

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



MONDAY, OCTOBER 13, 2014

6:00 P.M.

Notice is hereby given of a meeting of the , to be held on Monday, October 13, 2014 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 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 September 8, 2014.

5.0 New Business:

- 5.1 Consideration to approve **REPLAT TENNIS VENTURE TRACT**; A replat of that certain 4.017 acre tract of land in the Ralph Hubbard Survey, Abstract No. 383, in Harris County, Texas, out of and a part of Lot 64 of FIVE ACRE TRACTS~TOMBALL TOWNSITE, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas.
- 5.2 Consideration to approve **RESERVE AT SPRING LAKE SECTION TWO**; 41.26 Acres (1,797,375 Sq. Ft.) Being a Replat of Unrestricted Reserve "D" of Replat of the Final Plat Reserve at Spring Lake Section One located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641 Harris County, Texas City of Tomball, Texas.
- 5.3 Consideration to approve **ZONING CASE P14-184**: Request by Clarus Hotels, Inc., on behalf of JTS Development, Ltd., for a Conditional Use Permit to operate a hotel/motel that is 59-feet, 3-inches in height. The property is approximately 2.2 acres, is legally described as Lot 2, Block 1, JTS Subdivision Final Plat, is generally located south of Medical Complex Drive, west of State Highway 249 Bypass, and is located in the General Retail District.
- Conduct a Public Hearing on **ZONING CASE P14-184**
- 5.4 Consideration to approve **ZONING CASE P14-186**: Request by Jose Toriello, on behalf of Tennis Ventures, LLC, for a Conditional Use Permit to operate a tennis club which is classified in the Zoning Ordinance as a "Country Club (Private)." The property is approximately 4.02 acres, is legally described as Tract 64B-1, Tomball Outlots, is generally located north of East Hufsmith Road, west of Hospital Road, and is located in the Agricultural District.
- Conduct a Public Hearing on **ZONING CASE P14-186**

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 9th day of October 2014 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: October 13, 2014

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: October 13, 2014

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: October 13, 2014

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of September 8, 2014.

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:

09/08/14 Minutes

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

MONDAY, SEPTEMBER 8, 2014



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Tague at 6:00 p.m. Other members present were:

Commissioner Roquemore
Commissioner Byrd
Commissioner Anderson
Commissioner Torres

Others present:

Director of Community Development- Craig Meyers
City Engineer- Lori Lakatos
City Attorney- Loren Smith
Assistant City Planner- Rodney Schmidt
Community Development Coordinator- Amelia Vasquez

draft

2.0 No Public Comments were received.

3.0 Craig Meyers, Community Development Director, announced Amelia Vasquez as the new Community Development Coordinator and Commission Secretary.

4.0 Motion was made by Commissioner Byrd, second by Commissioner Roquemore, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of August 11, 2014.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration to approve FINAL PLAT OF JTS SUBDIVISION; A Subdivision of 6.4411 acres of land situated in the John M. Hooper Survey, Abstract Number 375, of Harris County, Texas, and being out of and part of a called 6.598 acres as described in deed recorded in Clerk's File Number S026292 of the Real Property Records of**

Harris County, Texas.

Lori Lakatos, City Engineer, presented comments and recommendations.

Motion was made by Commissioner Anderson, second by Commissioner Torres, to approve **FINAL PLAT OF JTS SUBDIVISION**.

Motion carried unanimously.

- 5.2 Consideration to approve **SPRING CREEK COUNTY HISTORICAL ASSOCIATION**; A Subdivision of 2.7064 acres of land out of the Joseph House Survey, Abstract 34, City of Tomball, Harris County, Texas. Being a Replat of Lots 1,2 and 9-16, Block 48 and Lots 4-6 and the Southwesterly 20' of Lot 3, Block 102 of the revised map of Tomball Volume 4, Page 25 M.R.H.C. and Lots 7A and 8A of "Abbreviated Plat" 7A and 8A film code number 598155 M.R.H.C.

Lori Lakatos, City Engineer, presented comments and recommendations.

Motion was made by Commissioner Torres, second by Commissioner Anderson to approve **SPRING CREEK COUNTY HISTORICAL ASSOCIATION**, with contingencies.

Motion carried unanimously.

- 5.3 Consideration to approve **ZONING CASE P14-145**: Request by TNRG Development LLC, on behalf of Frank P. Fontana, to amend the City's Zoning Ordinance by rezoning approximately 20.64 acres of land, legally described as Tracts 4H-1 and 4L-2, Abstract 632, C.N. Pillot, within the City of Tomball, Harris County, Texas, generally located west of South Cherry Street, north of Holderrieth Road, from the General Retail District to the Light Industrial District.

Rodney Schmidt, Assistant City Planner, presented the staff report.

John Sellers of TNRG (15120 NW Freeway Suite 190, Houston, TX 77040) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:23 p.m.

Frank Fontana (14807 Carson Bend, Cypress, TX 77429), owner of the property, spoke in favor of Zoning Case P14-145.

Hearing no additional comments, the Public Hearing was closed at 6:25 p.m.

Motion was made by Commissioner Roquemore, second by Commissioner Byrd to approve **ZONING CASE P14-145**. Vote was as follows:

Chairman Tague	<u>Nay</u>
Commissioner Roquemore	<u>Nay</u>
Commissioner Byrd	<u>Nay</u>
Commissioner Anderson	<u>Nay</u>
Commissioner Torres	<u>Nay</u>

Motion failed; 0 votes Aye, 5 votes Nay.

- 5.4 Consideration to approve **ZONING CASE P14-153**: Request by Southern Knights Inc. to amend the City's Comprehensive Plan by altering the Future Land Use of approximately 4.31 acres of land, legally described as Tract 2, Howe Tract, within the City of Tomball, Harris County, Texas, generally located between Michel Road and Theis Lane, west of Johnson Road, from High Density Residential to Employment/Office.

Rodney Schmidt, Assistant City Planner, presented the staff report.

Applicant Elizabeth Howe (17514 Hidden Forest Circle, Spring, TX 77379) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:41 p.m.

Hearing no additional comments, the Public Hearing was closed at 6:41 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Byrd to approve **ZONING CASE P14-153**. Vote was as follows:

Chairman Tague	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Byrd	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Torres	<u>Aye</u>

Motion carried; 5 votes Aye, 0 votes Nay.

- 5.5 Consideration to approve **ZONING CASE P14-154**: Request by Southern Knights Inc. to amend the City's Zoning Ordinance by rezoning approximately 4.31 acres of land, legally described as Tract 2, Howe Tract, within the City of Tomball, Harris County, Texas, generally located between Michel Road and Theis Lane, west of

Johnson Road, from the Duplex District to the Commercial District.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant Elizabeth Howe (17514 Hidden Forest Circle, Spring, TX 77379) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:49 p.m.

Hearing no additional comments, the Public Hearing was closed at 6:50 p.m.

Motion was made by Commissioner Torres, second by Commissioner Roquemore to approve **ZONING CASE P14-154**. Vote was as follows:

Chairman Tague	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Byrd	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Torres	<u>Aye</u>

Motion carried; 5 votes Aye, 0 votes Nay.

- 5.6 Consideration to approve **ZONING CASE P14-159**: Request by the City of Tomball to amend Section 38.2 (“Use Charts”) of the City’s Zoning Ordinance to allow “Dance/Drama/Music Schools (Performing Arts, Martial Arts)” 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.

Rodney Schmidt, Assistant City Planner presented the staff report.

The Public Hearing was opened by Chair Tague at 6:55 p.m.

Hearing no additional comments, the Public Hearing was closed at 6:55 p.m.

Motion was made by Commissioner Torres, second by Commissioner Anderson to approve **ZONING CASE P14-159**. Vote was as follows:

Chairman Tague	<u>Nay</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Byrd	<u>Aye</u>

Commissioner Anderson	<u>Aye</u>
Commissioner Torres	<u>Aye</u>

Motion carried; 4 votes Aye, 1 vote Nay.

6.0 Adjournment

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

Motion carried unanimously.

Meeting adjourned at 7:03 p.m.

PASSED AND APPROVED this _____ day of _____ 2014.

