

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



MONDAY, SEPTEMBER 14, 2015

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, September 14, 2015 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of August 10, 2015.

5.0 New Business:

- 5.1 Consideration to approve **REPLAT OF THE RESERVE AT SPRING LAKE SECTION TWO**: 41.26 Acres Being a Replat of Section Two Reserve at Spring Lake, Section Two, Recorded Under Filmcode 675047 M.R. H.C.T. Located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641 Harris County, Texas, City of Tomball, Texas.
- 5.2 Consideration to approve **BETHEL HEIGHTS**: Being a Replat of Hunterwood Estates, a Subdivision of 26.7141 Acres of Land Situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and Abstract Number 20, of Montgomery County, Texas, Being a Replat of Hunterwood Estates, a Subdivision According to the Map or Plat Thereof Recorded in Film Code Number 603231, of the Map Records of Harris County, Texas, and Recorded in Cabinet Z, Sheet 580, of the Map Records of Montgomery County, Texas, Being the Same Land as Described in Deed Recorded Under Clerk's File Number 20130603237, of the Real Property Records of Harris County, Texas.
- 5.3 Consideration to approve **ZONING CASE P15-094**: Request by the City of Tomball to amend Chapter 50-82 (b) ("Use Charts") of the City's Zoning Ordinance to allow a "Museum" with a Conditional Use Permit in the Agricultural, Single-Family Estate Residential-20, Single-Family Residential-9, Single-Family Residential-6, Duplex, Multi-Family, and Manufactured Home Park Districts.
- Conduct Public Hearing on **ZONING CASE P15-094**
- 5.4 Conduct Commission Training, Kimberley Mickelson, AICP, Olson and Olson, LLP.

6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 10th day of September 2015 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding 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

Meeting Date: September 14, 2015

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: September 14, 2015

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: September 14, 2015

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of August 10, 2015.

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

8/10/15 Draft Minutes

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

MONDAY, AUGUST 10, 2015



6:00 P.M.

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

Commissioner Evelyn Torres
Commissioner Darrell Roquemore
Commissioner Richard Anderson
Commissioner Harry Byrd

Others present:

City Attorney – Loren Smith
Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Harold Ellis
Assistant City Planner – Amelia Vasquez

draft

- 2.0 No Public Comments were received.
- 3.0 Harold Ellis, City Planner, announced Training for the Commission is to take place at the September 14, 2015 meeting.
- 4.0 Motion was made by Commissioner Anderson, second by Commissioner Byrd to approve the Minutes of the Regular Planning and Zoning Commission Meeting of July 13, 2015.

Motion carried unanimously.

- 5.0 New Business:

- 5.1 Consideration to approve **MOH DALI DEVELOPMENT**: A Subdivision of 5.7965 acres situated in the Jesse Pruitt Survey, A-629 being a replat of Lot 1, Block 1 of Huffsmith-2978 as recorded under Film Code No. 620122 Map Records of Harris County Harris County, Texas.

Lori Lakatos, City Engineer, presented recommendation.

Motion was made by Commissioner Roquemore, second by Commissioner Torres to

approve **MOH DALI DEVELOPMENT**, with contingencies.

Motion carried unanimously.

- 5.2 Consideration to approve Preliminary Plat **WILLOWCREEK RANCH EQUESTRIAN RESERVES**: Being a Subdivision of 19.9242 acres in the William Biggio Survey, Cert. No. M-22954 and the M.B. Jones & G.M. Cone Survey, Cert. No. M-22952 in Harris County, Texas.

Lori Lakatos, City Engineer, presented recommendation.

Motion was made by Commissioner Byrd, second by Commissioner Torres to approve **WILLOWCREEK RANCH EQUESTRIAN RESERVES**.

Motion carried unanimously.

- 5.3 Consideration to approve **WILLOWCREEK RANCH EQUESTRIAN RESERVES**: Being a Subdivision of 19.9242 acres in the William Biggio Survey, Cert. No. M-22954 and the M.B. Jones & G.M. Cone Survey, Cert. No. M-22952 in Harris County, Texas.

Lori Lakatos, City Engineer, presented recommendation.

Motion was made by Commissioner Anderson, second by Commissioner Roquemore to approve **WILLOWCREEK RANCH EQUESTRIAN RESERVES**.

Motion carried unanimously.

- 5.4 Consideration to approve **ZONING CASE P15-008**: Request by Dan Schaub, on behalf of Albers Properties, L.P., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately .4186 acres of land, legally described as Tract 2A, Abstract 629, Joseph Pruitt Survey, within the City of Tomball, Harris County, Texas, generally located east of South Chestnut Street, north of Chestnut Business Park Drive, from the Single-Family 6 (SF6) District to the Planned Development District.

Harold Ellis, City Planner, presented the case and recommendation.

Applicant, Dan Schaub, spoke on behalf of the case.

The Public Hearing was opened by Chair Tague at 6:09 p.m.

Hearing no comments, the Public Hearing was closed at 6:10 p.m.

Motion was made by Commissioner Byrd, second by Commissioner Torres, to approve **ZONING CASE P15-008**. Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Torres	<u>Aye</u>
Commissioner Roquemoire	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Byrd	<u>Aye</u>

Motion carried unanimously; 5 votes Aye, 0 votes Nay.

- 5.5 Consideration to approve **ZONING CASE P15-071**: Request by the City of Tomball to amend Section 50-2 (“Definitions”) of the Code of Ordinances by creating a definition for “masonry;” to amend Section 50-33 (“Board of Adjustments”) of the Code of Ordinances by authorizing the Board of Adjustments to hear and decide upon special exceptions for building façade requirements; to amend Section 50-62 (“Reserved”) of the Code of Ordinances by creating an Exterior Building Material/Façade Overlay District and associated regulations effecting properties along FM 2920, SH 249 and SH Business 249.

Harold Ellis, City Planner, presented the case and recommendation.

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

Hearing no comments, the Public Hearing was closed at 6:16 p.m.

Motion was made by Commissioner Roquemoire, second by Commissioner Anderson, to approve **ZONING CASE P15-071**. Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Torres	<u>Aye</u>
Commissioner Roquemoire	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Byrd	<u>Aye</u>

Motion carried unanimously; 5 votes Aye, 0 votes Nay.

- 6.0 Motion was made by Commissioner Torres, second by Commissioner Byrd, to adjourn.

Motion carried unanimously.

The meeting was adjourned at 6:22 p.m.

PASSED AND APPROVED this 14th day of September 2015.

Amelia Vasquez
Commission Secretary

Barbara Tague
Commission Chair

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: September 14, 2015

Data Sheet

Topic:

Consideration to approve **REPLAT OF THE RESERVE AT SPRING LAKE SECTION TWO:** 41.26 Acres Being a Replat of Section Two Reserve at Spring Lake, Section Two, Recorded Under Filmcode 675047 M.R. H.C.T. Located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641 Harris County, Texas, City of Tomball, Texas.

