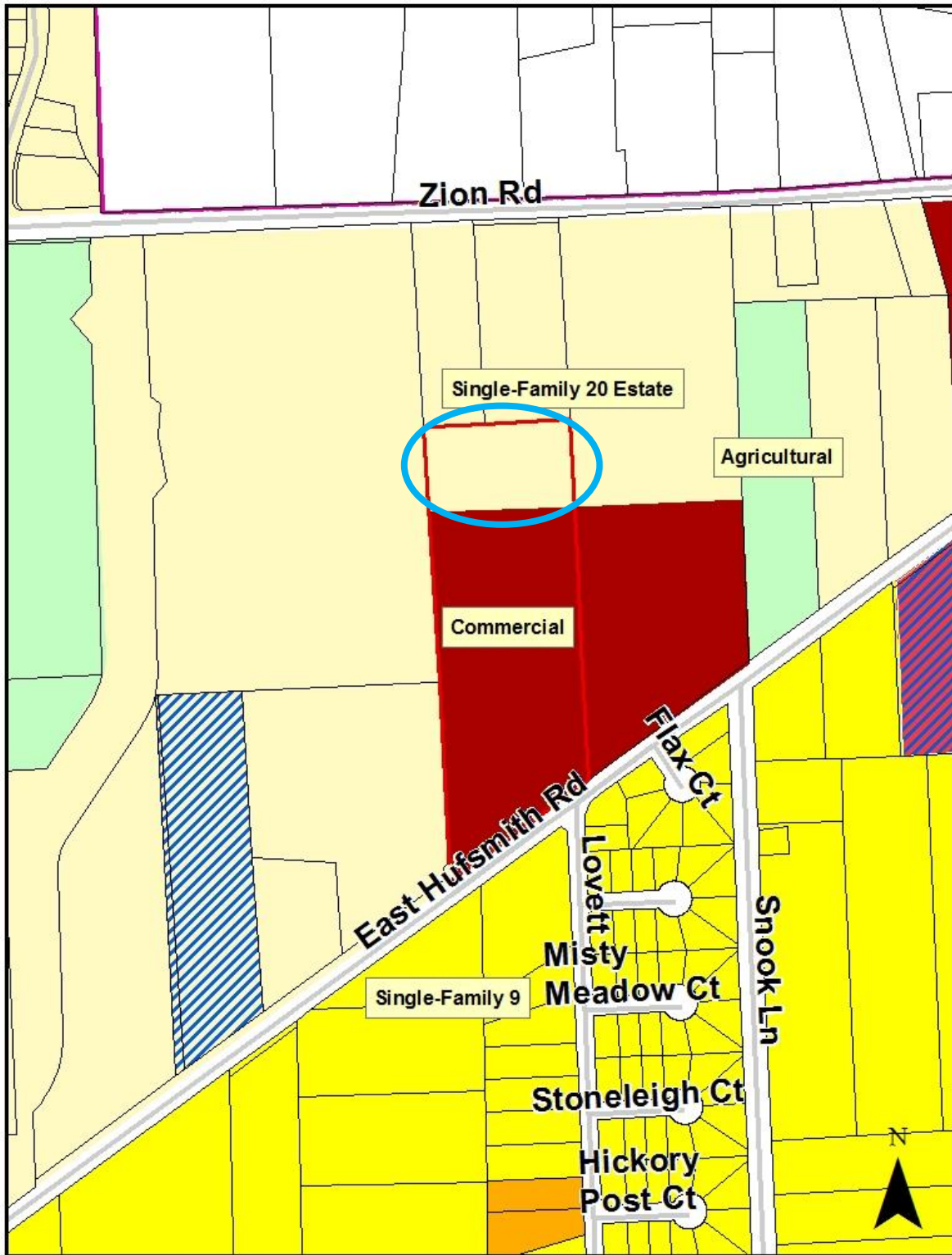


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



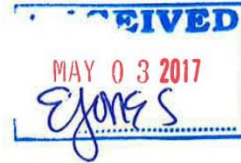
Figure 1: Subject Site

Exhibit "E"
CUP Application

Revised 5/19/15



P17-0059
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: Hogan Crew LLC Title: Manager
Mailing Address: 23 McConnell Place City: Houston State: Tx
Zip: 77070
Phone: (713) 628-9890 Fax: (832) 912-8405 Email: mhogan1017@AOL.com

Owner
Name: Michael P. Hogan Title: Owner
Mailing Address: 23 McConnell Place City: Houston State: Tx
Zip: 77070
Phone: (713) 628-9890 Fax: (832) 912-8405 Email: mhogan1017@AOL.com

Engineer/Surveyor (if applicable)
Name: C+C Surveying Title: Steve Crews
Mailing Address: 7424 FM 1488 City: Magnolia State: Tx
Zip: 77354 Suite A
Phone: (281) 259-4377 Fax: (281) 356-1935 Email: onesurvey@att.net

Description of Proposed Project: Wedding Venue Barn + Chapel
Physical Location of Property: 0 Neal Road Tomball TX 77325
[General Location – approximate distance to nearest existing street corner]
Legal Description of Property: Abstract No 383 TRS 18, 24, 30, 36, + TRB
[Survey/Abstract No. and Tracts, or platted Subdivision Name with Lots/Block]
HCAD Identification Number: _____ **Acreage:** 9.792 Abandoned PT of Stanley Road
Tomball
Outlot
Current Use of Property: Vacant
Proposed Use of Property: Weddings, Church events, Corporate Parties

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.

☒ Michele P Hogan 5-2-17
 Signature of Applicant Date
☒ Michele P Hogan 5-2-17
 Signature of Owner

CITY OF TOMBALL
281-351-5484

REC#: 00980414 5/03/2017 9:42 AM
 OPER: RP TERM: 005
 REF#: W 1004

TRAN: 130.0000 PLANNING AND ZONING
 HOGAN CRUM
 NEAL RD
 100-5442

City of Tomball, Texas 501 Jam

CONDITIONAL USE PER 600.00CR

www.tomballtx.gov

TENDERED: 600.00 CHECK
 APPLIED: 600.00-

CHANGE: 0.00

P17-0059

To whom it may concern;

I am applying for a Conditional Use Permit to properly design the layout of the property. With a wedding event barn, chapel, two cottages, retention pond, parking, fire lane, all ADA requirements and to keep the property clean, beautiful and picture friendly, it is very challenging project! I am just trying to build a stunning location for people to get married at! At all times with construction and the running of the business keeping our neighbors privacy, concerns, and property at the center of attention with everything we do.

Sincerely,
Michael P Hogan

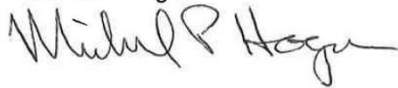
A handwritten signature in black ink that reads "Michael P Hogan". The signature is written in a cursive, flowing style.

Figure "F" Concept Plan

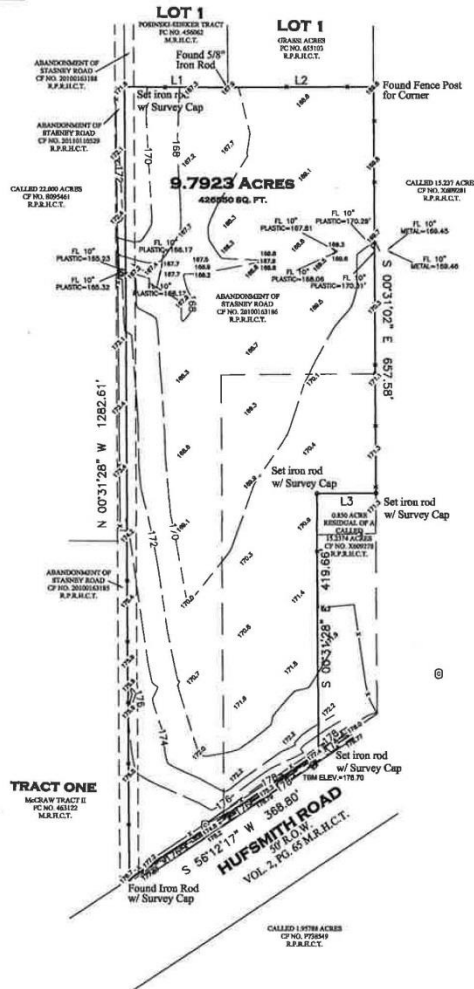
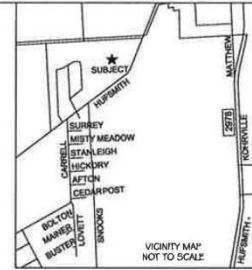
P17-0059

Notes:
1. This drawing is for "Topographic Survey Purposes" only.
2. Elevations are based on Texas South Central State Plane, NAD83, NAVD83, Geoid (5) 2001 Adjustment.
3. TBM is a Nag Nail set in asphalt Elevations: 178.70'

FL = FLOWLINE OF PIPE
S = UNDERGROUND CABLE MARKER
TBM (TEMPORARY BENCHMARK)
X = MIXED WOOD, PLASTIC, AND WIRE FENCE

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'



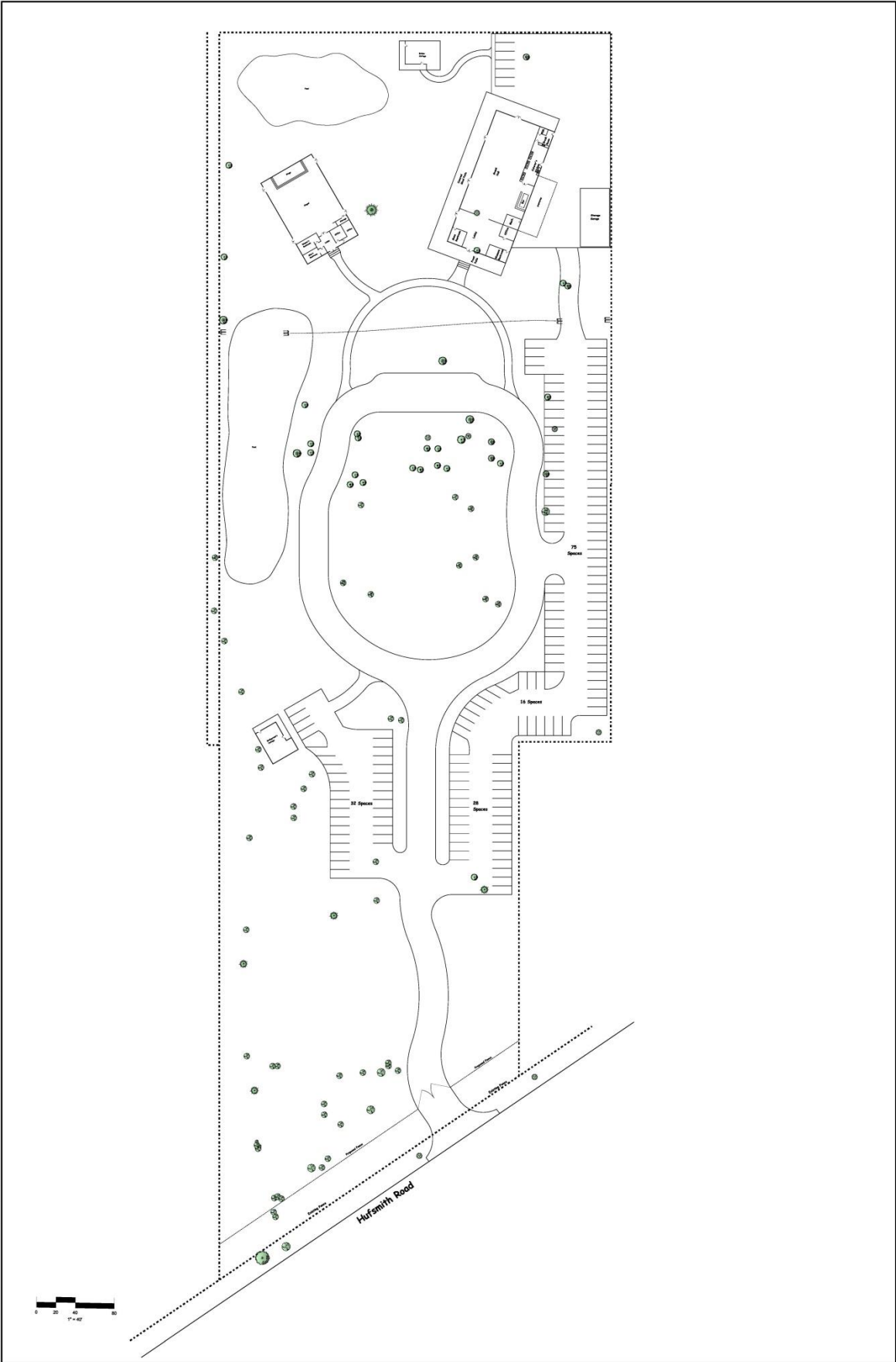
This property lies within Zone 'X' as scaled from FEMA Flood Panel Number 4802C0502, dated June 18, 2007.
THIS MEANS THAT THE SUBJECT PROPERTY DOES NOT SCALE WITHIN THE 100 YEAR FLOOD PLAIN.
This determination is made strictly according to the FEMA maps and does not reflect actual on ground flood conditions. Furthermore, this company takes no responsibility for such.