Amelia Vasquez
Commission Secretary

Barbara Tague
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 13, 2014

Data Sheet

Topic:

Consideration to approve **REPLAT TENNIS VENTURE TRACT**; A replat of that certain 4.017 acre tract of land in the Ralph Hubbard Survey, Abstract No. 383, in Harris County, Texas, out of and a part of Lot 64 of FIVE ACRE TRACTS~TOMBALL TOWNSITE, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 2, Page 65, of the Map 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:

Replat Tennis Venture Tract

STATE OF TEXAS
COUNTY OF HARRIS

I, Valeriano Suico, Manager of Tennis Venture, LLC, hereinafter referred to as owner of the 4.017 acre tract described in the above and foregoing plat of "TENNIS VENTURE TRACT", do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said map or plat and hereby dedicate to the use of the public forever, all streets (except private), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations herein expressed, and do hereby bind myself and my heirs, successors, and assigns to warrant and defend the title to the land so dedicated.

FURTHER, owner has dedicated and by these presents dedicate to the use of the public for public utility purposes an unobstructed aerial easement five feet in width from a plane twenty feet above the ground 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 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 (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private walkways crossing such drainage facilities.

FURTHER, owner does hereby dedicate to the public a strip of land 25 feet wide on each side of the centerline of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage course 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, 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 operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain into this easement except by means of an approved drainage structure.

WITNESS my hand, this _____ day of _____, 2014.

Valeriano Suico -- Manager

STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2014.

Notary Public in and for the State of Texas

My Commission expires on the _____ day of _____, 20____.

I, Tony P. Swonke, 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 the elevation benchmark reflected on the face of the plat was established as required by regulation; that all corners and angle points of the boundaries of the original tract to be subdivided of reference have been marked with iron rods having a diameter of not less than five-eighths of an inch (5/8") and a length of not less than three feet (3') and that the plat boundary corners have been tied to the nearest survey corner.

Tony P. Swonke
Registered Professional Land Surveyor No. 4767

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements and rights-of-way 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 on this _____ day of _____, 2014.

Gretchen Fagan
Mayor

Doris Speer
City Secretary

We, the City Manager and City Engineer for the City of Tomball, do hereby certify that this plat of "TENNIS VENTURE TRACT" is in conformance with the City of Tomball ordinances.

George Shackelford
City Manager

Lori Lakatos, P.E., CFM
City Engineer

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of "TENNIS VENTURE TRACT", 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 on this _____ day of _____, 2014.

Barbara Tague
Chairman

Darrell Roquemore
Vice-Chairman

I, Stan Stanart, Clerk of the County Court of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the _____ day of _____, 20____, at _____ o'clock _____ M., and was duly recorded on the _____ day of _____, 20____, at _____ o'clock, _____ M. and filed under Film Code No. _____ of the Map Records of Harris County, Texas.

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

Stan Stanart
Clerk of the County Court
Harris County, Texas

Deputy

Note #1 All oil/gas pipelines or pipeline easements through the subdivision have been shown.

Note #2 All oil/gas wells (plugged, abandoned, and/or active) through the subdivision have been shown.

Note #3 No building or structure shall be constructed across any pipelines building lines, and/or easements. Building setback lines will be required, adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.

NOTE #4: This plat does not attempt to amend or remove any valid restrictions or covenants.

NOTE #5: The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building line required by the City of Tomball Code of Ordinances at the time of the development of the property.

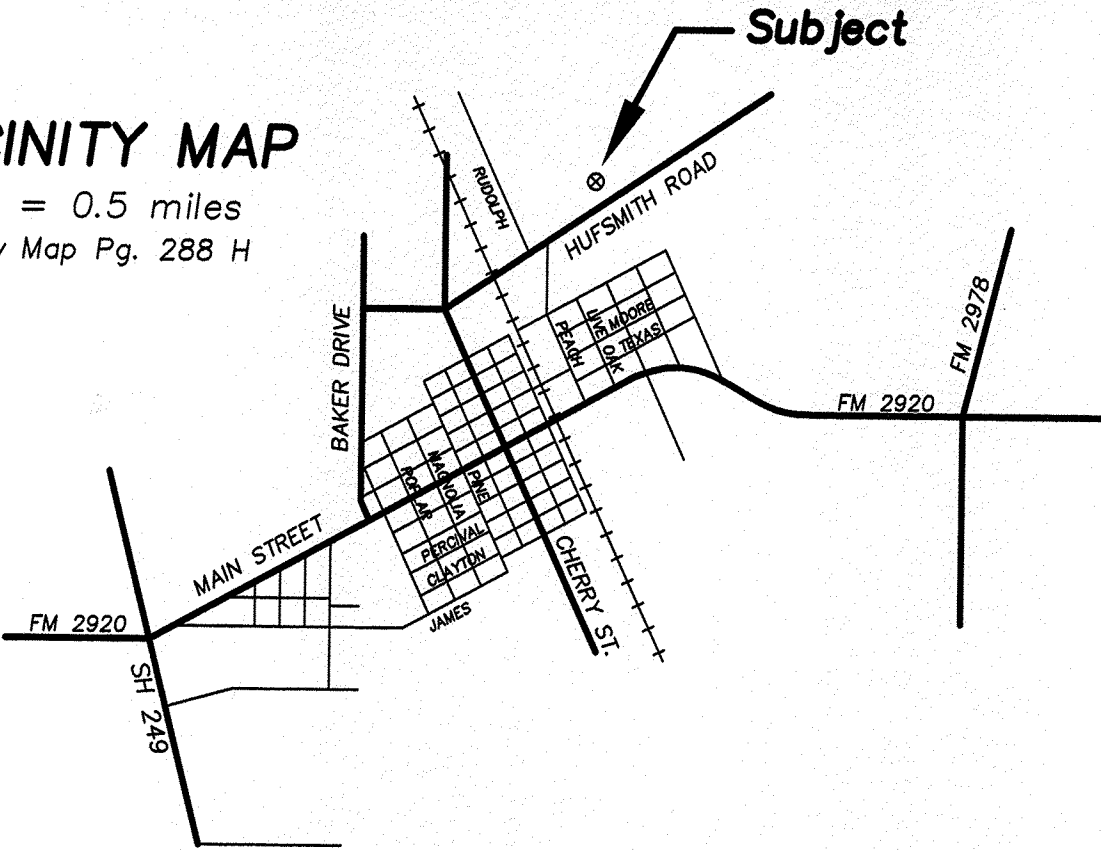
PREPARED BY:
Tony Swonke Land Surveying
700 Kane Street
Tomball, TX 77375
281 351 7789

OWNER:
Tennis Venture,
Limited Liability Company
43 Golden Orchard Place
The Woodlands, TX 77345

DATE: September 2, 2014

VICINITY MAP

1" = 0.5 miles
Key Map Pg. 288 H



East line of the
Joseph House Survey
Abstract No. 34

Southwest corner
of the Ralph Hubbard
Survey

Northwest corner
of the William Hurd
Survey

LOT 60
Vol. 2, Pg. 65
HCCF No. 2006-0508992
(Vacant)
3.087 Ac.

LOT 63
Vol. 2, Pg. 65
HCCF No. 2006-0508992
(Vacant)
4.9133 Ac.

4.9130 Ac.
HCCF No. 2006-0282474
(Residential)

7.2539 Ac.
HCCF No. 2006-0193740
(Commercial)

SOUTHWEST
CORNER OF
LOT 64

Found 4"x 4"
conc. mon.

N 00°00'07" E ~ 353.70'

N 00°00'07" E ~ 280.61'

2110'

FLOOD INFORMATION:

According to FEMA Firm Panel No. 48201C0230 L (Dated June 18, 2007), this property is in Zone "X" and not in the 0.2% Annual Chance Flood Plain.

LOT 61
Vol. 2, Pg. 65
HCCF No. 2006-0508992
(Vacant)

S 89°03'03" E ~ 270.97'

S 33°42'04" E ~ 373.14'

0.999 Acres
HCCF No. 1240594
(Residential)

LOT 1
4.017 Acres

N 33°45'00" W ~ 233.37'

0.42 Ac.
Remainder of
Lot 64
Estate of Walter & Gussie Rudel
(Residential)

N 56°15'00" E ~ 155.91'

20 Ft. Utility Easement dedicated to the City of Tomball

S 56°15'00" W ~ 418.98'

HUFSMITH ROAD
(50 Ft. R-O-W per Vol. 2, Pg. 65, HCCMR)

PUBLIC EASEMENT:

Public easements denoted on this plat are hereby dedicated to the use of 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 parts of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, paved surfaces, 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.