Background:

Origination:

Recommendation:

Funding:

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

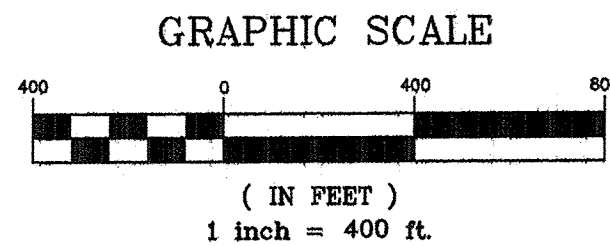
ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Replat of the Reserve at Spring Lake Section Two

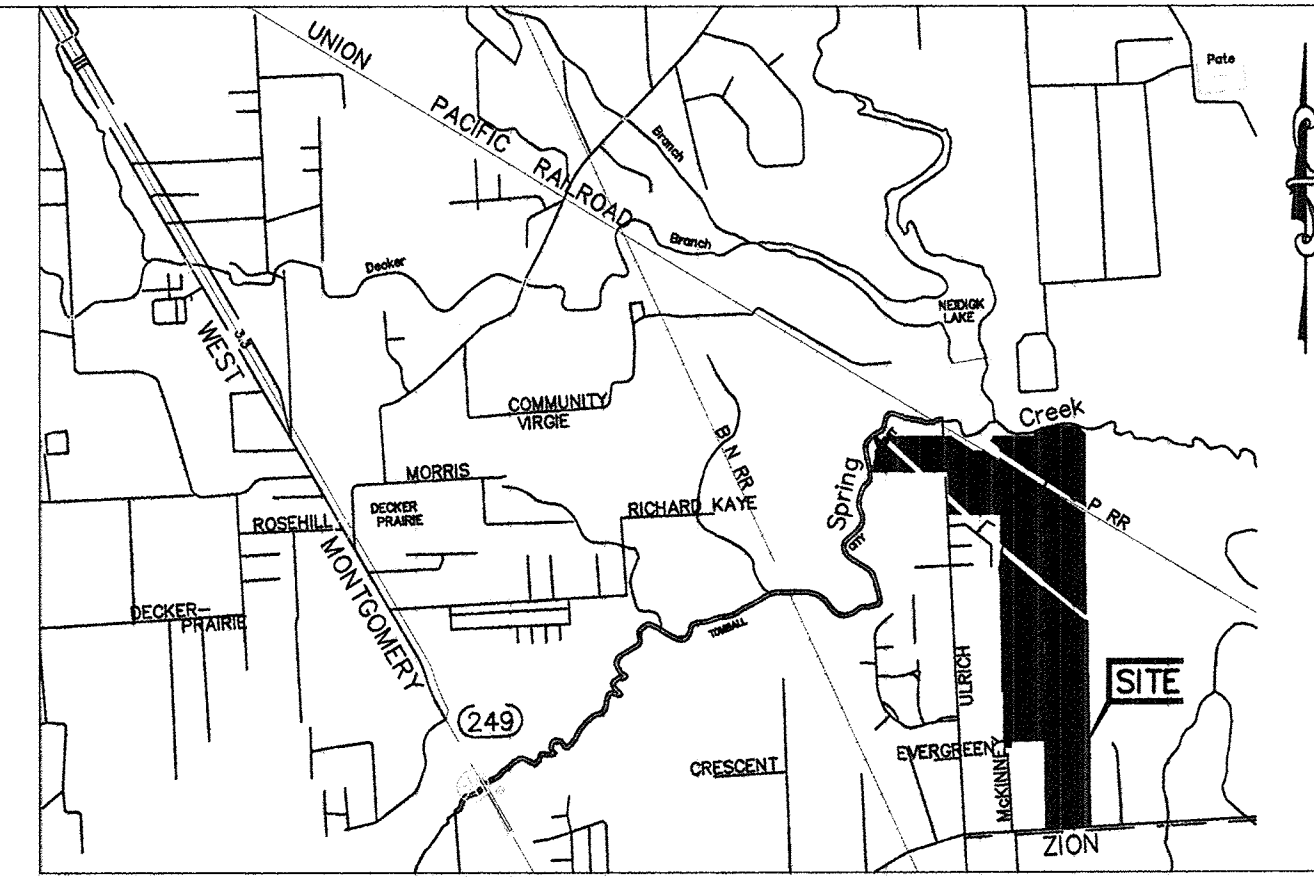
SUMMARY TABLE OF LOT(S)					FLOODPLAIN AREA	
BLOCK 1					1%	2%
LOT	SQ. FT.	ACRE(S)	ACRE(S)	ACRE(S)		
1	56447.83	1.2958	0.0000	0.0000		
2	67181.88	1.3127	0.0000	0.0000		
3	61303.73	1.4073	0.0000	0.0000		
4	45113.76	1.0356	0.0000	0.0000		
5	43654.99	1.0021	0.0000	0.0000		
6	45035.56	1.0338	0.0000	0.0000		
7	114762.71	2.6345	0.0000	0.0000		
8	43839.68	1.0084	0.0000	0.0000		
9	45883.71	1.0556	0.0000	0.0000		
10	46811.52	1.0746	0.0000	0.0000		
11	47616.51	1.0931	0.0000	0.0000		
12	55617.66	1.2788	0.0000	0.0000		
13	165333.03	3.8185	0.0000	0.0000		
BLOCK 2					1%	2%
LOT	SQ. FT.	ACRE(S)	ACRE(S)	ACRE(S)		
1	52016.10	1.1941	0.0000	0.0000		
2	51666.10	1.1860	0.0000	0.0000		
3	48456.22	1.1124	0.0000	0.0000		
4	44008.40	1.0102	0.0000	0.0000		
5	50660.36	1.1630	0.0000	0.0000		
BLOCK 3					1%	2%
LOT	SQ. FT.	ACRE(S)	ACRE(S)	ACRE(S)		
1	43712.59	1.0035	0.0000	0.0000		
2	43720.42	1.0036	0.0000	0.0000		
3	60334.07	1.3851	0.0000	0.0000		
4	61564.30	1.4133	0.0000	0.0000		
5	43835.61	1.0086	0.0000	0.0000		
BLOCK 4					1%	2%
LOT	SQ. FT.	ACRE(S)	ACRE(S)	ACRE(S)		
1	46667.42	1.0713	0.0000	0.0000		
2	43769.91	1.0048	0.0000	0.0000		
3	44147.92	1.0134	0.0000	0.0000		
4	43666.06	1.0001	0.0000	0.0000		
BLOCK 5					1%	2%
LOT	SQ. FT.	ACRE(S)	ACRE(S)	ACRE(S)		
1	43872.74	1.0025	0.0000	0.0000		
2	44718.09	1.0265	0.0000	0.0000		

SUMMARY TABLE OF RESERVE				FLOODPLAIN AREA	
RESERVE(S)	SQ. FT.	ACRES	PURPOSE	ACRE(S)	ACRE(S)
D	3682189.71	91.4205	UNRESTRICTED	20.0993	4.0289



GENERAL NOTES:

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- 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.
- Bearings based on Texas South Central State Plane Coordinates (Nad 83).
- Unless otherwise indicated, the building line (B.L.), whether one or more, shown on this plat are established to evidence compliance with the applicable provisions of Chapter 14, Code of Ordinances, City of Tomball, Texas, in effect at the time this plat was approved, which may be amended from time to time.
- The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (Nad83) and may be brought from surface by applying the following combined scale factor of .99992227.
- All corners are set 5/8 inch iron rods w/cap unless otherwise shown or noted.
- There is a One-foot reserve dedicated as a buffer separation between the side or end of streets where such streets abut adjacent property, the condition of this dedication being that when the adjacent property is subdivided or re-subdivided in a recorded subdivision plat, the one-foot reserve shall thereupon become vested for street right-of-way purposes.
- Private Access Easement dedicated for use as temporary road until street is extended in a recorded plat.
- Gas and Water lines are located along Ulrich Road.
- Magnolia Pipeline Company Easement recorded in Volume 1554, Page 135, Volume 1554, Page 136 and Volume 1546, Page 296, Humble Oil Refining Company Easement recorded in Volume 1863, Page 389 and Teppco Crude Pipeline, L.P. recorded in Volume 941, Page 258 of the Deed Records of Harris County, Texas are blanket easements.
- Right-of-Way and easement for pipeline purposes, as granted to Humble Oil and Refining Company, now known as Exxon Corporation by instruments recorded in Volume 2844, Page 672 and Volume 3495, Page 450, both of the Deed Records of Harris County, Texas amended and defined by instrument filed for record under Harris County Clerk's File No. K547140, It does not affect subject property.
- Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- Subject tract any and all easements, building lines, etc., as set out by the plat recorded under Film Code No. 645045 of the Map Records of Harris County, Texas.
- Agreement for Underground Electric Service filed under Clerk's File No. 20120477324 of the Real Property Records of Harris County, Texas, is blanket in nature and affects all of Section 1.
- Short Form Blanket Easement for Certain Utilities as granted by instrument filed under Clerk's File No. 20120478547 of the Real Property Records of Harris County, Texas, is blanket in nature and affects all of Section 1.
- Memorandum of Agreement by and between Zion Road Properties, LLC and Legend Classic Homes, Ltd. d/b/a Princeton Classic Homes by instrument filed under Clerk's File No. 20120178700 of the Real Property Records of Harris County, Texas, affects Section 1.



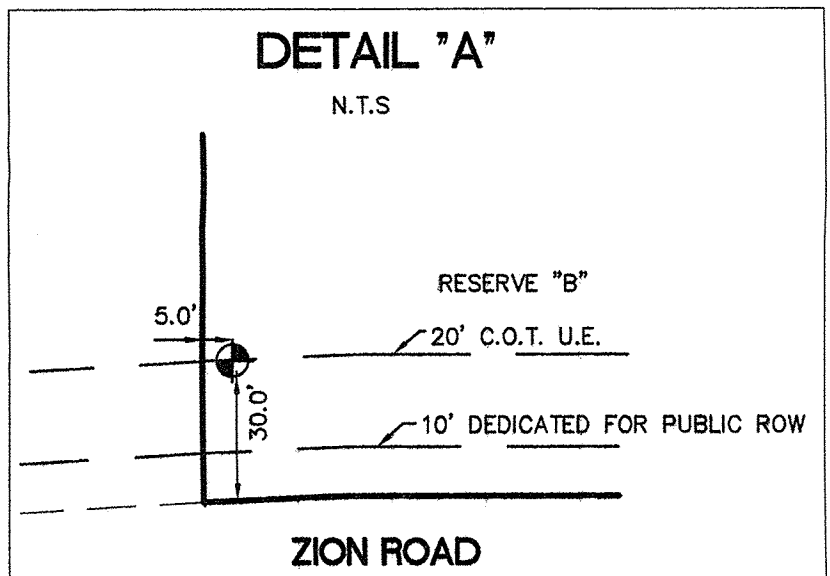
VICINITY MAP
NOT TO SCALE

FLOOD STATEMENT

According to FEMA Firm Panel No. 48201C0230L & 48201C0265L (Effective Date June 18, 2007), part of this property is in Zone "X" and determined to be outside 100 year flood plain; No portion of this plat lies within a designated Special Flood Hazard Area, inundated by 100 year flood or Other Flood Areas.

Warning: Part of this site is within an identified Special Flood Hazard Area, this statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This determination has been made by scaling the property on the referenced map and is not the result of an elevation survey. This flood statement shall not create liability on the part of the surveyor.

Floodplain	Acres (approximate)
Floodway	0.00 acres
1% Floodplain	0.00 acres
0.2% Floodplain	0.00 acres
Zone "X" Floodplain (outside 0.2%)	132.9326 acres



DETAIL "A"
N.T.S.
SITE BENCHMARK - SET BRASS DISK IN CONCRETE STAMPED "RSL1" LOCATED NEAR THE SOUTHWEST CORNER OF THE SUBDIVISION, 30 FEET NORTH OF ZION ROAD, AND 5 FEET EAST OF PROPERTY LINE AS SHOWN. ELEVATION=172.98

REPLAT OF THE RESERVE AT SPRING LAKE SECTION TWO

41.26 Acres (1,797,375 Sq. Ft.)
BEING A REPLAT OF SECTION TWO
RESERVE AT SPRING LAKE, SECTION TWO
RECORDED UNDER FILM CODE 675047 M.R. H.C.T.
LOCATED IN THE
JOSEPH MILLER LEAGUE, A-50
W.H. CLEMENS SURVEY, A-1641
HARRIS COUNTY, TEXAS
CITY OF TOMBALL, TEXAS
5 BLOCKS 29 LOTS 1 RESERVE
SEPTEMBER 2015

REASON FOR REPLAT:
TO REMOVE 30' BUILDING LINE

OWNER/DEVELOPER:
ZION ROAD PROPERTIES
ROBERT M. ALLEN, PRESIDENT
9977 W. SAM HOUSTON PKWY N., #150
HOUSTON, TX 77064
PH: 281-477-8688

ENGINEER:
DAVID P. KELLY II, P.E.
DPK ENGINEERING, LLC
32719 WINDSOR TERRACE
FULSHEAR, TX 77441
PH: 281-346-2616

SURVEYOR:
TOWN & COUNTRY SURVEYORS, LLC
25907 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
(281) 465-8750
FAX (281) 465-8731

LEGEND:

- BUILDING LINE
- UTILITY EASEMENT
- AERIAL EASEMENT
- CITY OF TOMBALL UTILITY EASEMENT
- DRAINAGE EASEMENT (PRIVATE)
- FOUND 5/8 INCH IRON RODS
- BLOCK NUMBER
- SURVEY LINE
- B.L.
- U.E.
- A.E.
- C.O.T. U.E.
- D.E.
- ©
- ①

LINE	BEARING	LENGTH
L1	N08°11'52"W	13.70
L2	N08°11'52"W	53.69
L3	N00°57'46"W	15.91
L4	S08°11'52"E	16.40
L5	N08°11'52"W	5.02