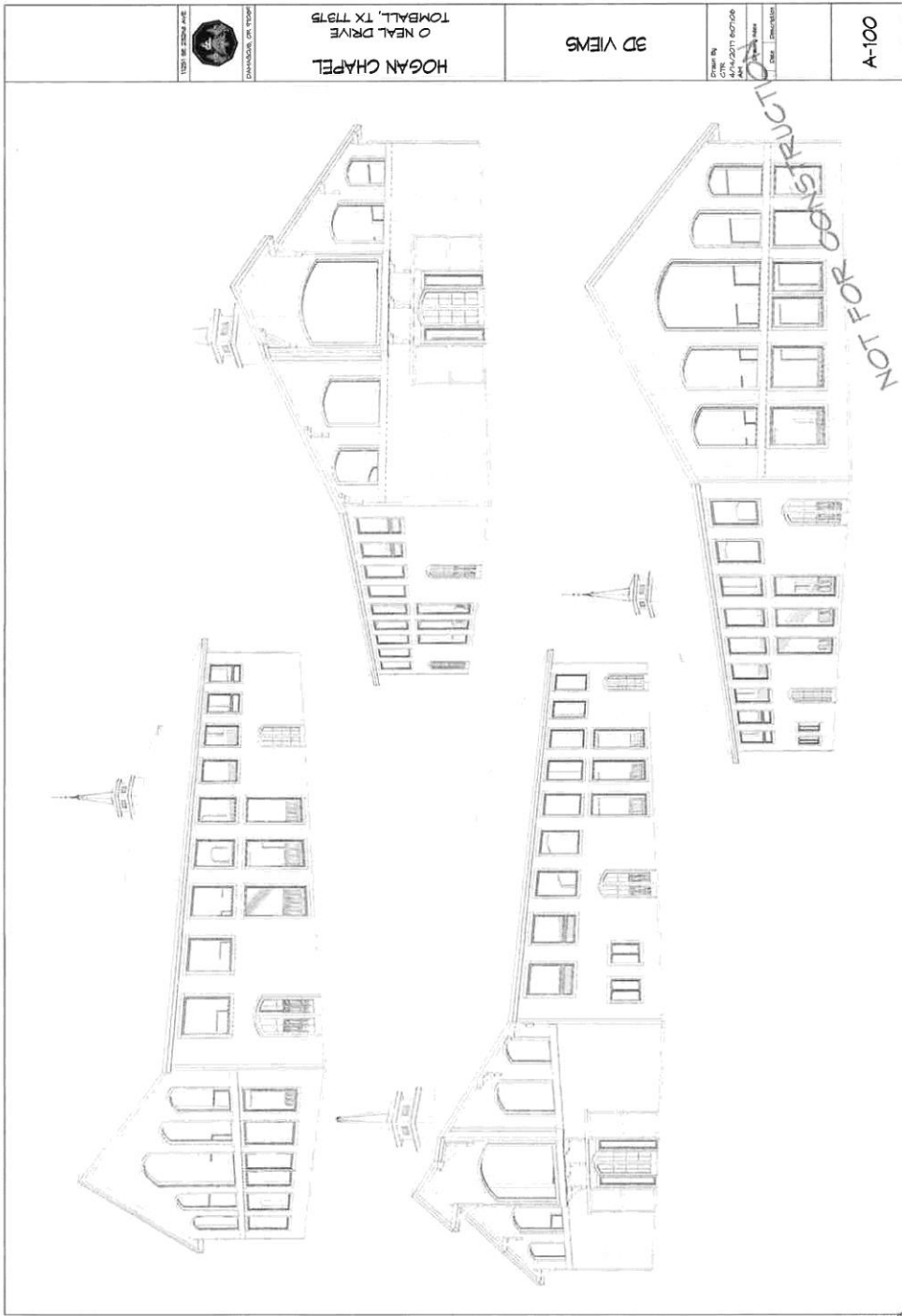


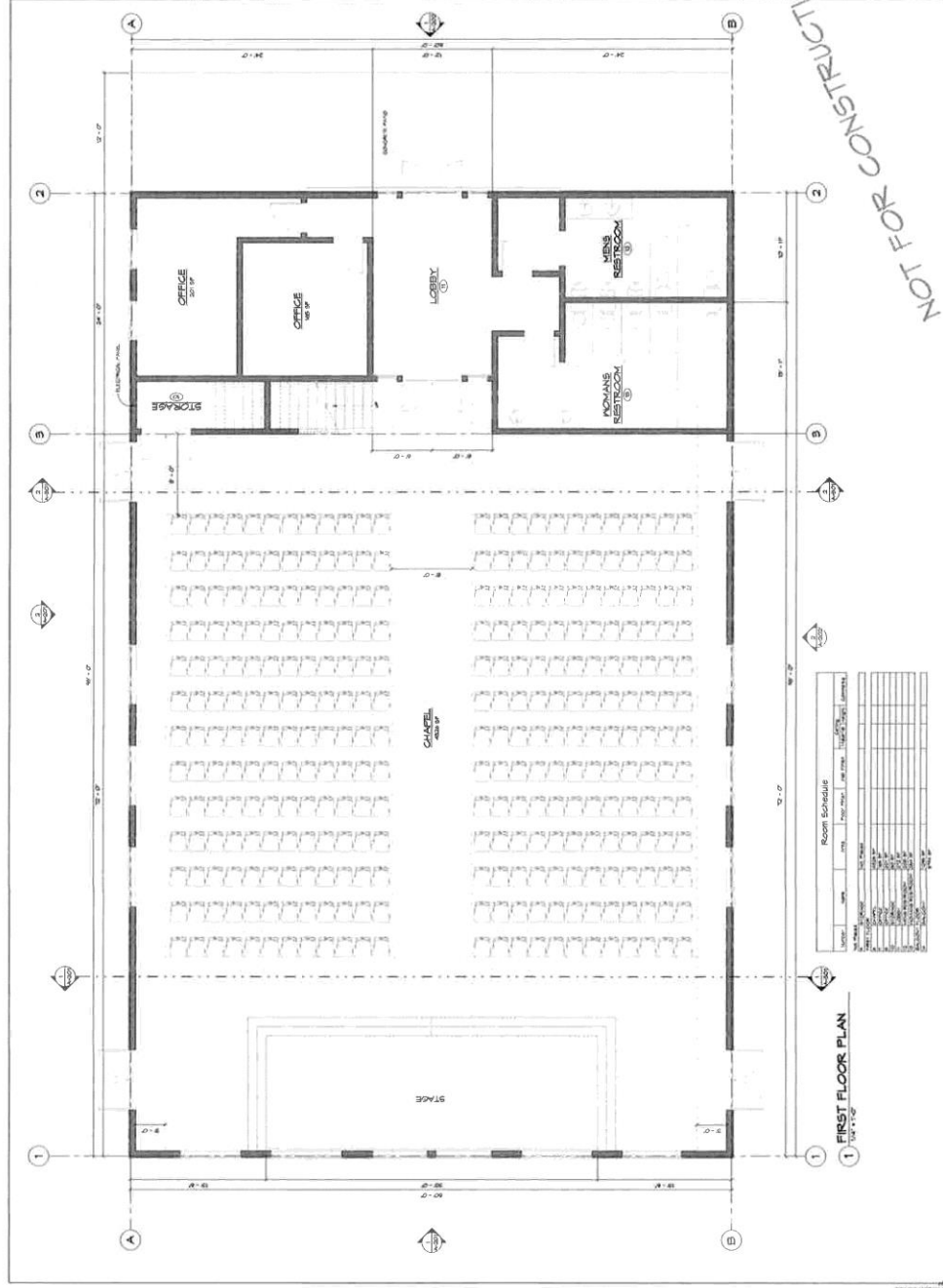
Being a 9.792 acre tract of land in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being out of and part of a called 15.2374 acres as described in deed recorded in Clerk's File Number X609278, of Real Property Records of Harris County, Texas and also including all of that portion of Stanley Road abandoned by the City of Tomball to Daniel Rodano in instrument recorded in Clerk's File Number 20100163186 of said Real Property Records.

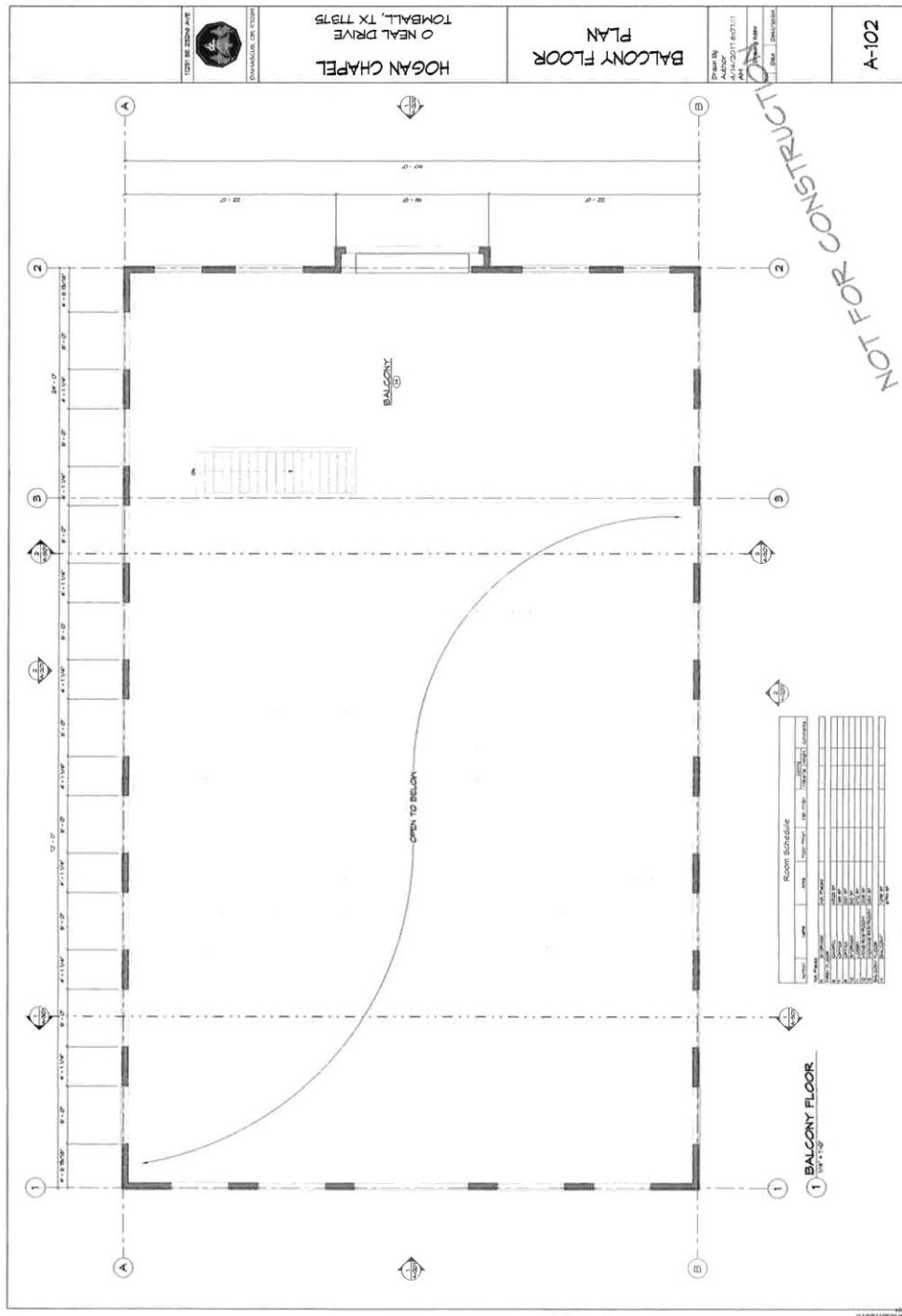
Date: March 28, 2017
Job No: 17-0059
Scale: 1" = 100' (14 x 10)
Drawn By: [Signature]
Checked By: [Signature]
C & C Surveying, Inc.
7424 FM 1486, Suite A, Houston, Texas 77054
Phone: 281-258-4377
Fax: 281-258-1933
Email: ccsurveying@att.net
Website: www.ccsurveying.com