REPLAT:

"TENNIS VENTURE TRACT"

A replat of that certain 4.017 acre tract of land in the Ralph Hubbard Survey, Abstract No. 383, in Harris County, Texas, out of and a part of Lot 64 of FIVE ACRE TRACTS~TOMBALL TOWNSITE, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas.

Containing: 1 LOT / 1 BLOCK

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 13, 2014

Data Sheet

Topic:

Consideration to approve **RESERVE AT SPRING LAKE SECTION TWO**; 41.26 Acres (1,797,375 Sq. Ft.) Being a Replat of Unrestricted Reserve "D" of Replat of the Final Plat Reserve at Spring Lake Section One 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:

Reserve at Spring Lake Section Two

GENERAL NOTES:

1. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
2. All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
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.
4. This plat does not attempt to amend or remove any valid covenants or restrictions.
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.
6. Bearings based on Texas South Central State Plane Coordinates (Nad 83).
7. 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.
8. 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.
9. All corners are set 5/8 inch iron rods w/cap unless otherwise shown or noted.
10. 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.
11. Private Access Easement dedicated for use as temporary road until street is extended in a recorded plat.
12. Gas and Water lines are located along Ulrich Road.
13. 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 1663, 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.
14. 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 3496, Page 459, 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.
15. 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.
16. Subject tract 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.
17. 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.
18. 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.
19. 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.
20. Subject property is located within the City of Houston or within its extra territorial jurisdiction (within 5 miles of the city limits buy outside another municipality) and is subject to the terms, conditions, and provision of City of Houston Ordinance No. 85-1878 and 99-262, pertaining to, among other things the platting and re-platting of real property and to the establishment of building lines. A certified copy of said ordinance was filed of record on August 1, 1991, under Harris County Clerk's File No. N253866.



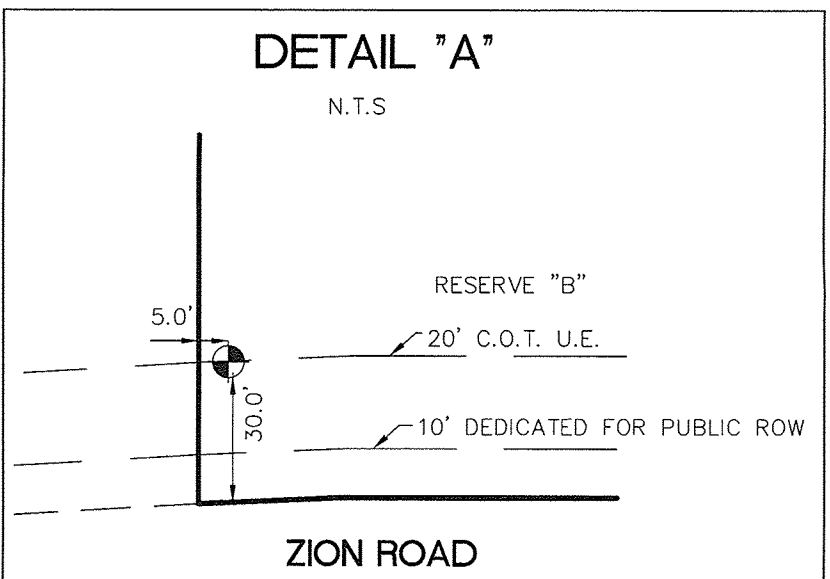
VICINITY MAP
NOT TO SCALE

FLOOD STATEMENT

According to FEMA Firm Panel No. 48201C0230L & 48201C0265L (Effective Date June 18, 2007), part of this property is in Zone "AE" and is within the 1% Annual Chance Flood Plain. The 1% annual chance flood (100-year flood), is also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Elevation is the water surface elevation of the 1% annual chance flood.

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	27.6102 acres
1% Floodplain	24.3363 acres
0.2% Floodplain	9.4758 acres
Zone "X" Floodplain (outside 0.2%)	173.4190 acres



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

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

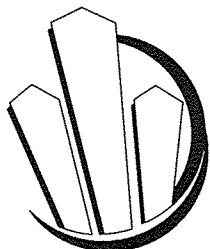
ENGINEER:
DAVID P. KELLY II, P.E.
DPK ENGINEERING, LLC
32719 WINDSOR TERRACE
FULSHEAR, TX 77441
PH: 281-346-2616

LIENHOLDER:
PREFERRED BANK
11757 KATY FREEWAY, SUITE 100
HOUSTON, TEXAS 77079

LIENHOLDER:
COMMERCIAL STATE BANK
10203 BIRCHCRIDGE, SUITE 100
HUMBLE, TEXAS 77338

LIENHOLDER:
COMMERCIAL STATE BANK
401 NORTH MECHANIC
EL CAMPO, TX 77437

SURVEYOR:

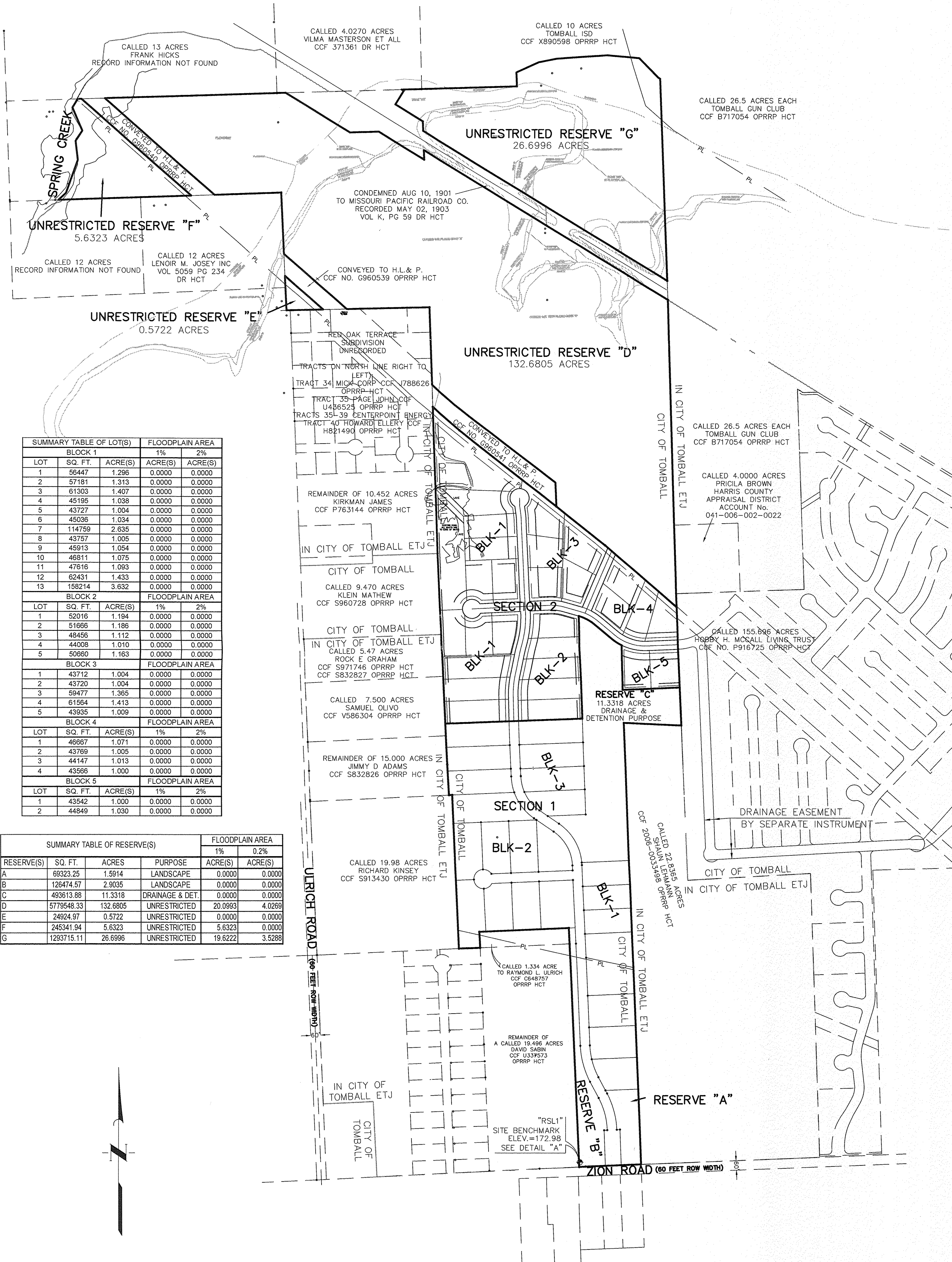


TOWN & COUNTRY SURVEYORS, LLC
25307 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
(281)485-8790
FAX (281)485-8791