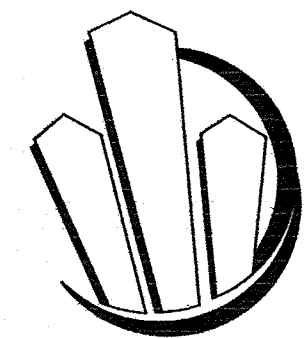
CURVE	RADIUS	LENGTH	DELTA	CHD. BRG	CHD.
C1	530.00	121.05	13°05'10"	S04°19'38"W	120.79
C2	500.00	129.14	14°47'54"	S05°11'00"W	128.78
C3	470.00	100.77	12°17'04"	S03°55'35"W	100.58
C4	470.00	20.62	2°30'50"	S11°19'33"W	20.62
C5	530.00	15.84	1°42'45"	S11°13'35"W	15.84
C6	780.00	32.92	2°25'05"	N11°26'34"E	32.91
C7	750.00	199.02	15°12'15"	N05°02'59"E	198.44
C8	720.00	190.95	15°11'44"	N05°03'14"E	190.39
C9	780.00	174.18	12°47'39"	N03°50'12"E	173.81
C10	60.00	118.64	113°17'21"	N83°53'01"E	100.23
C11	60.00	38.44	36°42'39"	S21°06'59"E	37.79
C12	60.00	63.16	60°18'49"	S27°23'46"W	60.28
C13	60.00	93.92	89°41'11"	N77°36'14"W	84.62
C14	240.00	23.65	5°38'45"	N05°22'30"W	23.64
C15	270.00	26.60	5°38'45"	N05°22'30"W	26.59
C16	300.00	29.56	5°38'45"	N05°22'30"W	29.55
C17	60.00	129.08	123°15'56"	S04°19'48"E	105.59
C18	60.00	39.75	37°57'14"	S76°16'47"W	39.02
C19	60.00	145.28	138°43'53"	N15°22'39"W	112.30
C20	270.00	87.12	18°29'11"	N83°51'03"W	86.74
C21	300.00	96.80	18°29'11"	N83°51'03"W	96.38
C22	330.00	79.26	13°45'42"	N85°52'48"W	79.07
C23	330.00	27.21	4°43'30"	N76°38'13"W	27.21
C24	330.00	7.66	1°19'50"	N73°36'33"W	7.66
C25	300.00	33.79	6°27'13"	N71°02'51"W	33.77
C26	270.00	111.63	23°41'22"	N62°25'47"W	110.84
C27	300.00	90.25	17°14'09"	N59°12'11"W	89.91
C28	330.00	68.69	11°55'32"	N56°32'52"W	68.56
C29	330.00	75.57	13°07'14"	S57°08'43"E	75.40
C30	300.00	219.37	41°53'49"	S71°32'01"E	214.52
C31	270.00	148.37	31°29'05"	S74°00'15"E	146.51
C32	330.00	165.74	28°46'35"	S78°05'38"E	164.00
C33	270.00	12.89	2°44'08"	N88°53'09"E	12.89

CALLED 26.5 ACRES EACH
TOMBALL GUN CLUB
CCF 8717054 OPRRP HCT

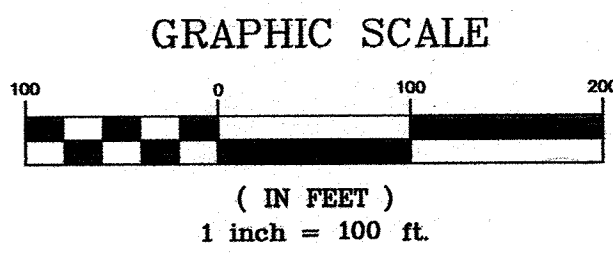
CALLED 4.0000 ACRES
PRICIA BROWN
HARRIS COUNTY APPRAISAL DISTRICT
ACCOUNT NO. 041-006-002-0022

CALLED 155.696 ACRES
HOBBY H. MCALL LIVING TRUST
CCF NO. P916725 OPRRP HCT
PROPOSED SUBDIVISION

UNRESTRICTED RESERVE "C"
493,614 SQ. FT.
11.33 ACRES



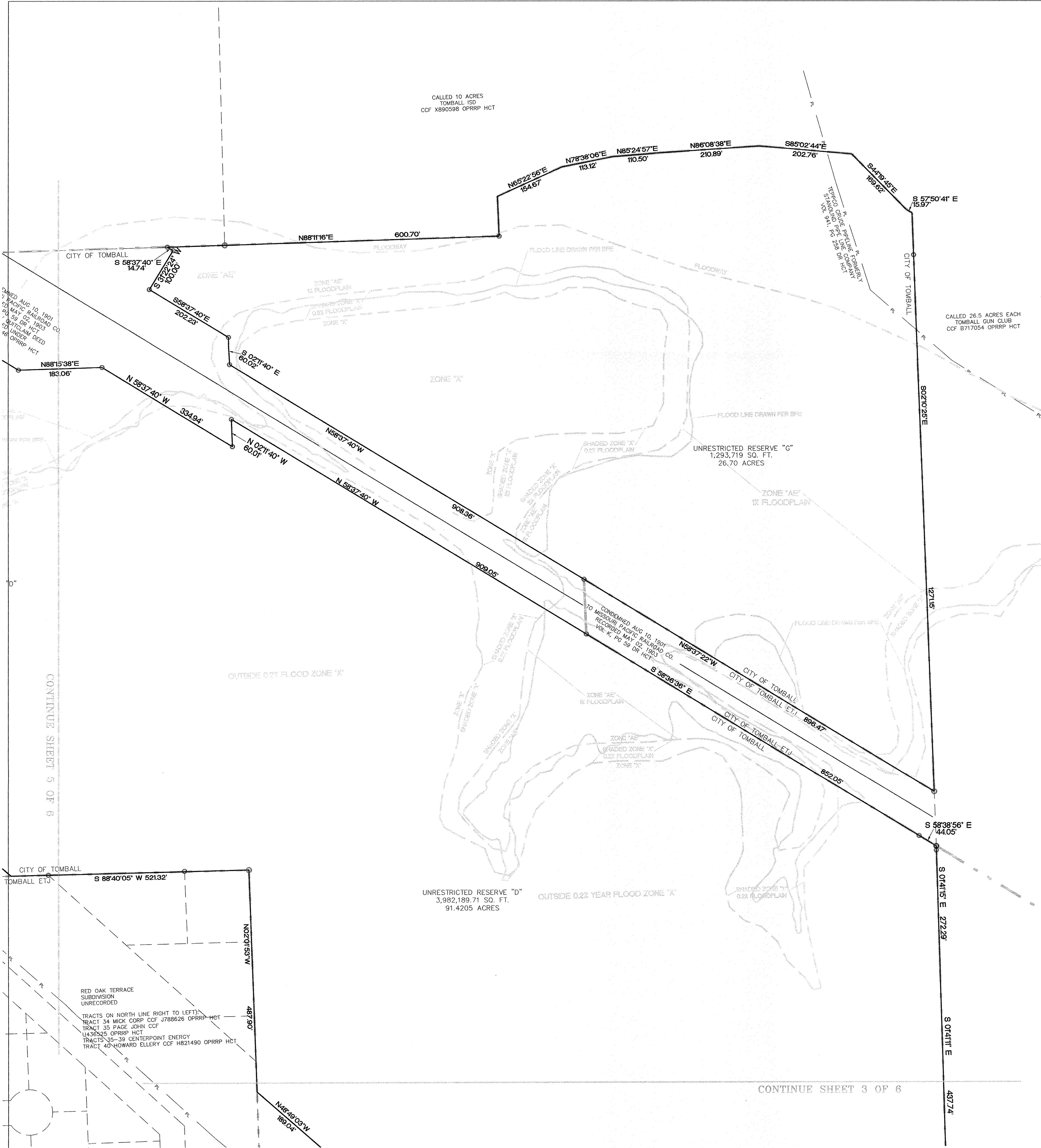
TOWN & COUNTRY SURVEYORS, LLC
25307 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
(281) 465-8730
FAX (281) 465-8731



REPLAT OF THE RESERVE AT SPRING LAKE SECTION TWO

41.26 Acres (1,797,375 Sq. Ft.)
BEING A REPLAT OF SECTION TWO
RESERVE AT SPRING LAKE, SECTION TWO
RECORDED UNDER FILMCODE 675047 M.R. H.C.T.
LOCATED IN THE
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CITY OF TOMBALL, TEXAS
5 BLOCKS 29 LOTS 1 RESERVE
SEPTEMBER 2015

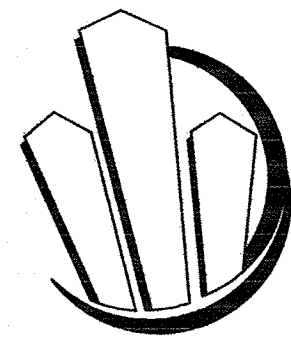
REASON FOR REPLAT:
TO REMOVE 30' BUILDING LINE