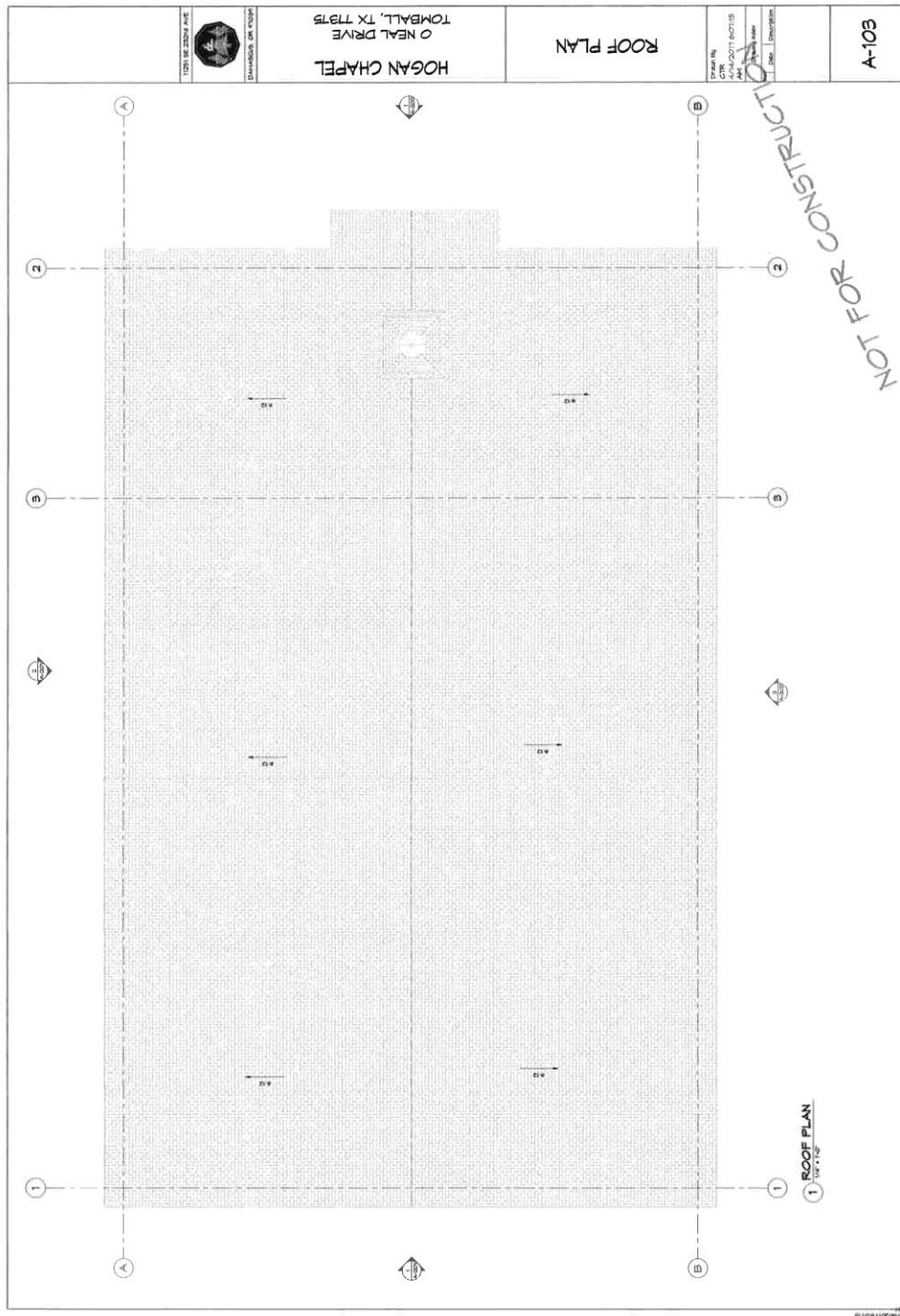
Certified by: Michael Rogers
Clerk: Michael Rogers
I, Michael Rogers, Surveyor No. 1001, do hereby certify that I am a duly licensed Surveyor in the State of Texas, and that I am the author of the foregoing survey, and that the same was made by me or under my direct supervision and in accordance with the laws and rules of the State of Texas, and that I am not aware of any fraud or mistake in the same, and that I am not aware of any fraud or mistake in the same, and that I am not aware of any fraud or mistake in the same.