LEGEND:

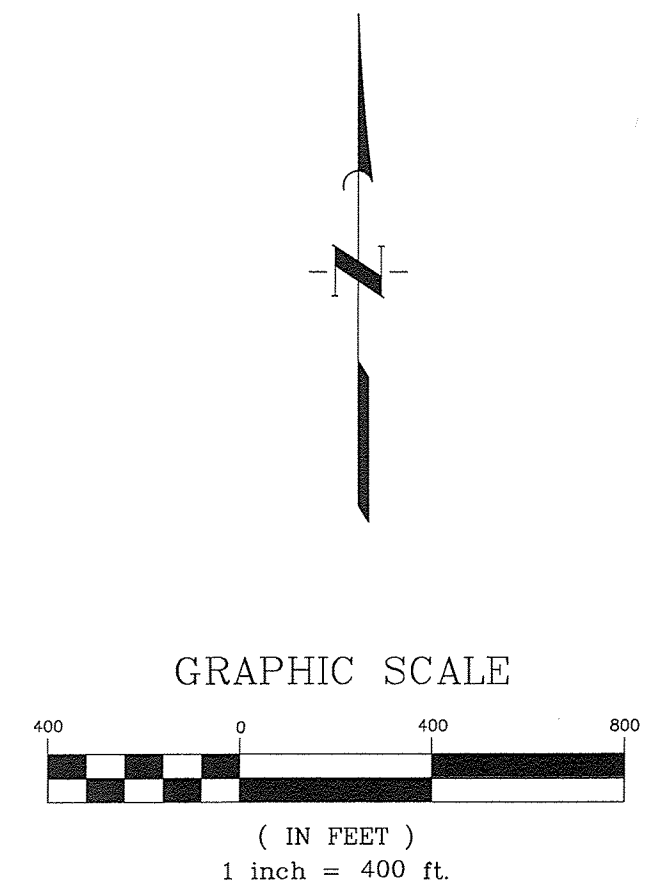
BUILDING LINE
UTILITY EASEMENT
AERIAL EASEMENT
CITY OF TOMBALL UTILITY EASEMENT/DRAINAGE EASEMENT (PUBLIC)
DRAINAGE EASEMENT (PRIVATE)
FOUND 5/8 INCH IRON RODS
BLOCK NUMBER
SURVEY LINE

B.L.
U.E.
A.E.
C.O.T. U.E.
D.E.
⑥
①



SUMMARY TABLE OF LOT(S)					FLOODPLAIN AREA	
LOT	SQ. FT.	ACRE(S)	1%	2%	ACRE(S)	ACRE(S)
1	58447	1.286	0.0000	0.0000		
2	57181	1.313	0.0000	0.0000		
3	61303	1.407	0.0000	0.0000		
4	45195	1.038	0.0000	0.0000		
5	43727	1.004	0.0000	0.0000		
6	45008	1.034	0.0000	0.0000		
7	114759	2.635	0.0000	0.0000		
8	43757	1.005	0.0000	0.0000		
9	45913	1.054	0.0000	0.0000		
10	46811	1.075	0.0000	0.0000		
11	47616	1.089	0.0000	0.0000		
12	62431	1.433	0.0000	0.0000		
13	158214	3.632	0.0000	0.0000		
BLOCK 2					FLOODPLAIN AREA	
LOT	SQ. FT.	ACRE(S)	1%	2%	ACRE(S)	ACRE(S)
1	52016	1.184	0.0000	0.0000		
2	51666	1.189	0.0000	0.0000		
3	48456	1.112	0.0000	0.0000		
4	44008	1.010	0.0000	0.0000		
5	50660	1.163	0.0000	0.0000		
BLOCK 3					FLOODPLAIN AREA	
LOT	SQ. FT.	ACRE(S)	1%	2%	ACRE(S)	ACRE(S)
1	43712	1.004	0.0000	0.0000		
2	43720	1.004	0.0000	0.0000		
3	58477	1.365	0.0000	0.0000		
4	61564	1.413	0.0000	0.0000		
5	43685	1.009	0.0000	0.0000		
BLOCK 4					FLOODPLAIN AREA	
LOT	SQ. FT.	ACRE(S)	1%	2%	ACRE(S)	ACRE(S)
1	46867	1.071	0.0000	0.0000		
2	43769	1.005	0.0000	0.0000		
3	44147	1.013	0.0000	0.0000		
4	43666	1.000	0.0000	0.0000		
BLOCK 5					FLOODPLAIN AREA	
LOT	SQ. FT.	ACRE(S)	1%	2%	ACRE(S)	ACRE(S)
1	43542	1.000	0.0000	0.0000		
2	44849	1.030	0.0000	0.0000		

SUMMARY TABLE OF RESERVE(S)					FLOODPLAIN AREA	
RESERVE(S)	SQ. FT.	ACRES	PURPOSE	ACRE(S)	ACRE(S)	ACRE(S)
A	69323.25	1.5914	LANDSCAPE	0.0000	0.0000	
B	126474.57	2.9035	LANDSCAPE	0.0000	0.0000	
C	493613.88	11.3318	DRAINAGE & DET	0.0000	0.0000	
D	5779548.33	132.6805	UNRESTRICTED	20.0993	4.0269	
E	24924.97	0.5722	UNRESTRICTED	0.0000	0.0000	
F	245341.94	5.6323	UNRESTRICTED	5.6323	0.0000	
G	1283715.11	29.6996	UNRESTRICTED	19.8222	3.5289	



RESERVE AT SPRING LAKE
SECTION TWO
41.26 Acres (1,797,375 Sq. Ft.)
BEING A REPLAT OF
UNRESTRICTED RESERVE "D" OF
REPLAT OF THE FINAL PLAT
RESERVE AT SPRING LAKE
SECTION ONE
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 0 RESERVES
OCTOBER 2014