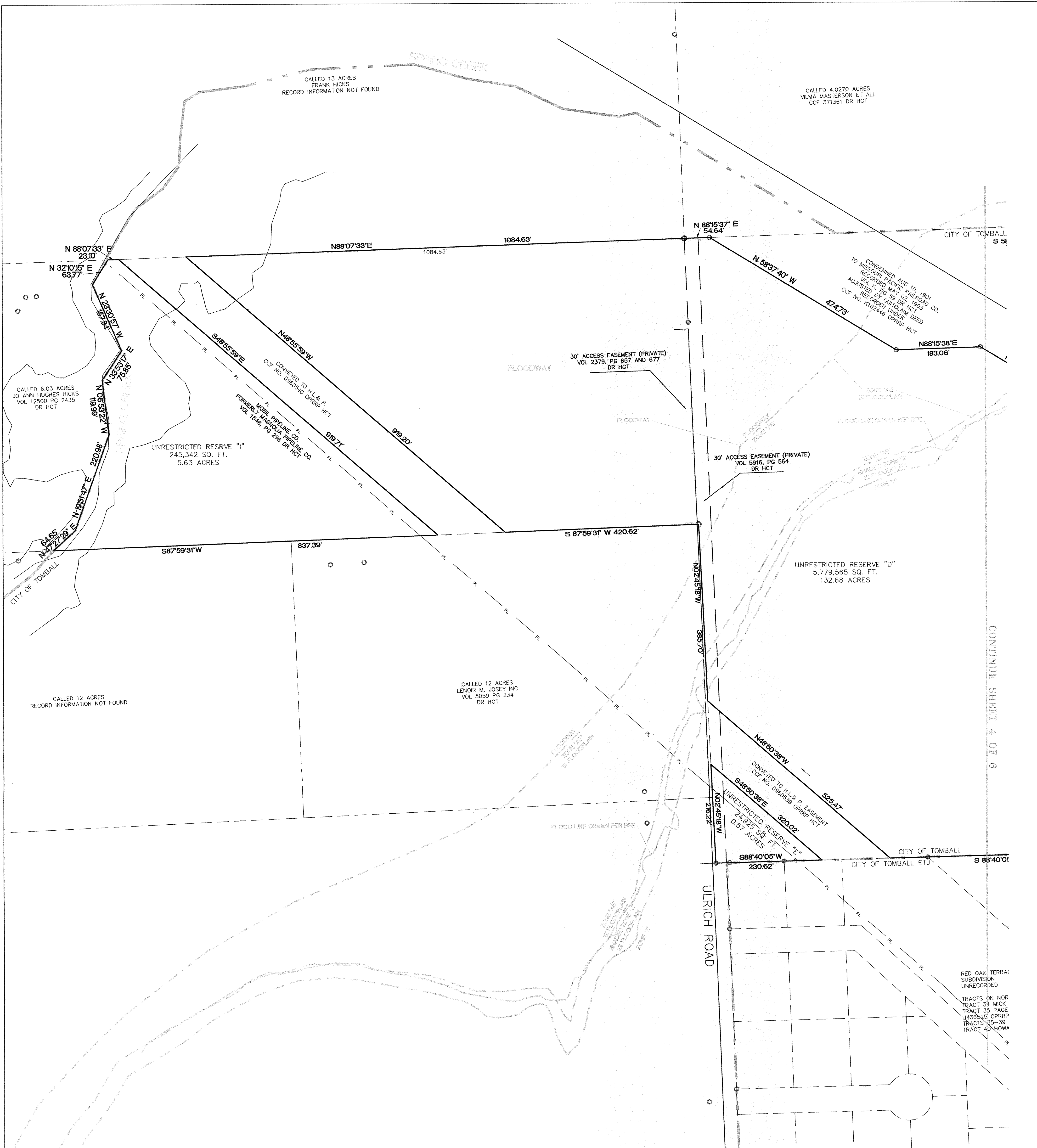
REPLAT OF THE
RESERVE AT SPRING LAKE
SECTION TWO

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HARRIS COUNTY, TEXAS
CITY OF TOMBALL, TEXAS
5 BLOCKS 29 LOTS 1 RESERVE
SEPTEMBER 2015

REASON FOR REPLAT:
TO REMOVE 30' BUILDING LINE



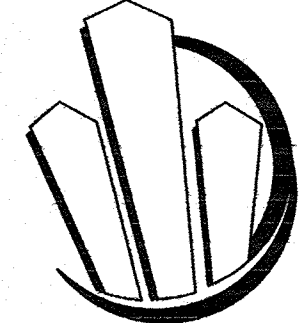
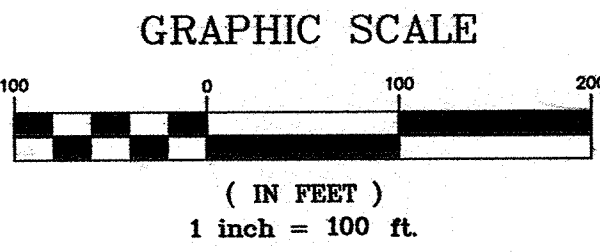
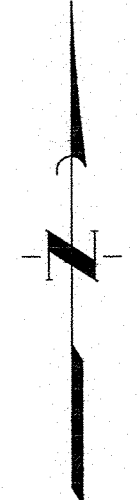
TOWN & COUNTRY SURVEYORS, LLC
25307 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
(281) 465-8730
FAX (281) 465-8731



REPLAT OF THE
RESERVE AT SPRING LAKE
SECTION TWO

41.26 Acres (1,797,375 Sq. Ft.)
BEING A REPLAT OF SECTION TWO
RESERVE AT SPRING LAKE, SECTION TWO
RECORDED UNDER FILM CODE 675047 M.R. H.C.T.
LOCATED IN THE
JOSEPH MILLER LEAGUE, A-50
W.H. CLEMENS SURVEY, A-1641
HARRIS COUNTY, TEXAS
CITY OF TOMBALL, TEXAS
5 BLOCKS 29 LOTS 1 RESERVE
SEPTEMBER 2015

REASON FOR REPLAT:
TO REMOVE 30' BUILDING LINE



TOWN & COUNTRY SURVEYORS, LLC
25307 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
(281) 465-8730
FAX (281) 465-8731

CT/2007/DJS JOB No. 0451-0004 SHEET 4 OF 5

STATE OF TEXAS

COUNTY OF HARRIS

WE, Zion Road Properties, LLC, acting by and through Robert M. Allen, General Manager, being officer of Zion Properties, LLC, hereinafter referred to as owners of the 41.26 acre tract described in the above and foregoing plat of Replat of the Reserve at Spring Lake Section Two, do hereby make and establish said subdivision and development plat of said property according to all liens, 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 purpose and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

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

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (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 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.

IN TESTIMONY WHEREOF, Zion Road Properties, LLC. has caused these presents to be signed by Robert M. Allen, its General Manager, thereunto authorized, attested by its Secretary, Gary Kolkhorst, and its common seal hereunto affixed this _____ day of _____, 2015.