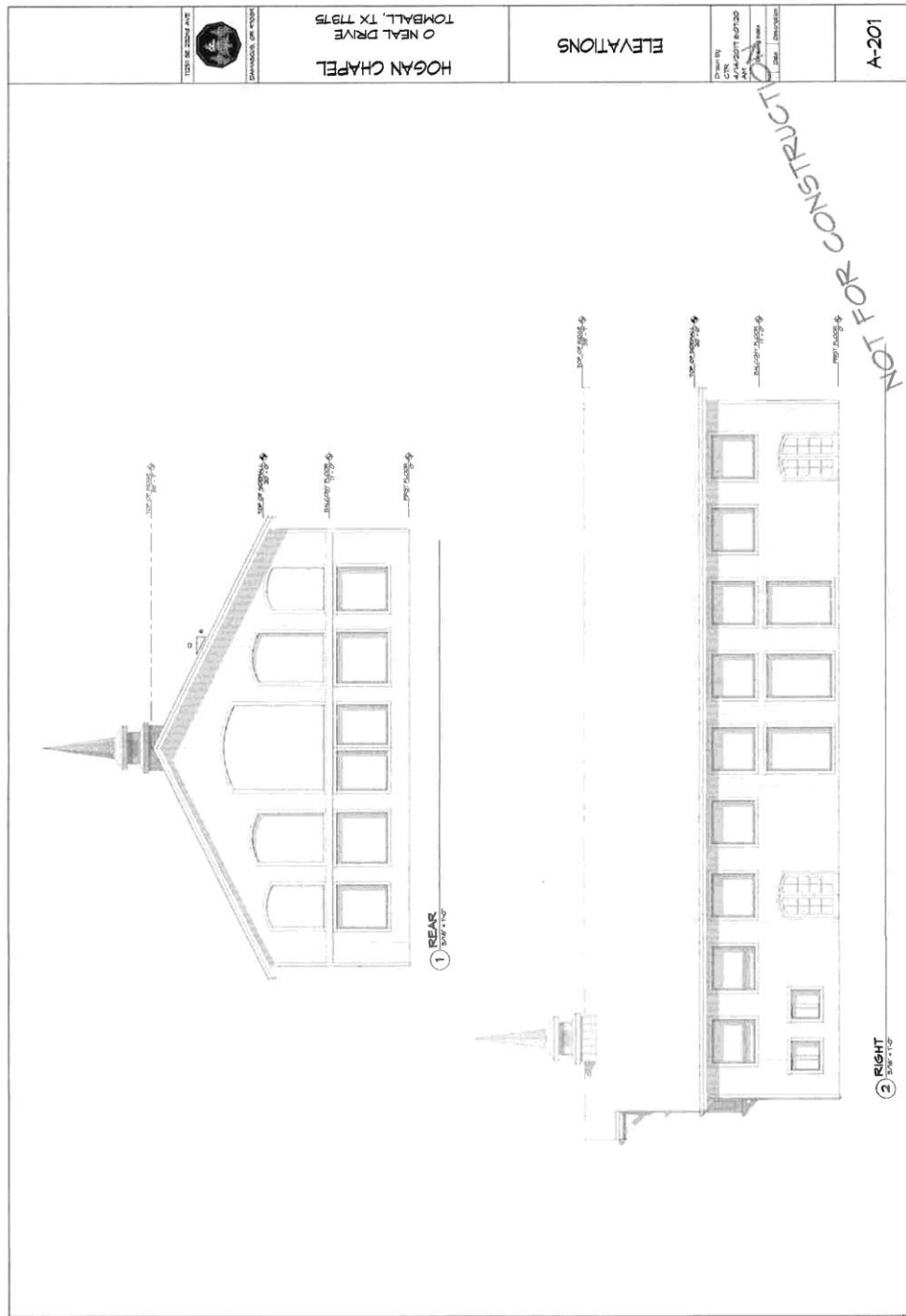


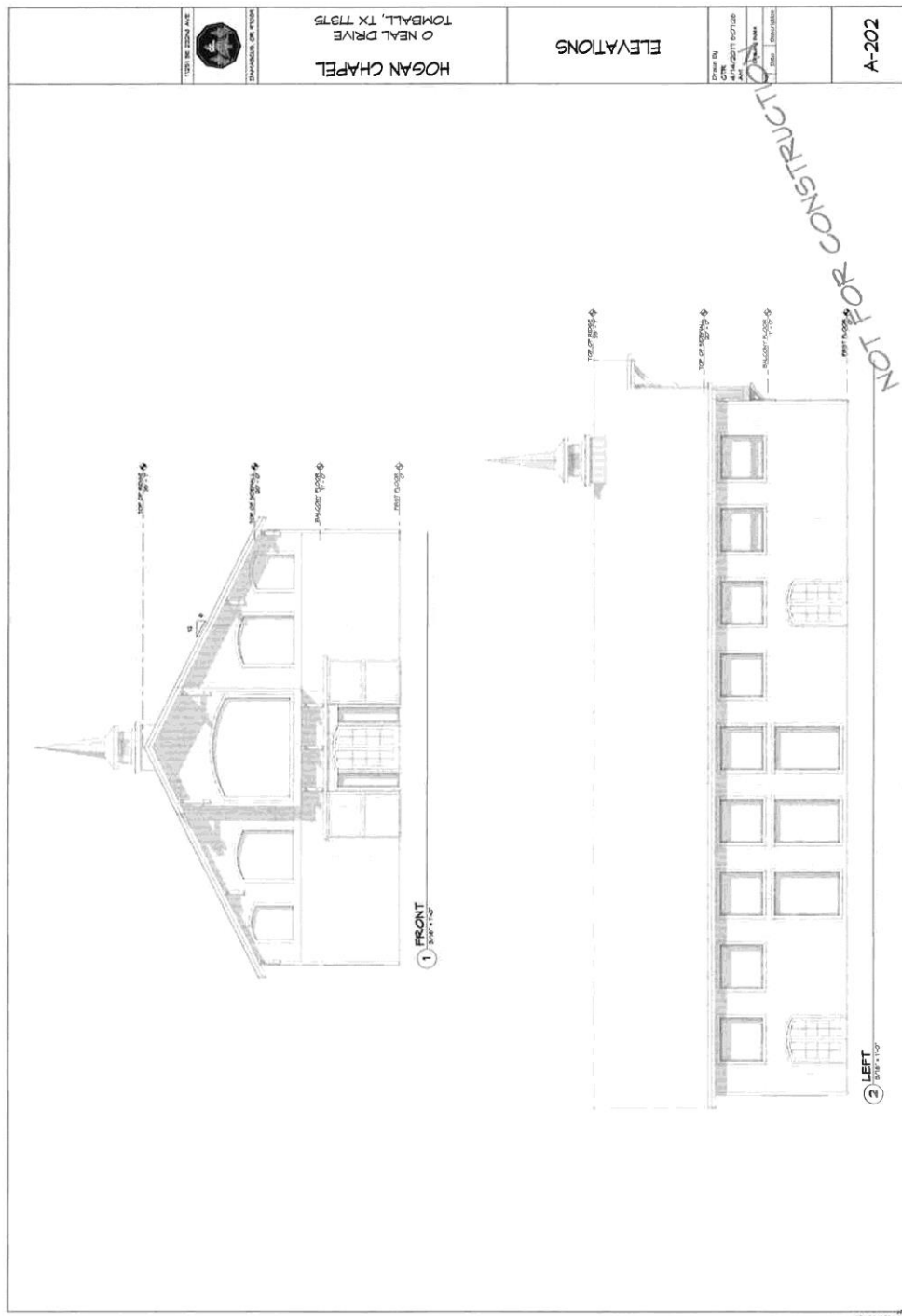


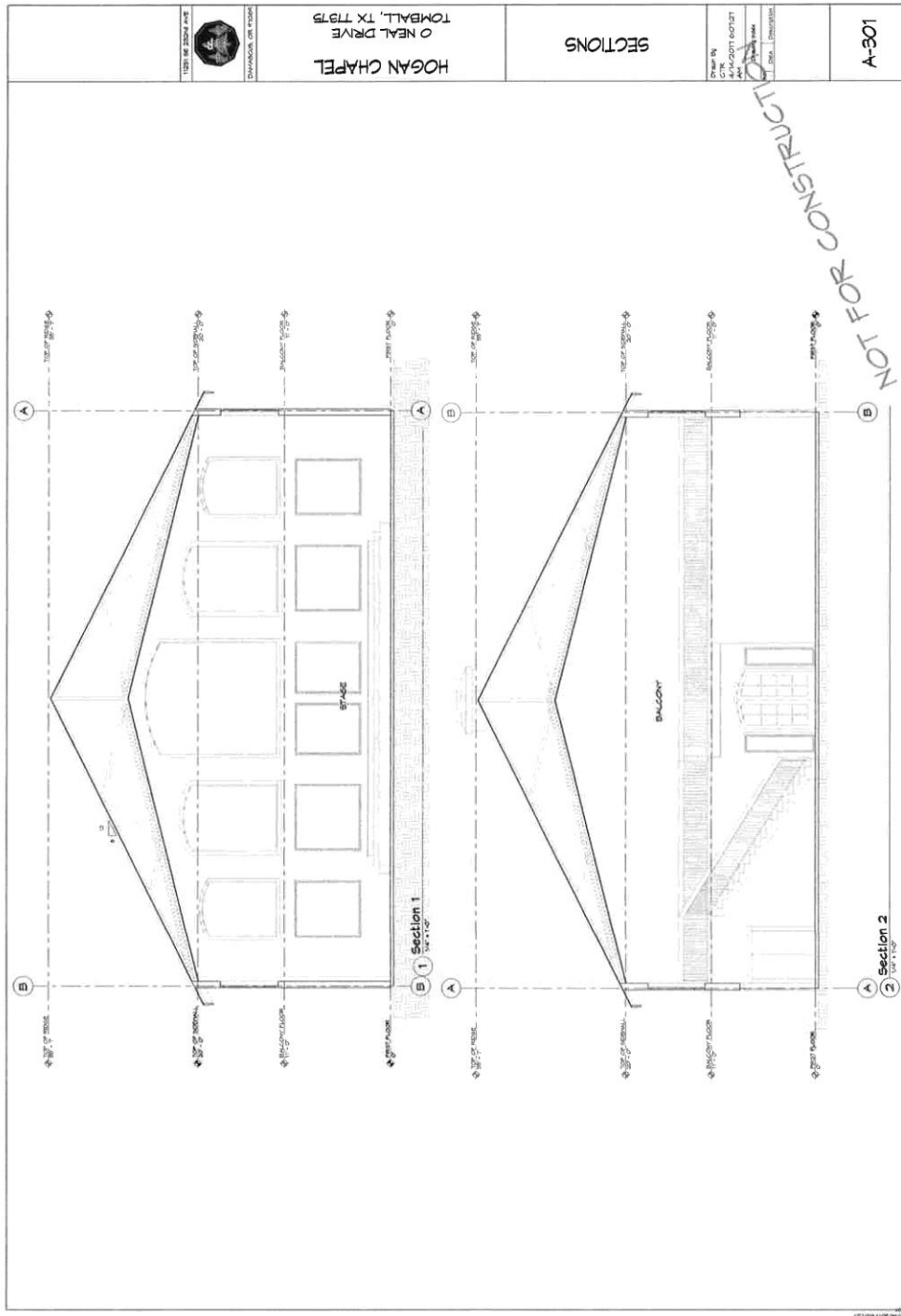












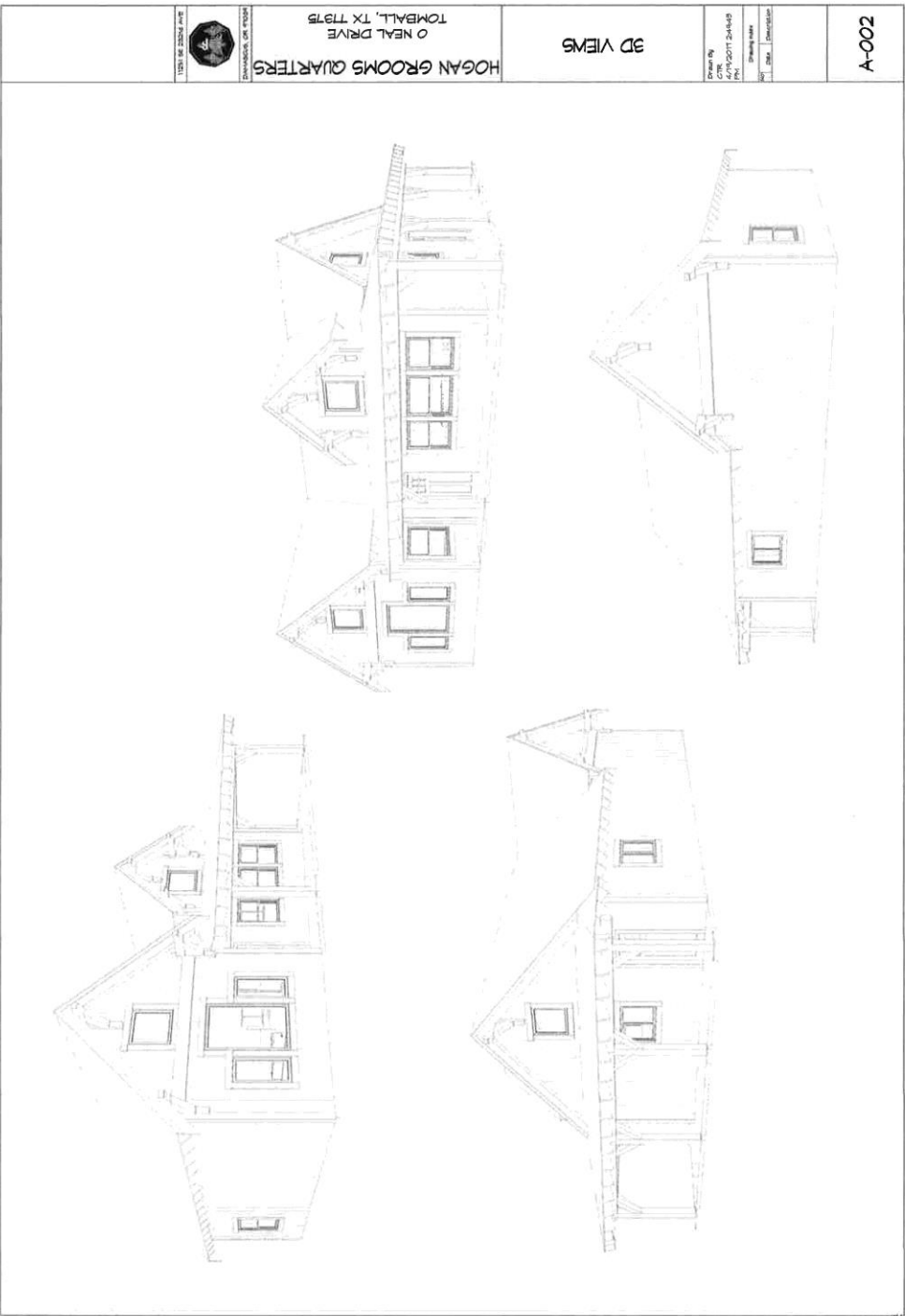
A-301

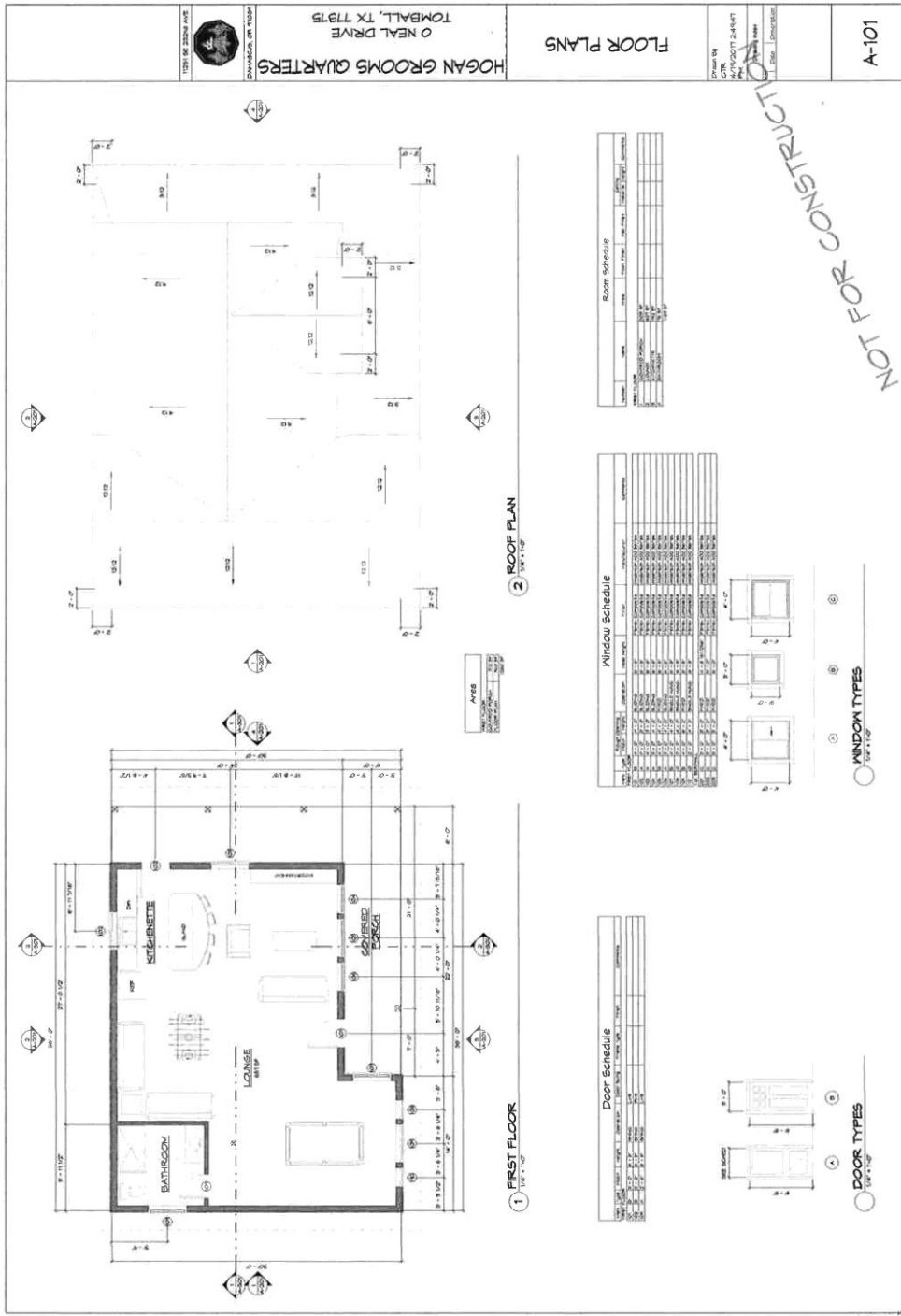
SECTIONS

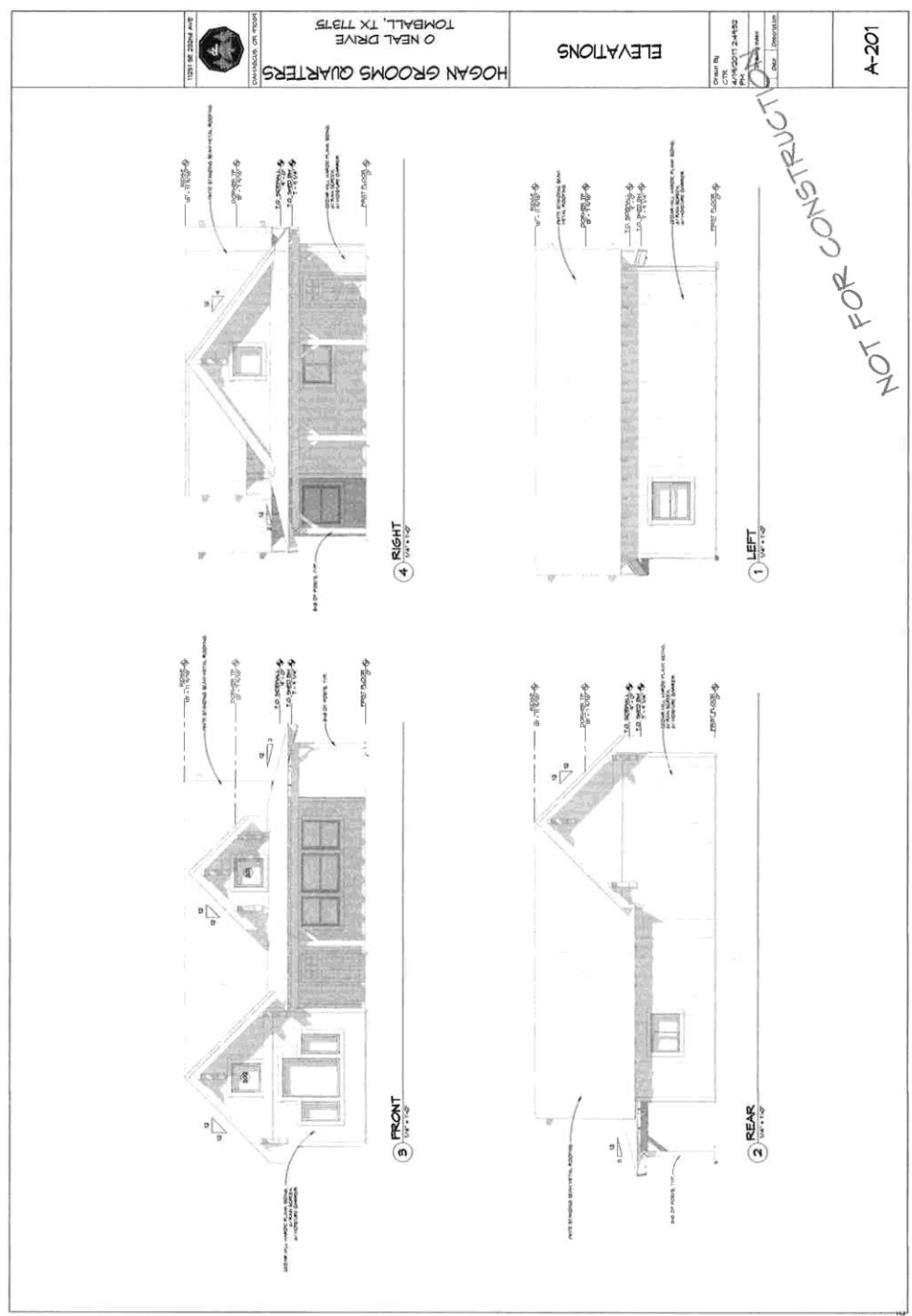
HOGAN CHAPEL
O NEAL DRIVE
TOMBALL, TX 77575