CURVE TABLE			
CURVE	RADIUS	DELTA	ARC
C1	330.00'	130°14'	N 57°08'43" W 75.40'
C2	270.00'	234°22'	N 62°26'47" W 110.84'
C3	500.00'	144°75'4"	N 05°11'00" E 128.78'
C4	750.00'	151°21'5"	N 05°02'39" E 198.44'
C5	270.00'	182°01'1"	N 05°03'10" E 198.02'
C6	270.00'	182°01'1"	N 05°03'10" E 198.02'
C7	300.00'	234°22'	S 62°26'47" E 123.16'
C8	300.00'	41°53'49"	S 71°39'01" E 214.92'
C9	530.00'	144°75'4"	N 05°11'00" E 128.81'
C10	720.00'	151°21'5"	N 05°03'19" E 190.43'
C11	600.00'	151°21'5"	N 05°03'19" E 190.43'
C12	600.00'	151°21'5"	N 05°03'19" E 190.43'
C13	600.00'	289°27'54"	N 88°03'33" E 60.48'
C14	300.00'	59°38'45"	S 05°22'30" E 29.95'
C15	330.00'	182°01'1"	S 83°31'03" E 106.01'
C16	330.00'	234°22'	S 62°26'47" E 135.47'
C17	270.00'	41°53'49"	N 71°39'01" E 214.92'
C18	530.00'	144°75'4"	N 05°11'00" E 128.81'
C19	530.00'	144°75'4"	N 05°11'00" E 128.81'
C20	530.00'	144°75'4"	N 05°11'00" E 128.81'
C21	600.00'	113°17'21"	S 83°53'01" E 100.23'
C22	600.00'	36°42'39"	N 21°09'59" E 37.79'
C23	600.00'	36°42'39"	N 21°09'59" E 37.79'
C24	600.00'	36°42'39"	N 21°09'59" E 37.79'
C25	600.00'	104°26'00"	N 08°27'24" E 84.84'
C26	600.00'	59°38'45"	N 71°35'55" E 56.04'
C27	600.00'	139°21'15"	S 85°32'48" E 112.53'
C28	330.00'	139°21'15"	S 85°32'48" E 112.53'
C29	330.00'	139°21'15"	S 85°32'48" E 112.53'
C30	330.00'	139°21'15"	S 85°32'48" E 112.53'
C31	330.00'	115°33'32"	S 46°32'42" E 68.56'
C32	270.00'	74°00'36"	S 54°29'24" E 36.15'
C33	270.00'	31°28'04"	S 74°00'14" E 146.51'
C34	270.00'	244°10'	N 88°53'10" E 12.89'
C35	330.00'	284°33'4"	N 78°35'38" E 164.00'
C36	330.00'	284°33'4"	N 78°35'38" E 164.00'
C37	260.00'	151°24'	S 03°02'44" W 206.48'
C38	470.00'	144°75'4"	S 05°11'00" E 121.08'
C39	470.00'	12°47'39"	S 03°50'12" W 173.81'
C40	780.00'	22°05'05"	S 11°26'34" W 32.91'
C41	470.00'	23°05'52"	S 11°19'33" W 20.62'
C42	470.00'	12°17'04"	S 09°33'38" W 16.77'

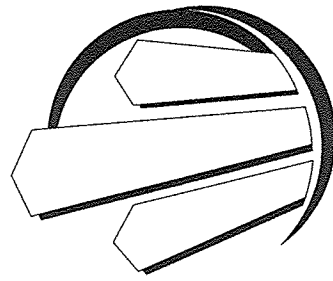
LINE TABLE		
LINE	BEARING	DISTANCE
L1	08°15'12" E	32.67'
L2	S 11°11'52" E	9.87'
L3	S 11°11'52" E	13.70'
L4	N 08°11'52" W	43.81'
L5	N 08°11'52" W	53.89'
L6	N 00°56'27" W	51.82'

UNRESTRICTED RESERVE "D"
5,779,565 SQ. FT.
132.68 ACRES

CALLED 26.5 ACRES EACH
HARRIS COUNTY DISTRICT
CCF 8777084 OPRRP HCT

CALLED 4,000 ACRES
PRICILLA BROWN
HARRIS COUNTY DISTRICT
ACCOUNT NO. 041-008-002-0022

CALLED 155,696 ACRES
HUBBY H. MCALL LIVING TRUST
CCF NO. PH6725 OPRRP HCT
PROPOSED SUBDIVISION



TOWN & COUNTRY SURVEYORS, LLC
25307 NORTH FREEWAY, SUITE 100
THE WOODLANDS, TX 77380
TEL: (281) 465-0700
FAX: (281) 465-0731



RESERVE AT SPRING LAKE SECTION TWO

41.26 Acres (1,797,375 Sq. Ft.)

BEING A REPLAT OF
UNRESTRICTED RESERVE "D" OF
REPLAT OF THE FINAL PLAT
RESERVE AT SPRING LAKE

SECTION ONE

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 0 RESERVES
OCTOBER 2014

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 221.2020 acre tract described in the above and foregoing plat of 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, _____, and its common seal hereunto affixed this _____ day of _____, 2014.

Zion Road Properties, LLC

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

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Robert M. Allen and _____ 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 _____, 2014

Notary Public in and for the State of Texas

Print name: _____

My Commission expires: _____

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 Reserve at Spring Lake Section One, said lien being evidenced by instrument of record in Clerk's File Nos. 20120109562 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: _____

THE STATE OF TEXAS

COUNTY OF HARRIS

We, Preferred Bank, owners and holders of a lien against the property described in the plat known as Reserve at Spring Lake Section Two, said lien being evidenced by instrument of record in Clerk's File No. 20080535712 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.

Preferred Bank
11757 Katy Freeway, Suite 100
Houston, Texas 77079

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: _____

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 Reserve at Spring Lake Section One, said lien being evidenced by instrument of record in Clerk's File Nos. 20120109565 and 20120109566 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
401 North Mechanic
El Campo, Texas 77437

THE STATE OF TEXAS

COUNTY OF HARRIS

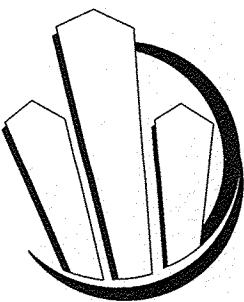
BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein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

SURVEYOR:



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

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

LIENHOLDER:
PREFERRED BANK

11757 KATY FREEWAY, SUITE 100
HOUSTON, TEXAS 77079

LIENHOLDER:
COMMERCIAL STATE BANK

10203 BIRCHBRIDGE, SUITE 100
HUMBLE, TEXAS 77338

LIENHOLDER:
COMMERCIAL STATE BANK

401 NORTH MECHANIC
EL CAMPO, TX 77437

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 Engineering

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of 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 _____, 2014.

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 _____, 2014.

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 _____, 2014, at _____ o'clock ____M., and duly recorded on _____, 2014, 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

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 13, 2014

Data Sheet

Topic:

Consideration to approve **ZONING CASE P14-184**: Request by Clarus Hotels, Inc., on behalf of JTS Development, Ltd., for a Conditional Use Permit to operate a hotel/motel that is 59-feet, 3-inches in height. The property is approximately 2.2 acres, is legally described as Lot 2, Block 1, JTS Subdivision Final Plat, is generally located south of Medical Complex Drive, west of State Highway 249 Bypass, and is located in the General Retail District.

- Conduct a Public Hearing on **ZONING CASE P14-184**

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:

Notice of Public Hearing

Property Owner Notification Letter

P14-184 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
OCTOBER 13, 2014
&
CITY COUNCIL
OCTOBER 20, 2014**

Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, October 13, 2014, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, October 20, 2014, at 6:00 P.M.** at Regular Meetings, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such dates, the P&Z and City Council will consider the following:

ZONING CASE P14-184: Request by Clarus Hotels, Inc., on behalf of JTS Development, Ltd., for a Conditional Use Permit to operate a hotel/motel that is 59-feet, 3-inches in height. The property is approximately 2.2 acres, is legally described as Lot 2, Block 1, JTS Subdivision Final Plat, is generally located south of Medical Complex Drive, west of State Highway 249 Bypass, and is located in the General Retail District.

ZONING CASE P14-186: Request by Jose Toriello, on behalf of Tennis Ventures, LLC, for a Conditional Use Permit to operate a tennis club which is classified in the Zoning Ordinance as a “Country Club (Private).” The property is approximately 4.02 acres, is legally described as Tract 64B-1, Tomball Outlots, is generally located north of East Hufsmith Road, west of Hospital Road, and is located in the Agricultural District.

Persons interested in these cases will be given an opportunity to be heard. Action by the P&Z serves as a recommendation to the City Council and is not a final action on the requests. Should the P&Z vote to table a decision/recommendation on these cases, the date and time of a future meeting will be specified and the City Council will not review the subject cases until such a decision/recommendation is forwarded to the City Council by the P&Z. The applications are available for public inspection Monday through Friday, holidays excepted, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Rodney Schmidt, at (281) 290-1410, rschmidt@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: P14-184

APPLICANT: Clarus Hotels, Inc., on behalf of JTS Development, Ltd.

LOCATION: South of Medical Complex Drive, west of State Highway 249 Bypass

PROPOSAL: Request for a Conditional Use Permit to operate a hotel/motel that is 59-feet, 3-inches in height. The property is approximately 2.2 acres, is legally described as Lot 2, Block 1, JTS Subdivision Final Plat, and is located in the General Retail District.