Zion Road Properties, LLC

By: _____ Attest:
Robert M. Allen, General Manager Gary Kolkhorst, Secretary

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Robert M. Allen and Gary Kolkhorst, General Manager of Zion Properties, LLC, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this
_____ day of _____, 2015

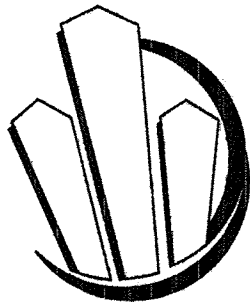
Notary Public in and for the State of Texas

Print name: _____

My Commission expires: _____

OWNER\DEVELOPER:
ZION ROAD PROPERTIES
ROBERT M. ALLEN, PRESIDENT
9977 W. SAM HOUSTON PKWY N., #150
HOUSTON, TX 77064
PH: 281-477-8688

ENGINEER:
DAVID P. KELLY II, P.E.
DPK ENGINEERING, LLC
32719 WINDSOR TERRACE
FULSHEAR, TX 77441
PH: 281-346-2616



SURVEYOR:

TOWN & COUNTRY SURVEYORS, LLC
26307 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
(281) 466-8730
FAX (281) 466-8731

THE STATE OF TEXAS

COUNTY OF HARRIS

We, Commercial State Bank, owners and holders of a lien against the property described in the plat known as Replat of the Reserve at Spring Lake Section Two, said lien being evidenced by instrument of record in Clerk's File Nos. 20120109562, 20120109565, 2014131818, 20130108089, 20130108099, 20140358187 & 20140358188 of the Official Public Records 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 herein 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.

Commercial State Bank
10203 Birchridge, Suite 100
Humble, Texas 77338

THE STATE OF TEXAS

COUNTY OF HARRIS

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

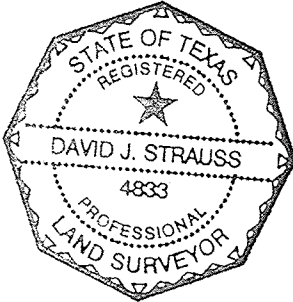
GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____

Notary Public in and for the State of Texas

My Commission Expires: _____

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

David Strauss , Registered Professional Land Surveyor
Texas Registration No. 4833



We, The City Manager and City Engineer for the City of Tomball, do hereby certify that this plat complies with the City of Tomball's Ordinances.

By: _____ By: _____
George Shackelford Lori Lakatos, P.E.
City Manager City Engineer

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of Replat of the Reserve at Spring Lake Section Two in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2015.

By: _____ By: _____
Barbara Tague, Darrell Roquemore,
Chairman Vice Chairman

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements in Conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2015.

By: _____ By: _____
Gretchen Fagan, Mayor Doris Speer, City Secretary

I, Stan Stanart, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, _____, 2015, at _____ o'clock ____M., and duly recorded on _____, _____, 2015, at _____ o'clock ____M., and at Film Code Number _____ of the Map Records of Harris County for said county.

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

Stan Stanart
County Clerk
of Harris County, Texas

By: _____
Deputy

REPLAT OF THE RESERVE AT SPRING LAKE SECTION TWO

41.26 Acres (1,797,375 Sq. Ft.)
BEING A REPLAT OF SECTION TWO
RESERVE AT SPRING LAKE, SECTION TWO
RECORDED UNDER FILMCODE 675047 M.R. H.C.T.
LOCATED IN THE
JOSEPH MILLER LEAGUE, A-50
W.H. CLEMENS SURVEY, A-1641
HARRIS COUNTY, TEXAS
CITY OF TOMBALL, TEXAS
5 BLOCKS 29 LOTS 1 RESERVE
SEPTEMBER 2015

REASON FOR REPLAT:
TO REMOVE 30' BUILDING LINE

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: September 14, 2015

Data Sheet

Topic:

Consideration to approve **BETHEL HEIGHTS**: Being a Replat of Hunterwood Estates, a Subdivision of 26.7141 Acres of Land Situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and Abstract Number 20, of Montgomery County, Texas, Being a Replat of Hunterwood Estates, a Subdivision According to the Map or Plat Thereof Recorded in Film Code Number 603231, of the Map Records of Harris County, Texas, and Recorded in Cabinet Z, Sheet 580, of the Map Records of Montgomery County, Texas, Being the Same Land as Described in Deed Recorded Under Clerk's File Number 20130603237, of the Real Property Records of Harris County, Texas.

Background:

Origination:

Recommendation:

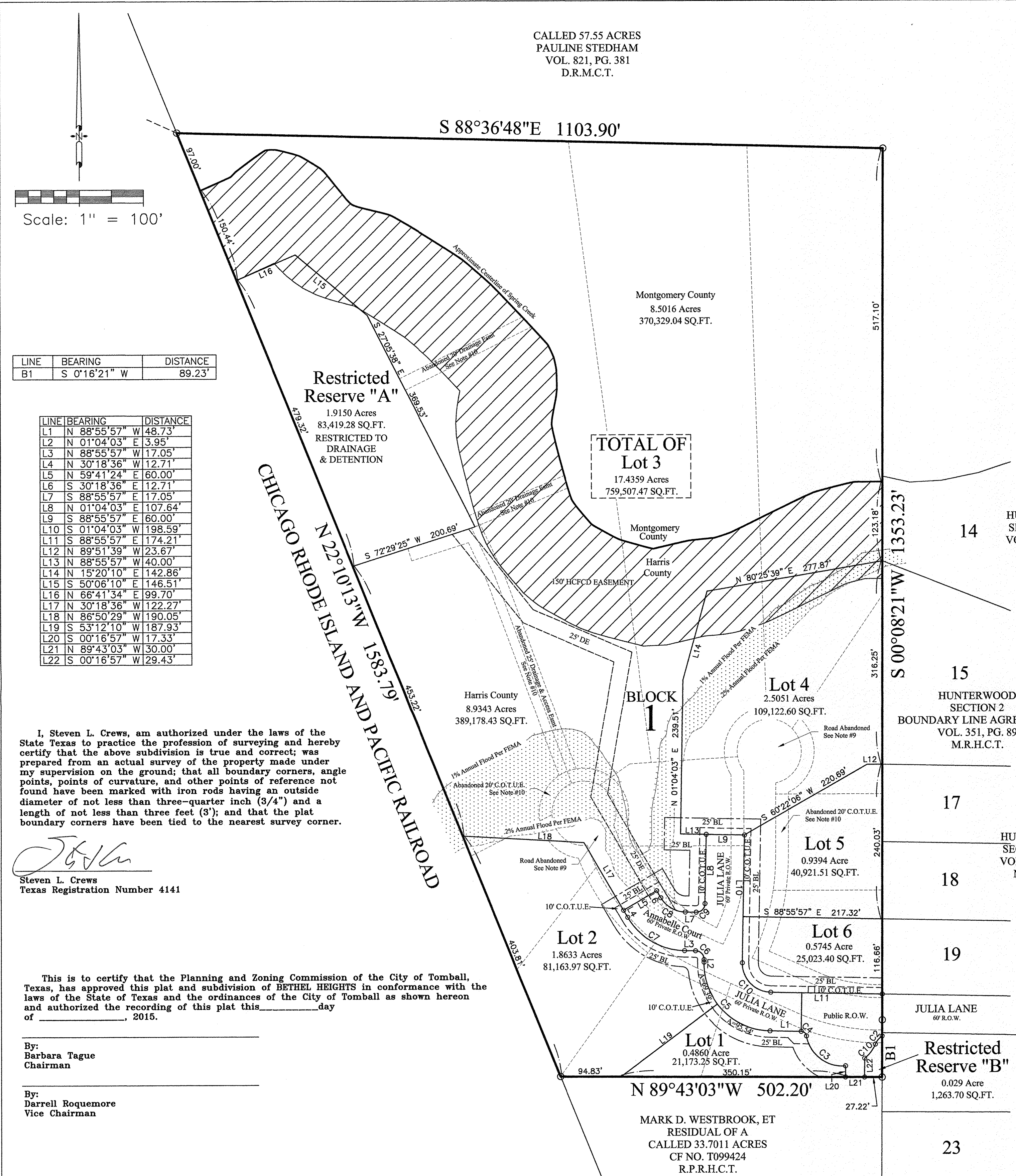
Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Bethel Heights