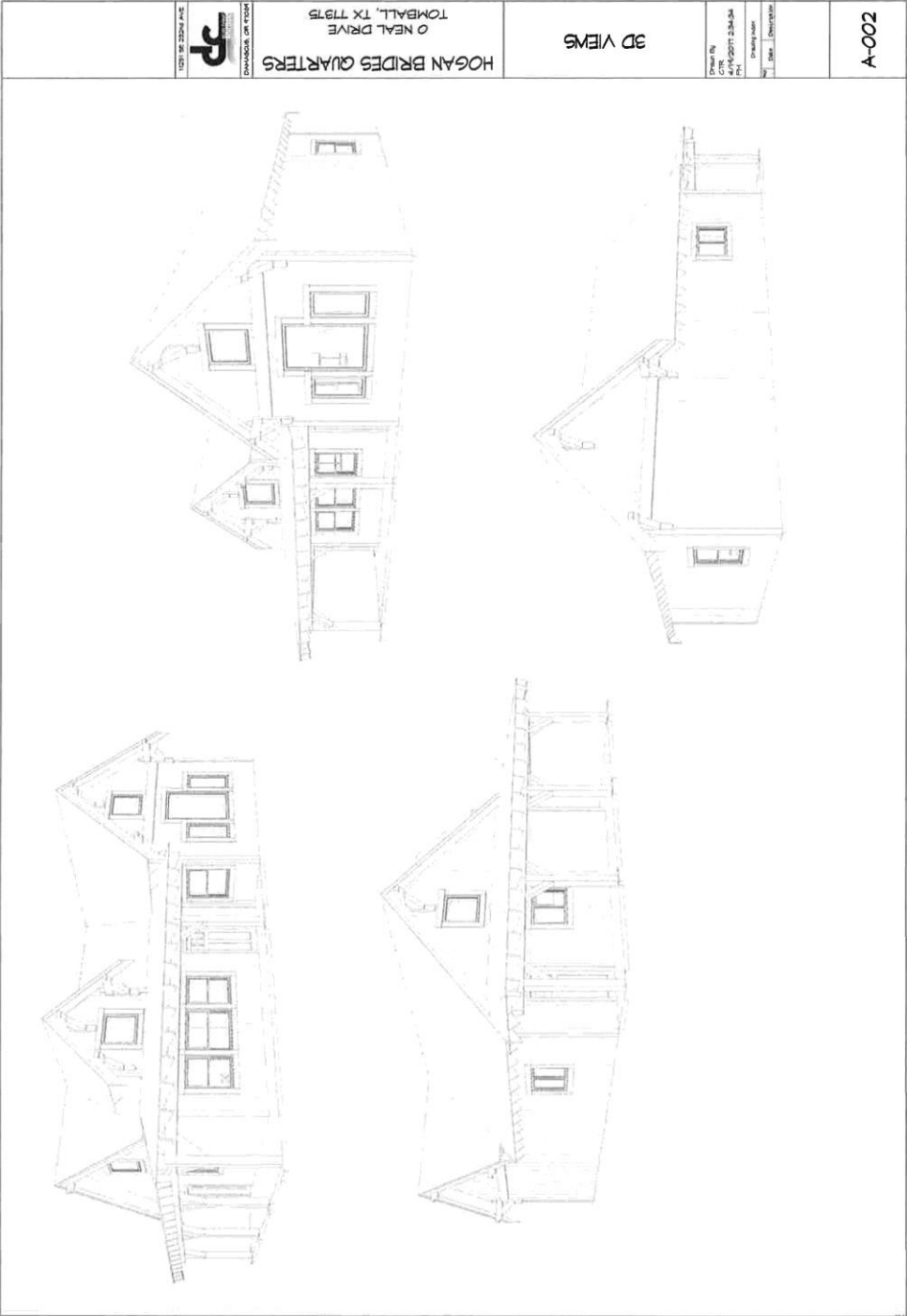


Project No.
C776
Architect's Office
11111
11111
11111









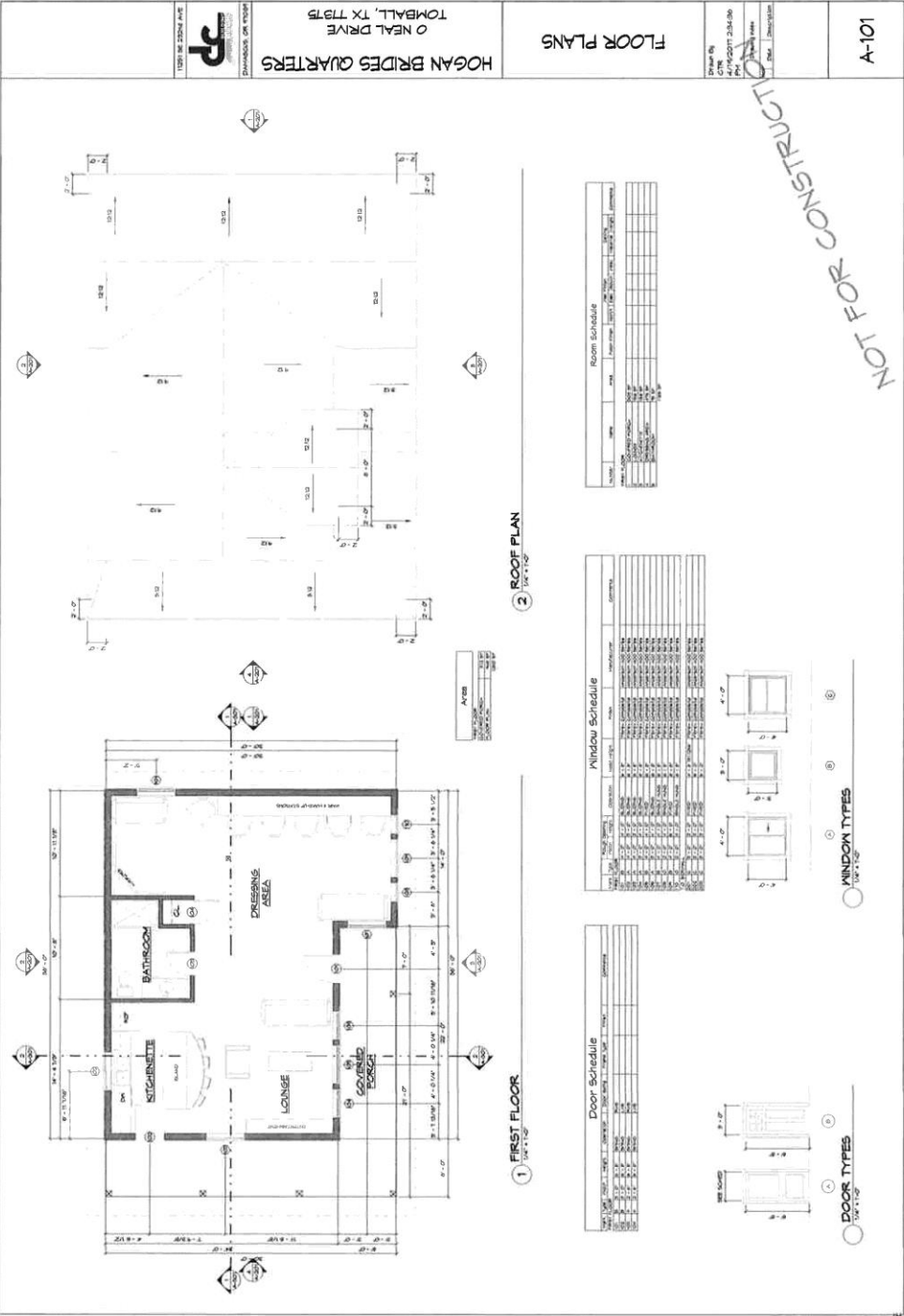
A-002

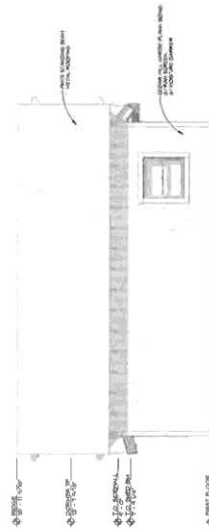
3D VIEWS

HOGAN BRIDES QUARTERS
0 NEAL DRIVE
TOMBALL, TX 77375

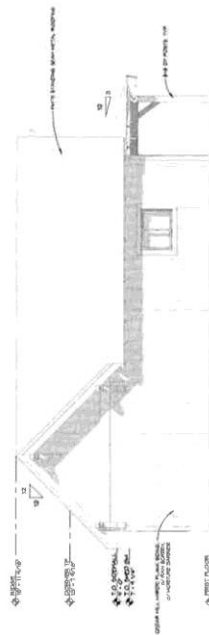
1201 W. 32ND AVE
HOUSTON, TX 77018

Project No.
CITY
DATE
BY
CHECKED BY
DATE

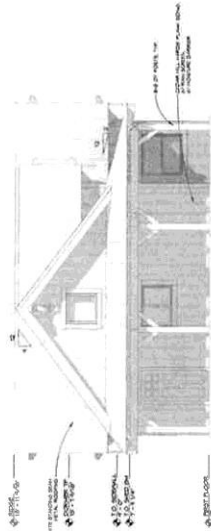




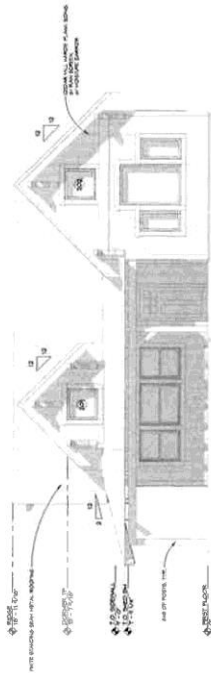
① LEFT



REAR
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1/4" x 1/2"