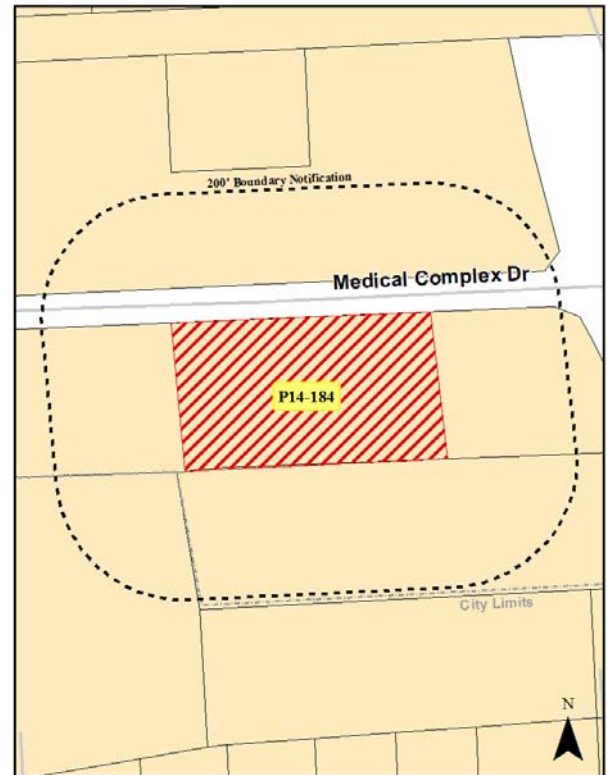
CONTACT: Rodney Schmidt

PHONE: (281) 290-1410

E-MAIL: rschmidt@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 inspection Monday through Friday, holidays excepted, 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.

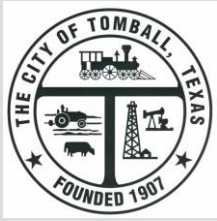


**Planning & Zoning Commission
Public Hearing:
Monday, October 13, 2014, 6:00 PM**

**City Council Public Hearing:
*Monday, October 20, 2014, 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 Hearing Date: October 13, 2014

Rezoning Case: P14-184
Property Owner(s): JTS Development, Ltd.
Applicant(s): Clarus Hotels, Inc.
Legal Description: Lot 2, Block 1, JTS Subdivision Final Plat
Location: South of Medical Complex Drive, west of State Highway 249 Bypass (Exhibit "A")
Area: 2.2 acres
Comp Plan Designation: Mixed Use (Exhibit "B")
Present Zoning and Use: General Retail (Exhibit "C") / Undeveloped land (Exhibit "D")
Proposed Use(s): Hotel
Request: CUP to allow a hotel 59-feet, 3-inches in height
Adjacent Zoning & Land Uses:
North: General Retail District / Medical Complex Drive and undeveloped land
South: General Retail District / Undeveloped land
West: General Retail District / Undeveloped land
East: General Retail District / Undeveloped land

BACKGROUND

On August 18, 2014, City staff spoke with Vishal Mody, a representative of the applicant, regarding the construction of a 103-room Marriot Residence Inn at the subject site. Mr. Mody informed City staff of his desire to construct the hotel taller than the 42-foot maximum permitted for the General Retail District. City staff informed Mr. Mody that he could request a height in excess of this limit through a CUP per Section 27.3.A.3 of the Zoning Ordinance.

On August 29, 2014, Mr. Mody submitted his CUP application (Exhibit "E") and concept plan (Exhibit "F") requesting the proposed hotel be 59-feet, 3-inches in height.

ANALYSIS

When considering applications for a CUP, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the CUP 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:

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

The Comprehensive Plan identifies the subject site as “Mixed Use” which “is intended to include a mix of office, retail/commercial, and high density residential uses in a master planned, integrated manner.” Because the Mixed Use classification intends for uses to “be located within a development, either horizontally or vertically in form” and vertically constructed mixed use developments are typically at least four-stories and approximately 60-feet in height, the request does not appear to be inconsistent with the Comprehensive Plan.

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

The proposed use of the site as a hotel is permitted by right in the General Retail District and therefore appears to be consistent with the general purpose and intent of the General Retail District. The request to allow the hotel to be 59-feet, 3-inches in height also appears to be consistent with the general purpose and intent of the General Retail District. This district, like all others, establishes height limits to maintain similar building mass and scale. In this situation, the requested height does not appear to be out of character with other hotels in the area, does not appear to be out of character with the surround building mass and scale because the surround properties are undeveloped, and is not anticipated to be out of character with surrounding buildings if they are constructed at the 42-foot maximum permitted by the General Retail District.

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

Should the CUP application be approved, the applicant will be required to submit a full site plan application, and supporting documents, to the City for review and approval before construction. The site improvements proposed on the concept plan appear to be generally consistent with the Zoning Ordinance.

- D. 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 requested height does not appear to be out of character with other hotels in the area, does not appear to be out of character with the surround building mass and scale because the surround properties are undeveloped, and is not anticipated to be out of character with surrounding buildings if they are constructed at the 42-foot maximum permitted by the General Retail District. Additionally, the concept plan proposes the hotel be located towards the center of the property, well in excess of the minimum side and rear building setbacks, which appears to make this proposal even more compatible with any future adjacent developments.

- E. 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 request does not appear to be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on October 2, 2014. No public comment forms have been received as of October 8, 2014.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P14-184, subject to the following condition of approval:

- 1) The site shall be developed and operated in substantial compliance with Exhibit “F.”