BETHEL HEIGHTS

Being a Replat of HUNTERWOOD ESTATES, a subdivision of 26.7141 acres of land situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and Abstract Number 20, of Montgomery County, Texas, being a replat of HUNTERWOOD ESTATES, a subdivision according to the map or plat thereof recorded in Film Code Number 603231, of the Map Records of Harris County, Texas, and recorded in Cabinet Z, Sheet 580, of the Map Records of Montgomery County, Texas, being the same land as described in deed recorded under Clerk's File Number 20130603237, of the Real Property Records of Harris County, Texas.

6 LOTS, 2 RESERVES, 1 BLOCK

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

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of BETHEL HEIGHTS in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2015.

By: Barbara Tague
Chairman

By: Darrell Roquemore
Vice Chairman

LINE	BEARING	DISTANCE
B1	S 0°16'21" W	89.23'

LINE	BEARING	DISTANCE
L1	N 88°55'57" W	48.73'
L2	N 01°04'03" E	3.95'
L3	N 88°55'57" W	17.05'
L4	N 30°18'36" W	12.71'
L5	N 59°41'24" E	60.00'
L6	S 30°18'36" E	12.71'
L7	S 88°55'57" E	17.05'
L8	N 01°04'03" E	107.64'
L9	S 88°55'57" E	60.00'
L10	N 01°04'03" W	198.59'
L11	S 88°55'57" E	174.21'
L12	N 89°51'39" W	23.67'
L13	N 88°55'57" W	40.00'
L14	N 15°20'10" E	142.86'
L15	S 50°06'10" E	146.51'
L16	N 66°41'34" E	99.70'
L17	N 30°18'36" W	122.27'
L18	N 86°50'29" W	190.05'
L19	S 53°12'10" W	187.93'
L20	S 00°16'57" W	17.33'
L21	N 89°43'03" W	30.00'
L22	S 00°16'57" W	29.43'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	70.69'	45.00'	90°00'00"	S 43°55'57" E	63.64'
C2	16.70'	29.00'	132°59'40"	S 39°54'39" W	16.47'
C3	84.28'	56.50'	85°27'44"	N 52°19'32" W	76.68'
C4	11.77'	8.50'	79°21'18"	N 49°15'19" W	10.85'
C5	164.93'	105.00'	90°00'00"	N 43°55'57" W	148.49'
C6	21.21'	13.50'	90°00'00"	N 43°55'57" W	19.09'
C7	107.43'	105.00'	58°37'21"	N 59°37'17" E	102.81'
C8	46.04'	45.00'	58°37'21"	S 59°37'17" E	44.06'
C9	21.21'	13.50'	90°00'00"	N 46°04'03" E	19.09'
C10	27.89'	56.50'	128°16'47"	S 37°33'12" W	27.60'

THE STATE OF TEXAS
COUNTY OF HARRIS

I, A. Alan Griffin, owner of the 26.7141 acre tract described in the above and foregoing plat of BETHEL HEIGHTS, does hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

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

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

WITNESS our had in _____, Harris County, Texas, this _____ day of _____, 2015.

A. Alan Griffin, Owner

THE STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2015.

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

We, the City Manager and the City Engineer for the City of Tomball, do hereby certify that this plat complies with the City of Tomball ordinance.

George Shackelford, City Manager
Lori Lakatos, P.E., City Engineer

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements in conformance with the laws of the State of Texas the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2015.

By: Gretchen Fagan, Mayor
Doris Speer, City Secretary

Harris County Clerk Certificate of Filing:

I, Stan Stanart, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2015, at _____ o'clock ____M., and duly recorded on _____, 2015, 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

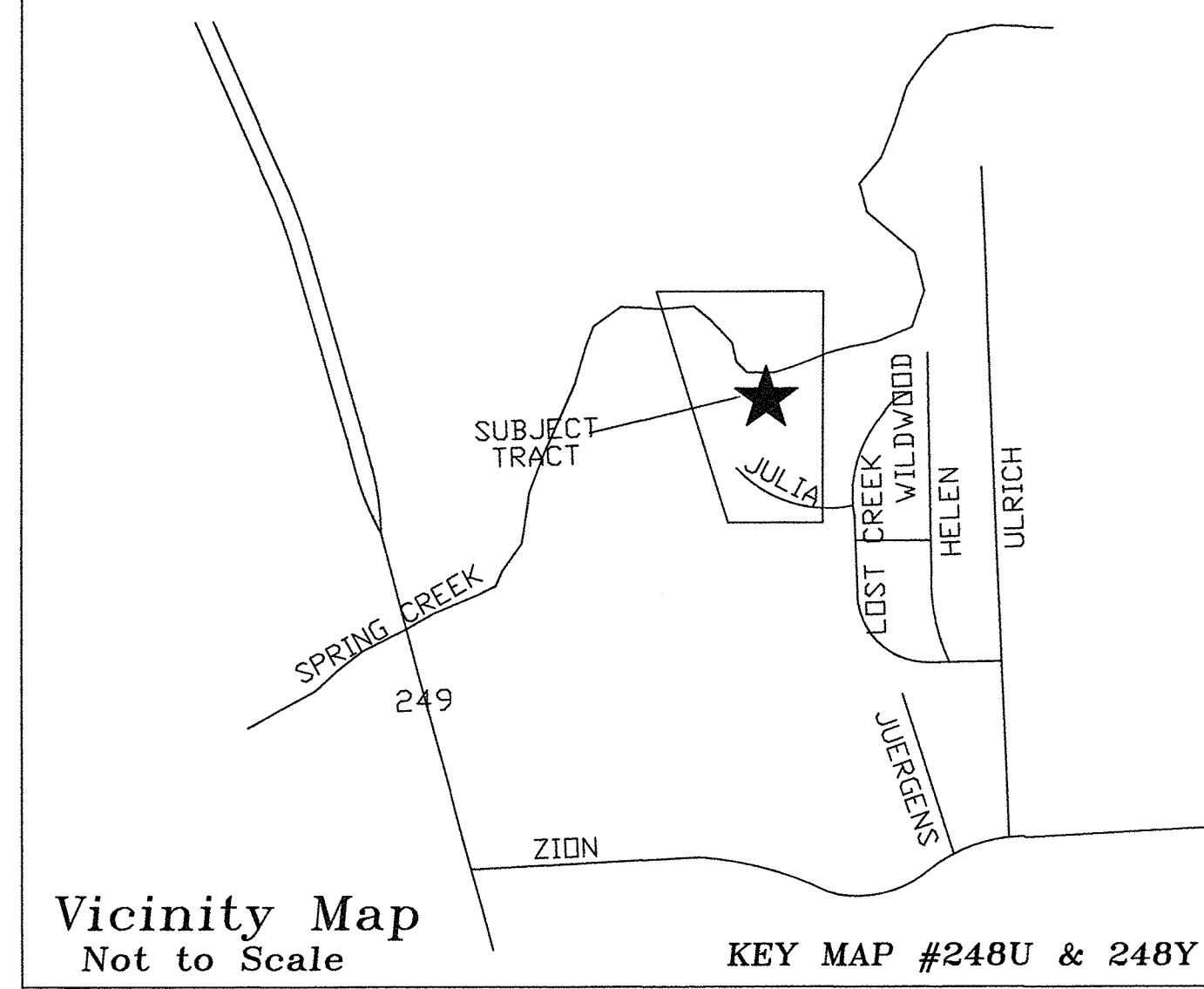
By: _____
Deputy
Montgomery County Clerk Certificate of Filing:

I, Mark Turnbull, County Clerk of Montgomery County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2015, at _____ o'clock ____M., and duly recorded on _____, 2015, at _____ o'clock ____M., and in Cabinet _____ Sheet _____ of the Map Records of Montgomery County, Texas.