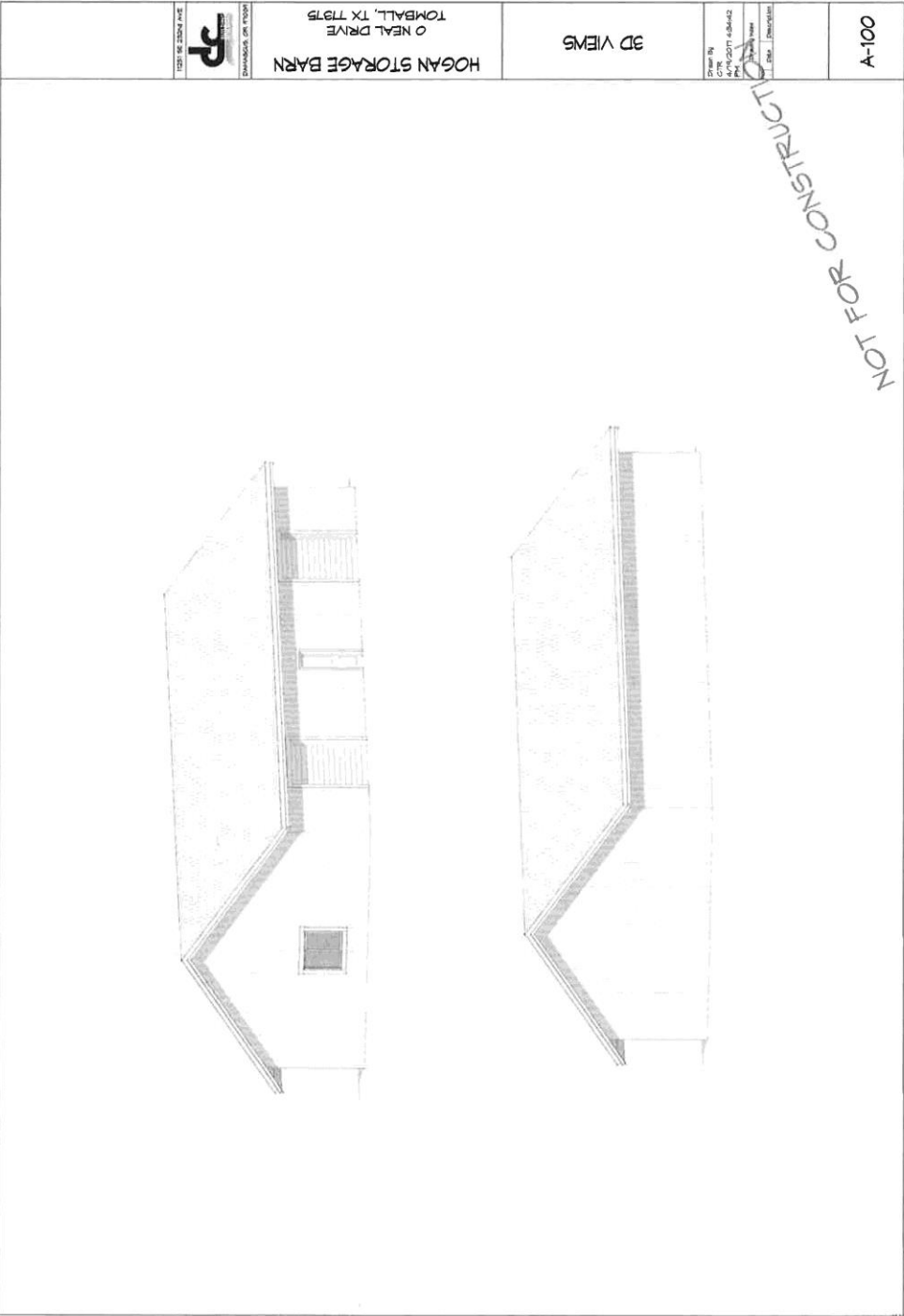


4 RIGHT



3 FRONT

NOT FOR CONSTRUCTION



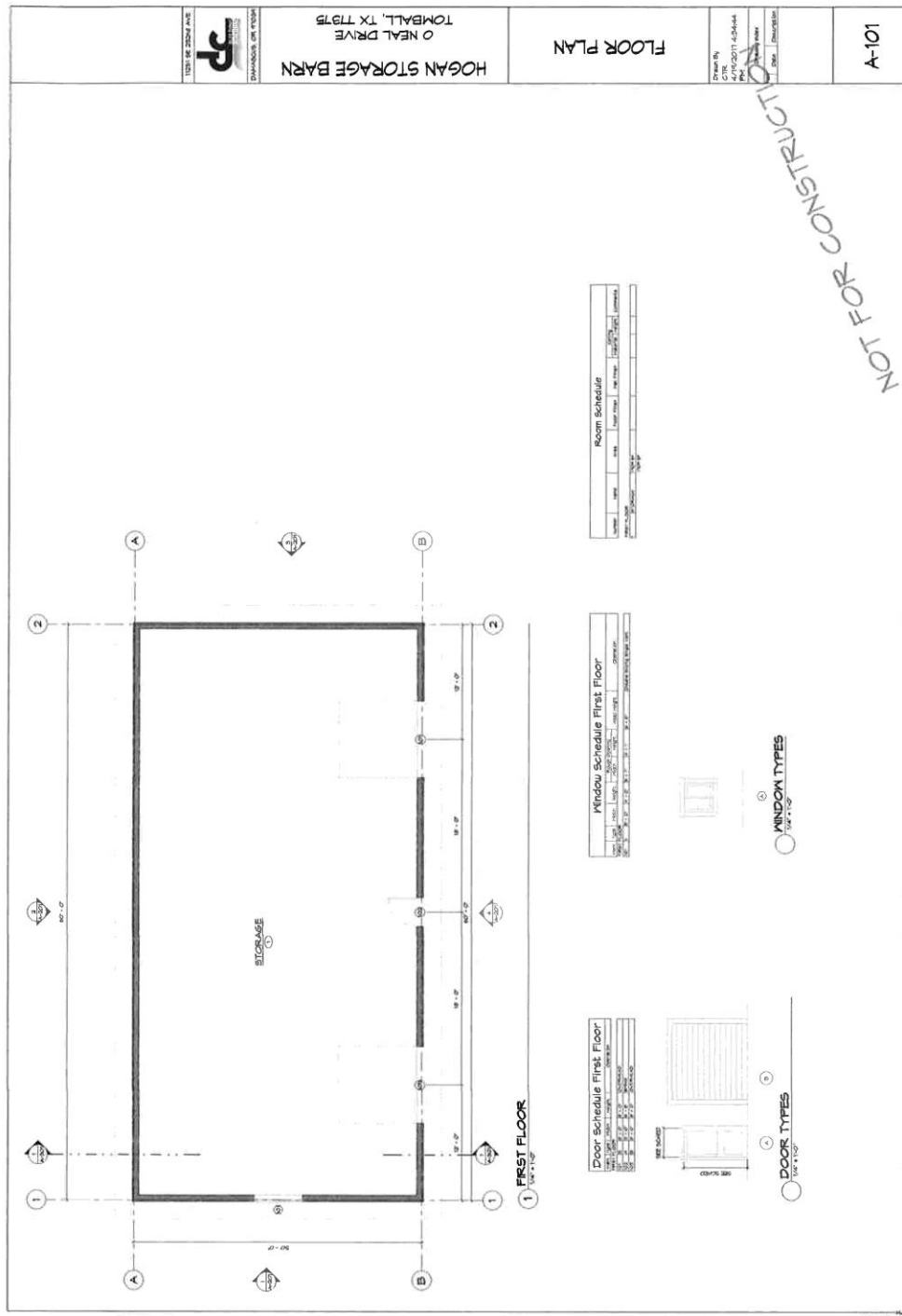
A-100

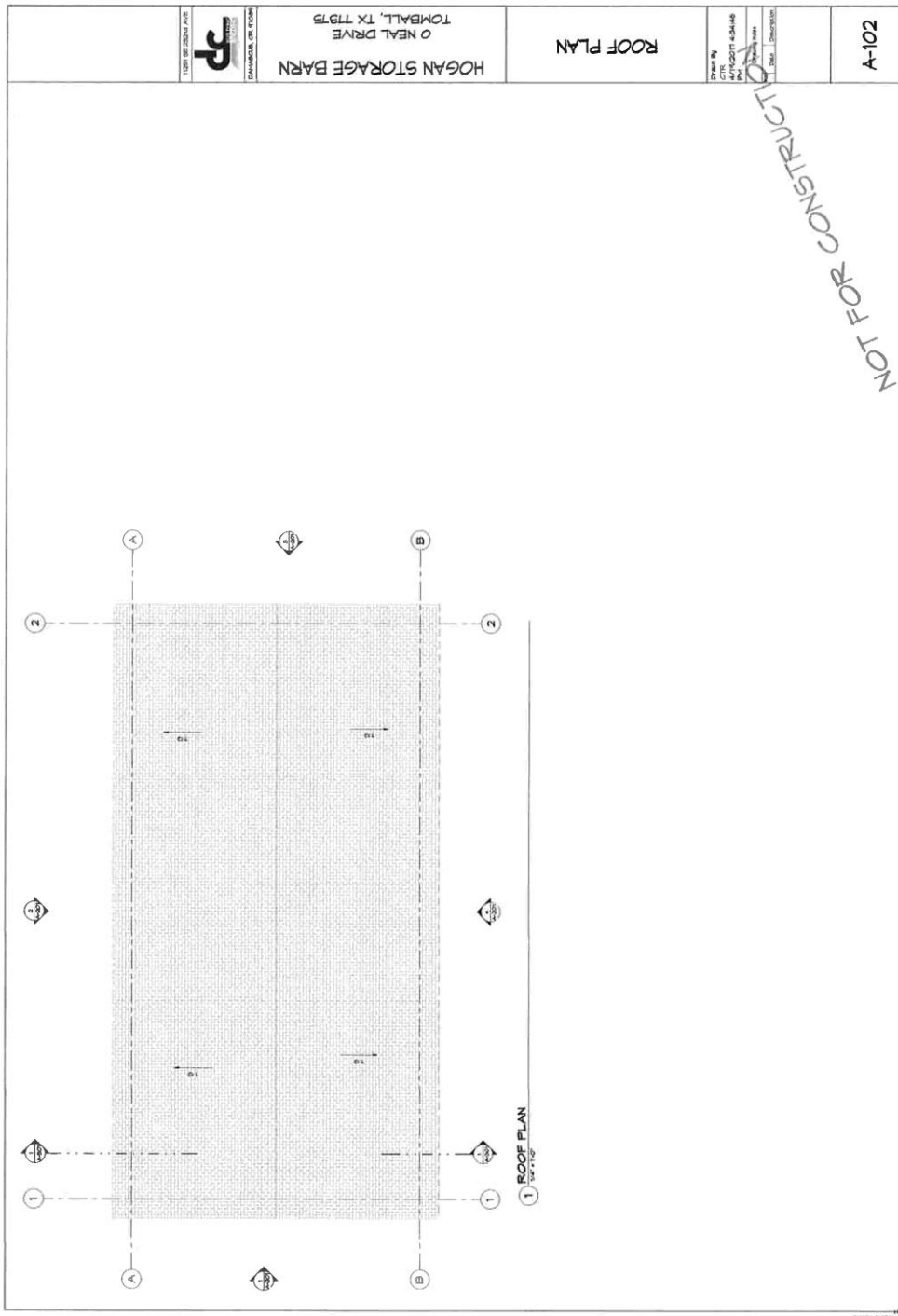
3D VIEWS

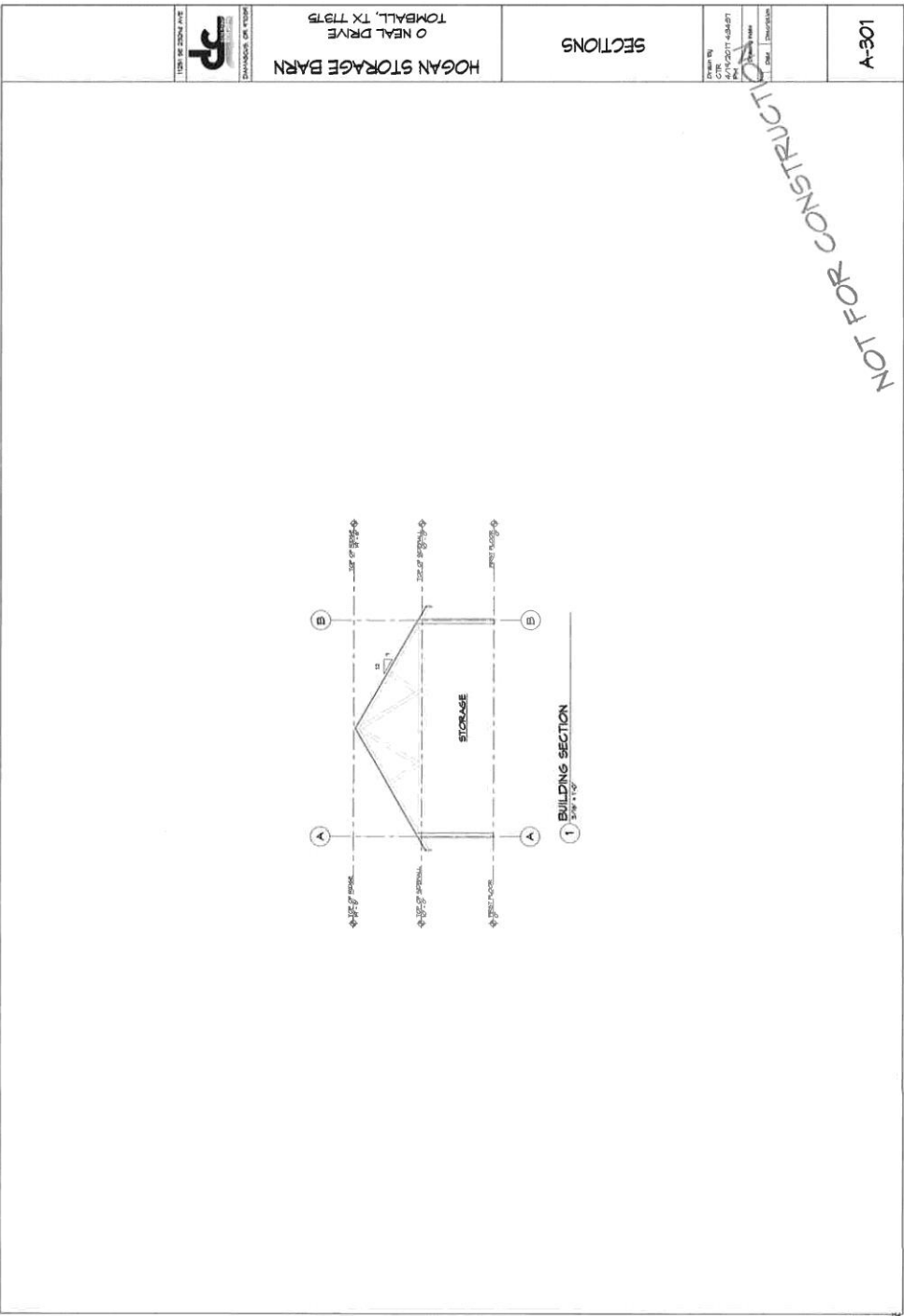
HOGAN STORAGE BARN
0 NEAL DRIVE
TOMBALL, TX 77375



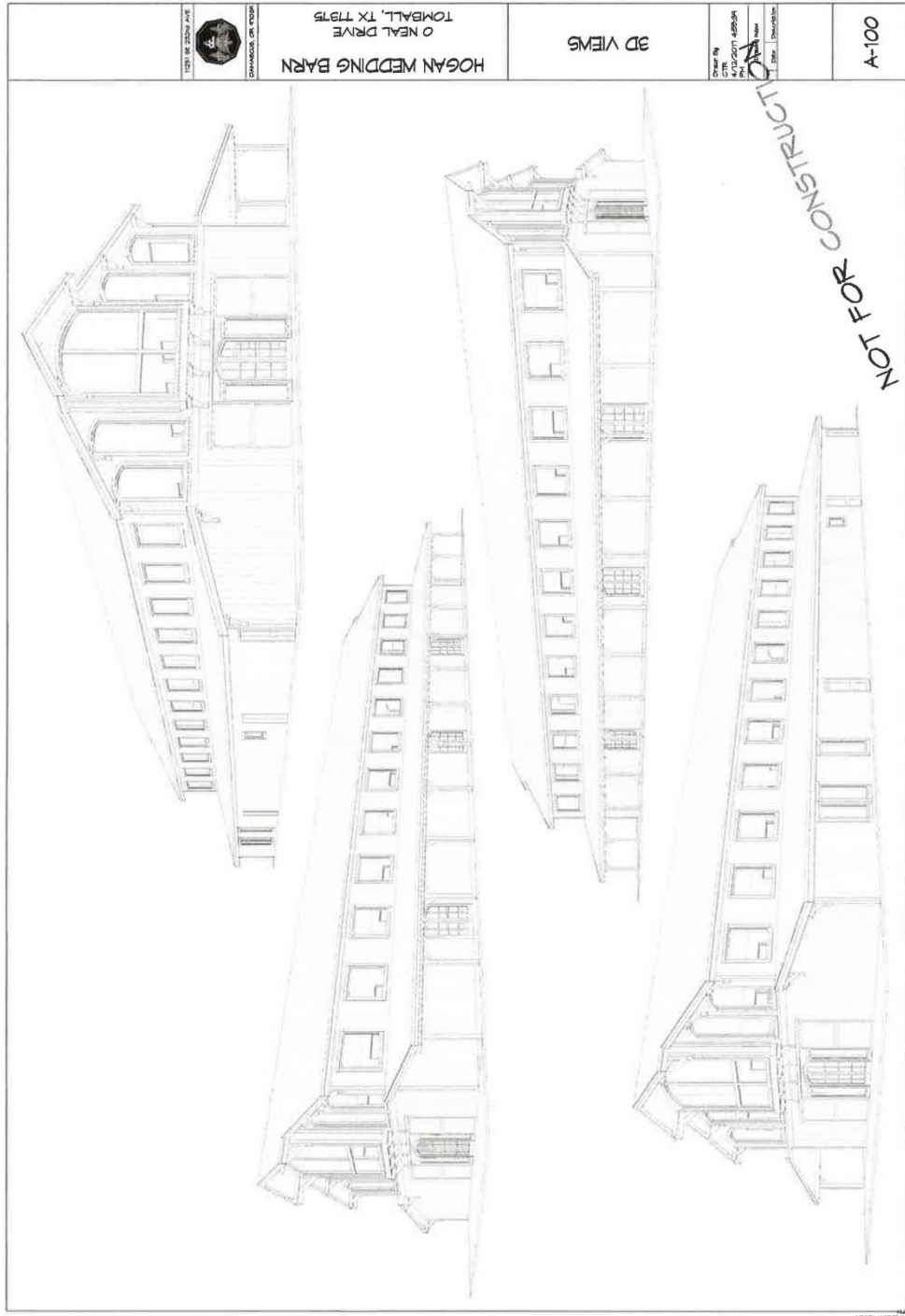
Client No.	1025 MC JENNY AVE
City	TOMBALL, TX
State	TX
Zip	77375
Project No.	1025 MC JENNY AVE