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

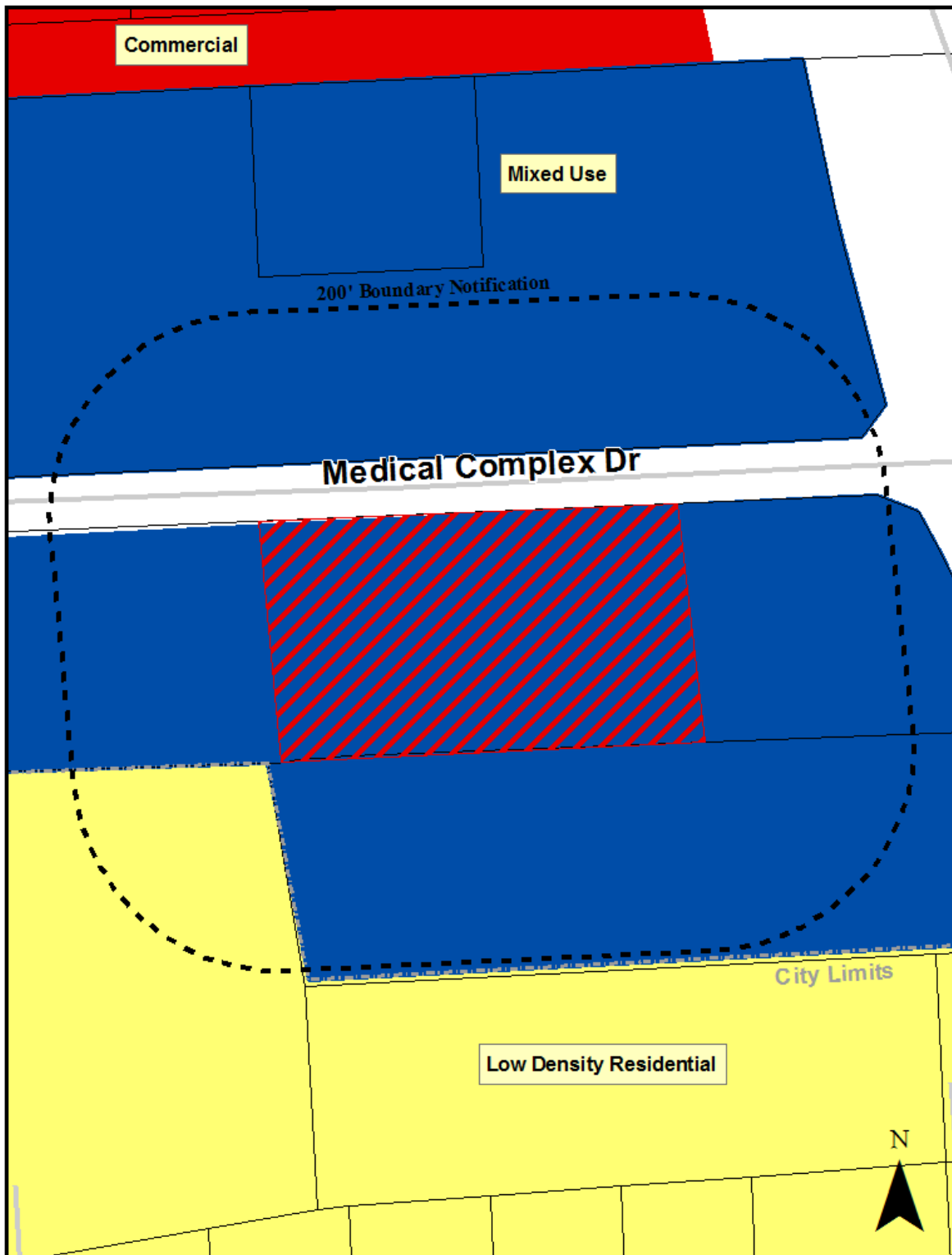
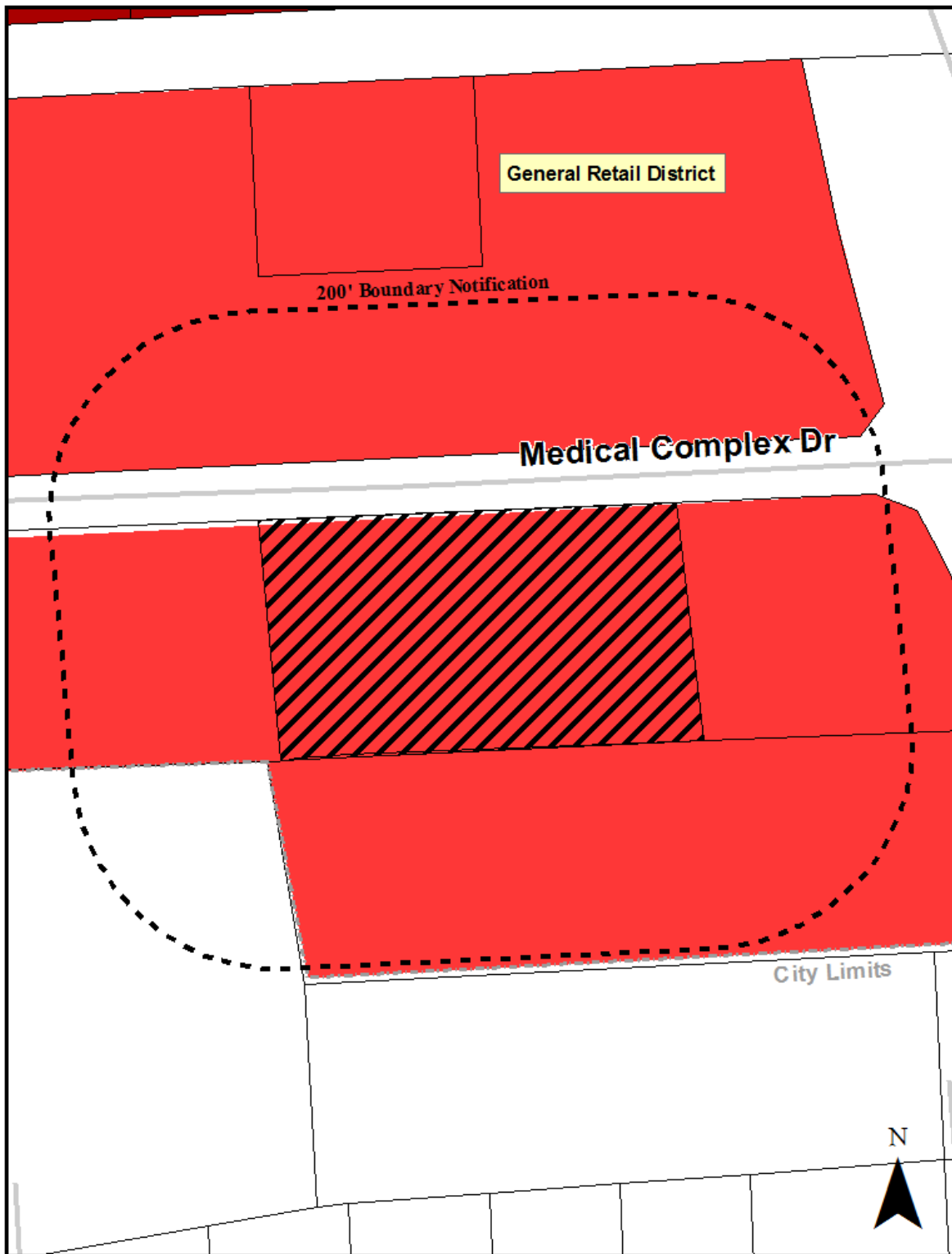


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
CUP Application

P14-184

Revised 1/20/09



**APPLICATION FOR
CONDITIONAL USE PERMIT**
Engineering & Planning Department

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

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

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

Applicant

Name: CLARUS HOTELS INC; VISHAL MOOY Title: VICE PRESIDENT
Mailing Address: 16618 SEMINOLE RIDGE DR City: CYPRESS State: TX
Zip: 77433
Phone: (817) 296-8474 Fax: (281) 295-1778 Email: VMOOY@CLARUSHOTELS.COM

Owner

Name: JTS DEVELOPMENT LTD; JEFF STALLONES Title: _____
Mailing Address: 46 PALMER CREST City: THE WOODLANDS State: TX
Zip: 77380
Phone: (713) 899-4710 Fax: () Email: JEFFSTALLONES@GMAIL.COM

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: MANHATTAN RESIDENCE TOWN HOTEL

Physical Location of Property: ABOUT 400 FEET WEST OF THE SWC OF MEDICAL COMPLEX # SH 249
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: TR 1B & 8F-1, ABST 375 JM HOPPER, ~~ORIGINAL~~ WILL SUPPLY EXACT
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block] DESCRIPTION AS
SOON AS SURVEY
SURVEYOR IS
COMPLETE

HCAD Identification Number: 0430410000205 **Acreage:** Approx 2.2

Current Use of Property: VACANT LAND

Proposed Use of Property: * 59'3" hotel

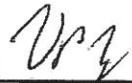
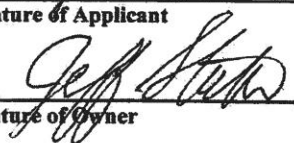
Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

** Revised on 9-5-14 per applicant's permission*

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

www.ci.tomball.tx.us

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		8/28/2014
	Signature of Applicant	Date
X		8-28-14
	Signature of Owner	Date



ClarusHotels

16618 Seminole Ridge Drive
Cypress, Texas 77433

Tomball Planning and Zoning

501 James Street

Tomball, Texas 77375

Re: Marriott Residence Inn Conditional Use Permit

To whom it may concern:

We would like to request a waiver on the height restriction set on the land in question located at Medical Complex Drive. We are developing a 103 room upscale Marriott Residence Inn hotel on the proposed site and would like to go up four stories with the building. We believe this height will give the building a very nice look and be a great start to the development on west Medical Complex Drive. Please accept this letter as our formal request to build a four story hotel.

Thank you,

Vishal Mody

Tel: 817-296-8474, Fax: 281-295-1778, visit us at www.clarushotels.com



Page 32 of 53





Residence Inn By Marriott
Tomball, TX- Project No.
Medical Complex Blvd.
Tomball Texas 77377

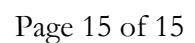
TDCK
ARCHITECTS, INC.
3000 Sweeney Dr., Suite B, Houston, TX 77056
Tel: 713/531-3870 Fax: 713/531-0757
Email: jphobbs@tdckarch.com

CHUCK ROBERTSON ARCHITECTS, INC.
10000 Katy Road, Suite 100, Houston, TX 77059
Tel: 281/463-7000 Fax: 281/463-7001
Email: info@chuckrobertson.com

THE ROBERTSON GROUP, INC.
10000 Katy Road, Suite 100, Houston, TX 77059
Tel: 281/463-7000 Fax: 281/463-7001
Email: info@robertsongroup.com

08/25/14	
Project No.	Date
14035	08/25/2014
Drawing Title:	
BUILDING ELEVATIONS	
Drawing Number	

A2.00



Regular Planning and Zoning Commission

Agenda Item

Meeting Date: October 13, 2014

Data Sheet

Topic:

Consideration to approve **ZONING CASE P14-186**: Request by Jose Toriello, on behalf of Tennis Ventures, LLC, for a Conditional Use Permit to operate a tennis club which is classified in the Zoning Ordinance as a "Country Club (Private)." The property is approximately 4.02 acres, is legally described as Tract 64B-1, Tomball Outlots, is generally located north of East Hufsmith Road, west of Hospital Road, and is located in the Agricultural District.