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

Mark Turnbull
County Clerk
of Montgomery County, Texas

By: _____
Deputy



Vicinity Map
Not to Scale
KEY MAP #248U & 248Y

Notes:
Public Easements:
Public Easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easement for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

Flood Information:
According to FEMA Firm Panels No(s). 48201C0045-L and 48201C0210-L (Effective Date June 18, 2007), this property is in Zone(s) "X", and is within the .2% Annual Chance Flood Plain, and Zone "AE" and is within the 1% Annual Chance Flood Plain.

- Note #1: All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
 - Note #2: All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
 - Note #3: No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
 - Note #4: This plat does not attempt to amend or remove any valid covenants or restrictions.
 - Note #5: 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.
 - Note #6: The Basis of Bearings for this plat is North line of the Amending Plat of 249 at Hufsmith Subdivision, recorded under Film Code Number 509116, M.R.H.C.T.
 - Note #7: Electrical distribution easement recorded in Volume 6566, Page 154, D.R.H.C.T. does not affect subject property.
 - Note #8: Subject to blanket electrical distribution easement recorded in Volume 951, Page 534, D.R.H.C.T.
 - Note #9: Platted and dedicated road right-of-way per HUNTERWOOD ESTATES Plat is to be abandoned by this Plat.
 - Note #10: Platted and dedicated City of Tomball Utility Easements, Drainage Easements, and Access Easements per HUNTERWOOD ESTATES Plat is to be abandoned by this Plat.
- D.R.H.C.T. = DEED RECORDS OF HARRIS COUNTY TEXAS
M.R.H.C.T. = MAP RECORDS OF HARRIS COUNTY TEXAS
R.P.R.H.C.T. = REAL PROPERTY RECORDS OF HARRIS COUNTY TEXAS
FC NO. = FILM CODE NUMBER
CF NO. = CLERK'S FILE NUMBER
C.O.T.U.E. = UTILITY EASEMENT DEDICATED TO THE CITY OF TOMBALL
R.O.W. = RIGHT OF WAY

Surveyor:
C & C Surveying, Inc.
7424 FM 1488, Suite A
Magnolia, Texas 77354
Office: 281-356-5172
FAX: 281-356-1935

Owner:
A. ALAN GRIFFIN
13603 Lost Creek Road
Tomball, Texas 77375
September 2015
Sheet 1 of 1

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: September 14, 2015

Data Sheet

Topic:

Consideration to approve **ZONING CASE P15-094**: Request by the City of Tomball to amend Chapter 50-82 (b) ("Use Charts") of the City's Zoning Ordinance to allow a "Museum" with a Conditional Use Permit in the Agricultural, Single-Family Estate Residential-20, Single-Family Residential-9, Single-Family Residential-6, Duplex, Multi-Family, and Manufactured Home Park Districts.

- Conduct Public Hearing on **ZONING CASE P15-094**

Background:

Origination:

Recommendation:

Approval

Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Notice of Public Hearing

P15-094 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
SEPTEMBER 14, 2015
&
CITY COUNCIL
SEPTEMBER 21, 2015**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, September 14, 2015, at 6:00 P.M.**, at City Hall, 401 Market Street, Tomball, Texas and by the City Council of the City of Tomball on **Monday, September 21, 2015, 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 P15-094: Request by the City of Tomball to amend Chapter 50-82 (b) (“Use Charts”) of the City’s Zoning Ordinance to allow a “Museum” with a Conditional Use Permit in the Agricultural, Single-Family Estate Residential-20, Single-Family Residential-9, Single-Family Residential-6, Duplex, Multi-Family, and Manufactured Home Park Districts.

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 Assistant City Planner, Amelia Vasquez, at (281) 290-1410 or at avasquez@tomballtx.gov.

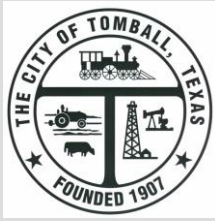
C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 10th day of September 2015 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Vasquez

Amelia Vasquez
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 & Zoning Commission Hearing Date: September 14, 2015

ZONING CASE P15-094: Request by the City of Tomball to amend Chapter 50-82 (b) (“Use Charts”) of the City’s Zoning Ordinance to allow a “Museum” with a Conditional Use Permit in the Agricultural, Single-Family Estate Residential-20, Single-Family Residential-9, Single-Family Residential-6, Duplex, Multi-Family, and Manufactured Home Park Districts.

PROPOSED AMENDMENTS

Section 50-82 (b) “Use Charts”

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		
Institutional/Governmental													
Museum	C	C	C	C	C	C	C	C	P	P	P	P	See Section 50-112

BACKGROUND

The Gulf Coast Chapter of the National Railway Historical Society is working with the City of Tomball to open a railroad museum in Tomball’s Depot area. Additionally, Tomball Heritage Museum/Museum Center is interested in making minor additions to their existing site in Tomball. Both of the locations in question are zoned residential, which does not permit museums by-right or with the approval of a Conditional Use Permit (CUP). This request, if approved, would permit “Museums” with the approval of a CUP in all residential districts. This would allow the expansion of existing museums and the construction of new museums with the approval of a CUP.

ANALYSIS

Section 50-82 (b) of the Zoning Ordinance currently allows a “Museum” by right in the Old Town & Mixed Use, Light Industrial, Commercial, and General Retail Districts and by CUP in the Office District. This use is prohibited in the remaining districts which are residential and include: Agricultural; Single-Family Estate Residential-20; Single-Family Residential-9; Single-Family Residential-6; Duplex; Multi-Family; and Manufactured Home Park Districts.

Section 50-82 of the Zoning Ordinance currently allows numerous other uses of equal or greater intensity than “Museum” by right and with a CUP in the City’s residential zoning districts. These uses include, but are not limited to, “Country Club (Private),” “Civic Center (Municipal),” “Community or Social Buildings,” “Governmental Building or Use (County, State, or Federal),” and

“School – College or University.” A “Museum” is not anticipated to have any more negative impact on adjacent residential districts than the uses listed above. Additionally, by limiting the proposed use to be allowed in residential zoning districts but only with the approval of a by CUP, the Planning & Zoning Commission and City Council will be able to determine the impact and feasibility of the project on a case-by-case basis.

PUBLIC COMMENT

A public hearing notice was published in the Tomball Tribune on August 31, 2015. No public comment forms have been received as of September 10, 2015.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P15-094.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: September 14, 2015

Data Sheet

Topic:

Conduct Commission Training, Kimberley Mickelson, AICP, Olson and Olson, LLP.

Background:**Origination:****Recommendation:****Funding:****Party(ies) responsible for placing this item on agenda:**

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	