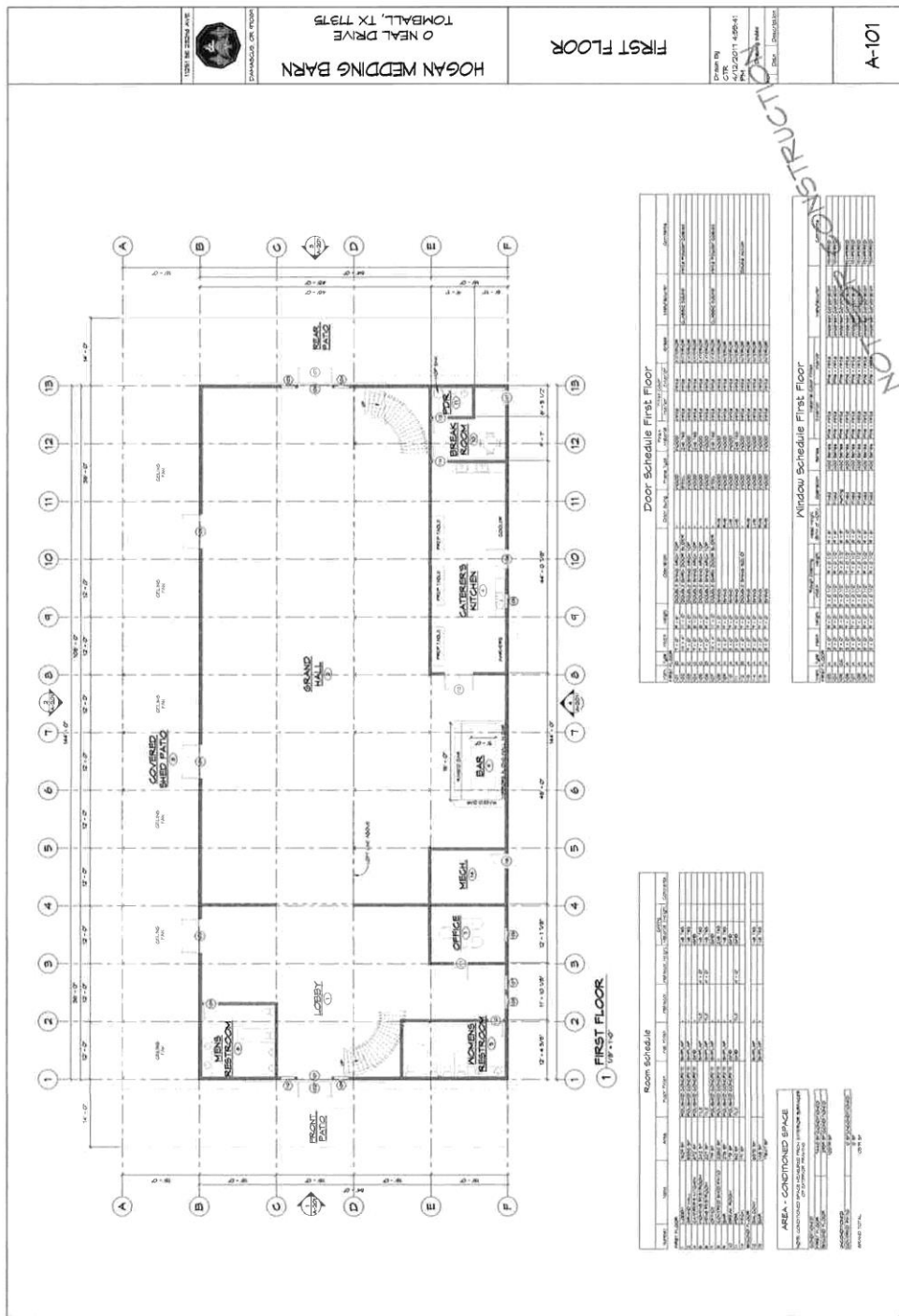


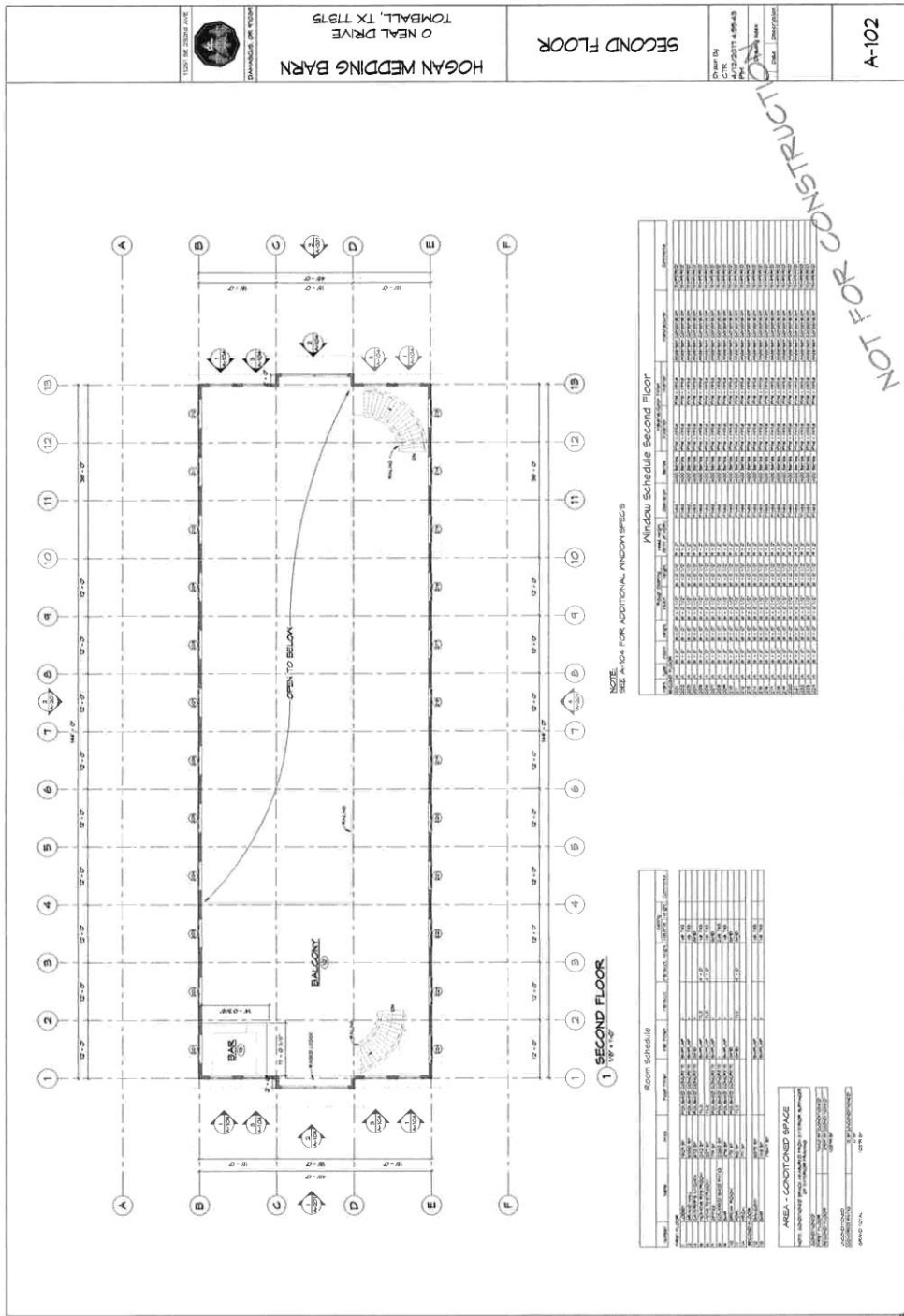


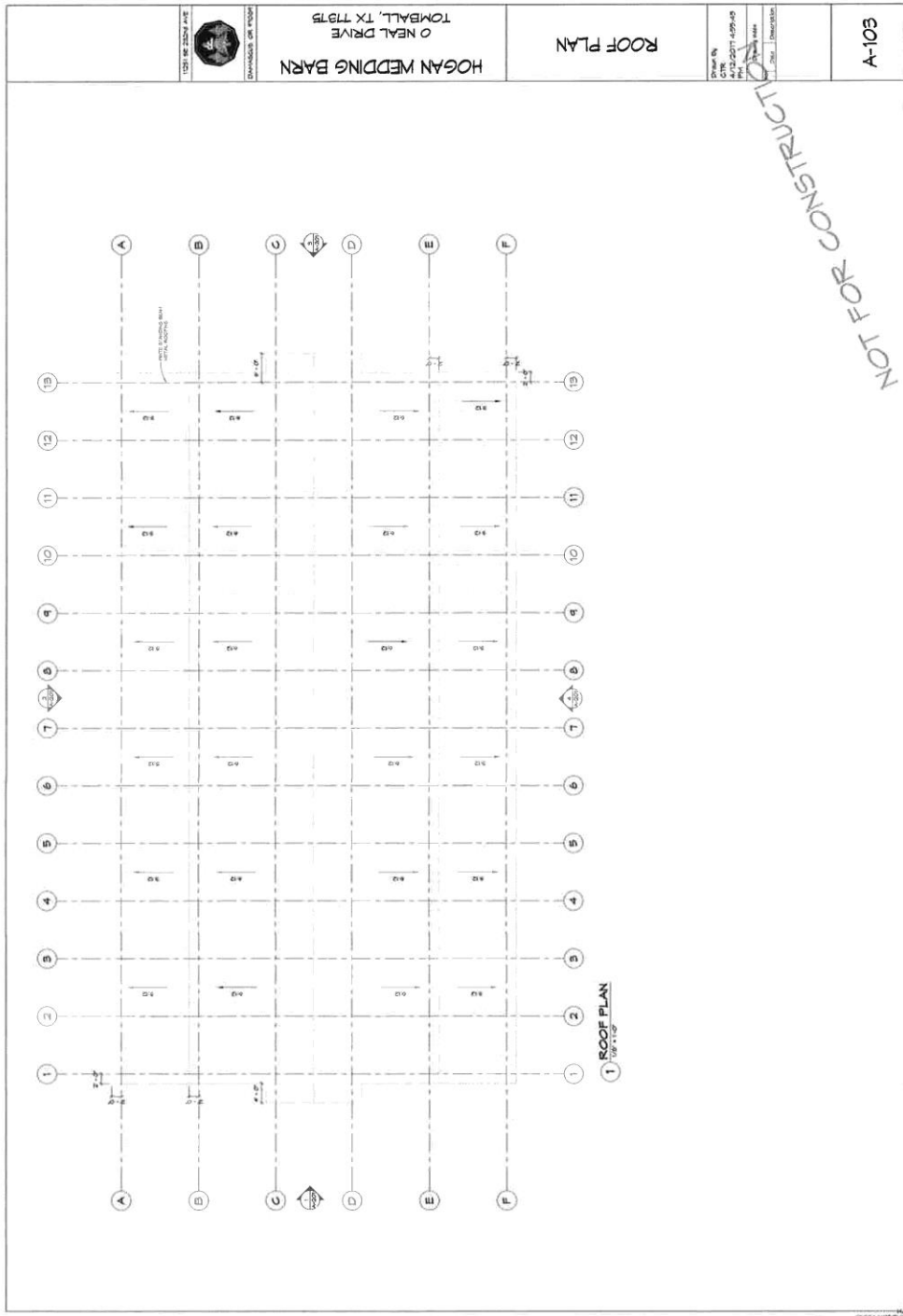


P17-0059





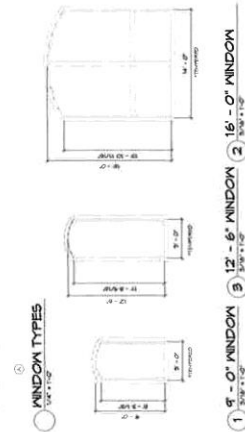
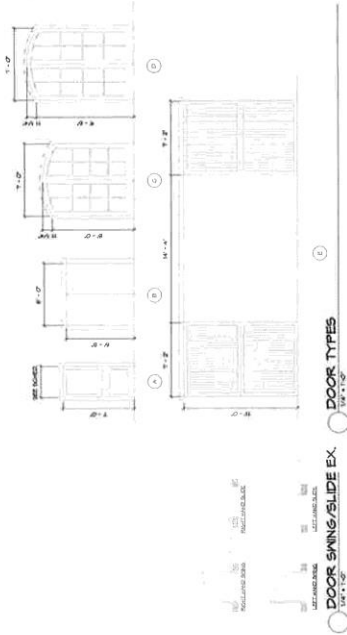




SCHEDULES

HOGAN WEDDING BARN
O NEAL DRIVE
TOMBALL, TX 77375

11251 NE 230th Ave

[illegible][illegible]

Room Schedule									
Room	Section	Days	Time	Instr.	Section	Days	Time	Instr.	Section
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101	101-1	Mon	9:00-10:00	101-1	101-2	Tue	9:00-10:00	101-2	101-3
101	101-1	Mon	10:00-11:00	101-1	101-2	Tue	10:00-11:00	101-2	101-3
101	101-1	Mon	11:00-12:00	101-1	101-2	Tue	11:00-12:00	101-2	101-3
101	101-1	Mon	12:00-1:00	101-1	101-2	Tue	12:00-1:00	101-2	101-3
101	101-1	Mon	1:00-2:00	101-1	101-2	Tue	1:00-2:00	101-2	101-3
101	101-1	Mon	2:00-3:00	101-1	101-2	Tue	2:00-3:00	101-2	101-3
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Exhibit “G”
Ordinance No. 2015-25

ORDINANCE NO. 2015-25

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY AMENDING SECTION 50-82 (B) (“USE CHARTS”) TO ADD A LAND USE AND ASSOCIATED REGULATIONS FOR “RECEPTION VENUE”; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

WHEREAS, the City of Tomball has requested that Section 50-82(b) (“Use Charts”) of the Code of Ordinances be amended;

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Tomball, Texas, have published notice and conducted public hearings regarding the request to amend Section 50-82(b) (“Use Charts”) of the Code of Ordinances;

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve the amendment to Section 50-82(b) (“Use Charts”) of the Code of Ordinances; and

Whereas, the City Council deems it appropriate to grant the amendments to Section 50-82(b) (“Use Charts”) of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Section 50-82(b) (“Use Charts”) of the Code of Ordinances is hereby amended by adding the following:

Types of Land Uses	Residential Zoning Districts							Non-Residential Zoning Districts				OT&MU	Parking Ratio (Also see Section 50-112)
	AG	SF-20-E	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Personal & Business													
Reception venue	C	C						C	P	P	P	P	1 space: 4 seats

Section 3. Chapter 50 (Zoning) of the Code of Ordinances shall be revised and amended as indicated above.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any other provision of Chapter 50 (Zoning) of the Code of Ordinances except as indicated above.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 21ST DAY OF DECEMBER 2015.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 4TH DAY OF JANUARY 2016.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>ABSENT</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>AYE</u>



Gretchen Fagan, Mayor

ATTEST:


Doris Speer, City Secretary

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: June 12, 2017

Topic:

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.

- Conduct Public Hearing on **Zoning Case P17-0062**

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
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ATTACHMENTS:

Notice of Public Hearing
P17-0062 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JUNE 12, 2017
&
CITY COUNCIL
JUNE 19, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 12, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, June 19, 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 P17-0057: 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 Theiss Lane at Commercial Park Road and the north side of Holderrieth Road between SH 249 and Cherry Street.

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.

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.

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.

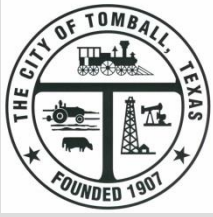
CERTIFICATION

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 8th day of **June 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.



Text Amendment Staff Report

Planning and Zoning Commission Hearing Date: June 12, 2017

City Council Public Hearing Date: June 19, 2017

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.

BACKGROUND

On Monday, April 3, 2017, City Council gave City Staff direction to amend Section 50-80(d) (*Area and height regulations for patio homes and zero lot line developments*).

PROPOSED AMENDMENTS

1. Section 50-80(d)(1) states *the minimum acreage for a planned development request for a patio home/zero lot line single-family residential dwelling unit complex shall be four acres*. Staff recommends removing this requirement to allow for greater flexibility for future smaller developments.

(d) *Area and height regulations for patio homes and zero lot line developments.*

~~(1) Minimum acreage. The minimum acreage for a planned development request for a patio homes/zero lot line single-family residential dwelling unit complex shall be four acres.~~

2. Section 50-80(d)(2) (a) requires a minimum of 1,400 square feet of living area. The proposed amendment will reduce this to a minimum dwelling unit of 900 square feet which consistent with the Single-Family 6 District, a less dense district.

(2) *Minimum regulations.* Each PD Planned Development District shall establish regulations deemed necessary and appropriate for the development of the property within the district and the protection of neighboring properties. The following regulations are minimums, but are not limited to, and may be increased or otherwise modified for a particular development:

- a. Maximum density is ten dwelling units per acre with each having a minimum of ~~1,400~~ 900 square feet of living area.

3. Section 50-80(d)(4) states *the maximum height is two stories, or 25 feet in total height, including gables*. All other residential zoning districts allow primary structures to be two stories, or 35 feet. The proposed amendment will allow patio homes to be 35 feet tall, which will be consistent with all other residential zoning districts.

(4) *Maximum height.* Maximum height is two stories, or ~~25~~ 35 feet in total height, including gables.

4. Section 50-80(d)(5) details the minimum requirements for open space and recreational amenities. It is important to note that none of the City's residential districts have open

space requirements. Staff believes that decreasing the minimum open green space from 30% to 20% and allowing amenitized detention ponds to be included in the open space calculation which is a more reasonable requirement. Amentized ponds are to include elements such as permanent pools, walking trails, seating and gathering areas, playgrounds, etc.

(5) *Green space/recreational areas.* A minimum of ~~30~~ 20 percent of the gross platted area shall be open green space. The term "open green space" is defined as, and limited to common areas of open space or landscaping and community recreational areas that are irrigated and continuously maintained. The term "open green space" does not include areas specifically designated or used as building sites for patio home or zero lot line units, building sites for utility or storage buildings, parking lots, garages, streets, or driveways within a patio home development. The actual surface areas of open green space, such as common area lawns and landscaping, community swimming pools and surrounding paved deck area, community tennis courts, community rooms, community saunas, and other common recreational areas, shall be considered in calculating the minimum requirement for open green space. **Detention ponds and surrounding areas may also be considered "open green space" so long as the detention area is amenitized.** Required buffer yards, except surfaced parking and driveways located within said buffer yards, if any, may be included in computing the minimum required area of open green space.

5. Section 50-80(d)(6) discusses screening requirements. Patio home developments are required to provide a six to eight foot screening device along most of the perimeter of the development. Again, no residential district is required to do this. The developer may choose to provide screening, however, it will not be required if the proposed amendment is approved.

~~(6) Screening requirements. A fence, wall, or other similar screening device, of not less than six feet nor more than eight feet in height, shall be constructed and maintained along the two sides and the rear of each patio home development complex; provided, however, no such screening device shall be required adjacent to portions of the development which contain green space, lakes, or natural habitat for a distance of 50 feet or more from such perimeter boundary.~~

6. Section 50-80(d)(7) states that sidewalks are required within patio home developments, however, Chapter 40 (Subdivisions) of the Code of Ordinances already establishes requirements for sidewalks. Staff recommends removing this section to avoid any future misunderstanding.

~~(7) Sidewalks. Sidewalks of concrete cement or other masonry construction shall be provided along all streets within a patio home development in accordance with applicable city standards and specifications.~~

7. Section 50-80(d)(8) requires one visitor parking stall for every two homes in a patio home development. Staff believes this to be a burdensome requirement and therefore recommends it be removed. Visitor parking shall be included at the discretion of the developer. Each lot will be required to accommodate two off-street parking spaces, not including a garage, and two on-street spaces along the frontage of each lot.

~~(8) Visitor parking. In addition to the parking required in section 50-112, the on and off street parking shall be analyzed to ensure that a minimum of one additional space per every two dwelling units is available for visitor parking.~~

A complete visual of the proposed amendments is below.

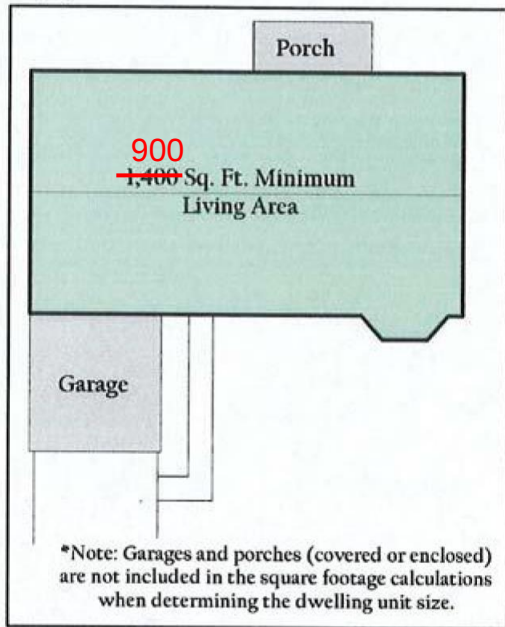
PUBLIC COMMENT

A public hearing notice was published in the Potpourri on May 31, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packet or at the public hearing.

(d) Area and height regulations for patio homes and zero lot line developments.

~~(1) Minimum acreage. The minimum acreage for a planned development request for a patio homes/zero lot line single-family residential dwelling unit complex shall be four acres.~~

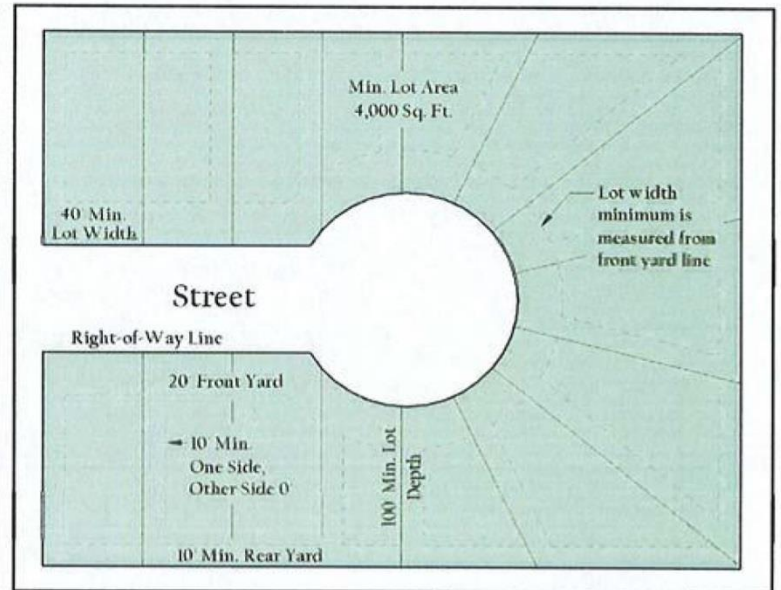
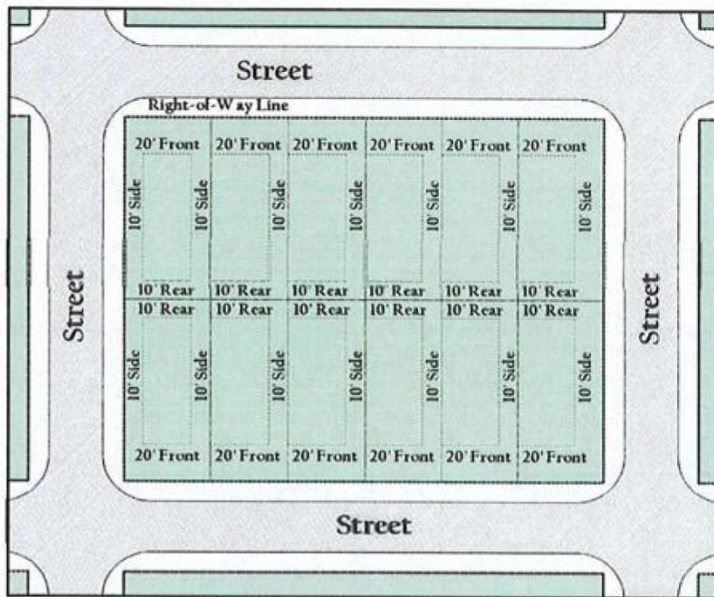
Illustration 50-80-1: Floor area for the PD-PH District



(2) *Minimum regulations.* Each PD Planned Development District shall establish regulations deemed necessary and appropriate for the development of the property within the district and the protection of neighboring properties. The following regulations are minimums, but are not limited to, and may be increased or otherwise modified for a particular development:

- a. Maximum density is ten dwelling units per acre with each having a minimum of ~~1,400~~ 900 square feet of living area.
- b. Minimum lot requirements.
 1. Lot size: 4,000 square feet.
 2. Width: 40 feet.
 3. Depth: 100 feet.
- c. Minimum required yards and building lines:

Illustration 50-80-2: Lot and yard regulations for the PD-Zero Lot Line District



1. Front is 20 feet, except that where a lot faces on an arterial street, the front building line shall not be less than 35 feet.
2. Side—Interior lots. The side building line, to include eaves and appurtenances, shall not be less than five feet. On zero lot line homes the side yards shall be a minimum of zero feet and ten feet respectively. (See Illustration 50-80-2.)
3. Side—Corner lots are 15 feet, except that where a lot sides on an arterial street, the building line shall not be less than 25 feet.
4. Rear—Generally are 15 feet, except where the rear property line abuts an alleyway, there shall be a minimum of 30 feet between the buildings abutting said alleyway, provided that if the alleyway is a 20-foot alleyway, then the minimum rear building line shall be not less than five feet, and if the alleyway is a 15-foot-wide alleyway, then the minimum rear building line shall be not less than 7.5 feet. Zero lot line developments shall be a minimum of ten feet. (See Illustration 50-80-1.)
5. Rear—Arterial street. The rear building line where a lot backs on an arterial street shall not be less than 25 feet

(3) *Maximum lot coverage.* Not more than 60 percent of a lot may be covered with buildings, driveways, sidewalks, or other impermeable material, unless approved otherwise at the time of the PD Planned Development District and/or site plan approval by the planning and zoning commission and the city council.

(4) *Maximum height.* Maximum height is two stories, or ~~25~~ 35 feet in total height, including gables.

(5) *Green space/recreational areas.* A minimum of ~~30~~ 20 percent of the gross platted area shall be open green space. The term "open green space" is defined as, and limited to common areas of open space or landscaping and community recreational areas that are irrigated and continuously maintained. The term "open green space" does not include

areas specifically designated or used as building sites for patio home or zero lot line units, building sites for utility or storage buildings, parking lots, garages, streets, or driveways

within a patio home development. The actual surface areas of open green space, such as common area lawns and landscaping, community swimming pools and surrounding paved deck area, community tennis courts, community rooms, community saunas, and other common recreational areas, shall be considered in calculating the minimum requirement for open green space. **Detention ponds and surrounding areas may also be considered "open green space" so long as the detention area is amenitized.** Required buffer yards, except surfaced parking and driveways located within said buffer yards, if any, may be included in computing the minimum required area of open green space.

~~(6) Screening requirements. A fence, wall, or other similar screening device, of not less than six feet nor more than eight feet in height, shall be constructed and maintained along the two sides and the rear of each patio home development complex; provided, however, no such screening device shall be required adjacent to portions of the development which contain green space, lakes, or natural habitat for a distance of 50 feet or more from such perimeter boundary.~~

~~(7) Sidewalks. Sidewalks of concrete cement or other masonry construction shall be provided along all streets within a patio home development in accordance with applicable city standards and specifications.~~

~~(8) Visitor parking. In addition to the parking required in section 50-112, the on and off street parking shall be analyzed to ensure that a minimum of one additional space per every two dwelling units is available for visitor parking.~~