- Conduct a Public Hearing on **ZONING CASE P14-186**

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:

Notice of Public Hearing

Property Owner Notification Letter

P14-186 Staff Report

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
OCTOBER 13, 2014
&
CITY COUNCIL
OCTOBER 20, 2014**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, October 13, 2014, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, October 20, 2014, at 6:00 P.M.** at Regular Meetings, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such dates, the P&Z and City Council will consider the following:

ZONING CASE P14-184: Request by Clarus Hotels, Inc., on behalf of JTS Development, Ltd., for a Conditional Use Permit to operate a hotel/motel that is 59-feet, 3-inches in height. The property is approximately 2.2 acres, is legally described as Lot 2, Block 1, JTS Subdivision Final Plat, is generally located south of Medical Complex Drive, west of State Highway 249 Bypass, and is located in the General Retail District.

ZONING CASE P14-186: Request by Jose Toriello, on behalf of Tennis Ventures, LLC, for a Conditional Use Permit to operate a tennis club which is classified in the Zoning Ordinance as a "Country Club (Private)." The property is approximately 4.02 acres, is legally described as Tract 64B-1, Tomball Outlots, is generally located north of East Hufsmith Road, west of Hospital Road, and is located in the Agricultural District.

Persons interested in these cases will be given an opportunity to be heard. Action by the P&Z serves as a recommendation to the City Council and is not a final action on the requests. Should the P&Z vote to table a decision/recommendation on these cases, the date and time of a future meeting will be specified and the City Council will not review the subject cases until such a decision/recommendation is forwarded to the City Council by the P&Z. The applications are available for public inspection Monday through Friday, holidays excepted, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Rodney Schmidt, at (281) 290-1410, rschmidt@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 9th day of October 2014 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.ci.tomball.tx.us.



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: P14-186

APPLICANT: Jose Toriello, on behalf of Tennis Ventures, LLC

LOCATION: North of East Hufsmith Road, west of Hospital Road

PROPOSAL: Request for a Conditional Use Permit to operate a tennis club which is classified in the Zoning Ordinance as a "Country Club (Private)." The property is approximately 4.02 acres, is legally described as Tract 64B-1, Tomball Outlots, and is located in the Agricultural District.

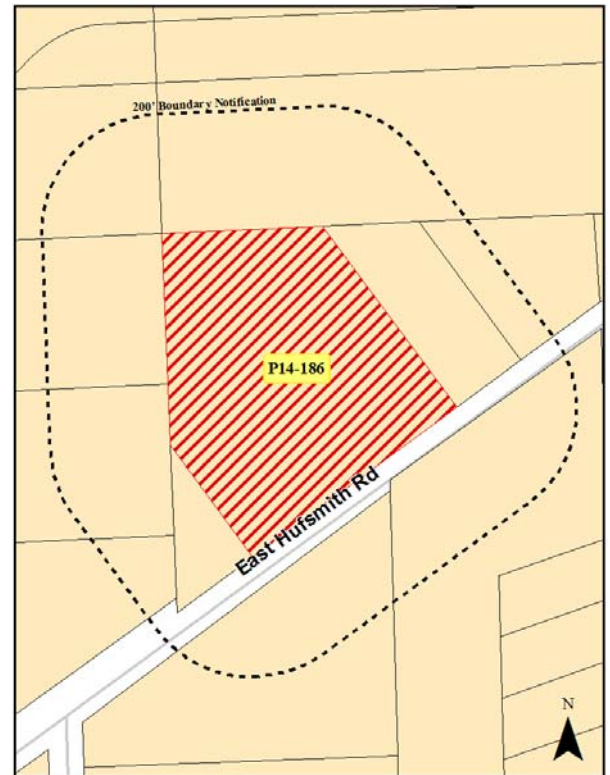
CONTACT: Rodney Schmidt

PHONE: (281) 290-1410

E-MAIL: rschmidt@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 inspection Monday through Friday, holidays excepted, 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.

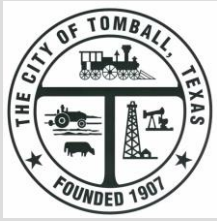


**Planning & Zoning Commission
Public Hearing:
Monday, October 13, 2014, 6:00 PM**

**City Council Public Hearing:
*Monday, October 20, 2014, 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 Hearing Date: October 13, 2014

Rezoning Case: P14-186
Property Owner(s): Tennis Ventures, LLC
Applicant(s): Jose Toriello
Legal Description: Tract 64B-1, Tomball Outlots
Location: North of East Hufsmith Road, west of Hospital Road (Exhibit "A")
Area: 4.02 acres
Comp Plan Designation: Rural Residential (Exhibit "B")
Present Zoning and Use: Agricultural (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s): Country Club (Private)
Request: CUP to allow a private tennis club and academy

Adjacent Zoning & Land Uses:

North: Agricultural District / Undeveloped

South: SF-6 and Agricultural Districts / East Hufsmith Road and undeveloped

West: Agricultural and SF-20-E Districts / Single-family residence, undeveloped, and private baseball club and academy

East: Agricultural District / Single-family residence and animal shelter

BACKGROUND

On August 7, 2014, City staff met with the applicant, Jose Toriello, to discuss the possible construction of a private tennis club and academy. City staff informed the applicant of the following:

- The proposed use is classified as a "Country Club (Private)" per Section 38.2 of the Zoning Ordinance;
- The property is zoned Agricultural District; and
- The "Country Club (Private)" use is only permitted in the Agricultural District with a CUP.

On September 2, 2014, Mr. Toriello submitted his CUP application (Exhibit "E") and concept plan (Exhibit "F") requesting the private tennis club and academy.

ANALYSIS

According to Section 37.6 of the Zoning Ordinance, when considering applications for a CUP, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the conditional use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

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

The Comprehensive Plan identifies the subject site as Rural Residential which “includes residential developments on minimum 1 acre lots that allows up to one house per acre lot. The intent is to provide for a rural lifestyle as well as to encourage appropriate development due to environmental constraints such as waterways, floodplains, and other features.” The proposed use appears to be consistent with the Comprehensive Plan for the following reasons:

- Although private tennis clubs and academies are not specifically mentioned in the Rural Residential section of the Comprehensive Plan as an envisioned use, this request is a use permitted by CUP in the Agricultural District which is the district most compatible with the Rural Residential classification.
- The location of the structures, hours of operation, landscaping, and screening/buffering mechanisms proposed on the concept plan appear to minimize the impact of the use on adjacent Rural Residential properties.
- Two of the nearby properties are designated in the Comprehensive Plan as “Parks” which is described as “mini, neighborhood, community, or regional parks that are both active and passive recreational areas. This can include both publicly and privately owned parks, open spaces, and recreation areas. Park and open space uses are also appropriate in all residential land use designations.” This private, park-like use appears to be consistent with the nearby Parks classification. Additionally, Rural Residential is considered a “residential land use designation” and therefore appears to be consistent with the proposed use.

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.”

The external effect of the proposed use on the existing and planned uses of adjoining property and neighborhood appear to be mitigated through the location of the structures, hours of operation, landscaping, and screening/buffering mechanisms proposed on the concept plan.

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

Should the CUP application be approved, the applicant will be required to submit a full site plan application, and supporting documents, to the City for review and approval before construction. The site improvements proposed on the concept plan appear to be generally consistent with the Zoning Ordinance.

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

The proposed use appears to be compatible with and preserves the character and integrity of the adjacent development and neighborhood through the location of the structures, hours of operation, landscaping, and screening/buffering mechanisms proposed on the concept plan.

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 uses and concept plan do not appear to be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on October 2, 2014. No public comment forms have been received as of October 8, 2014.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P14-186, subject to the following condition of approval:

- 1) The site shall be developed and operated in substantial compliance with Exhibit "F."

EXHIBITS

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

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

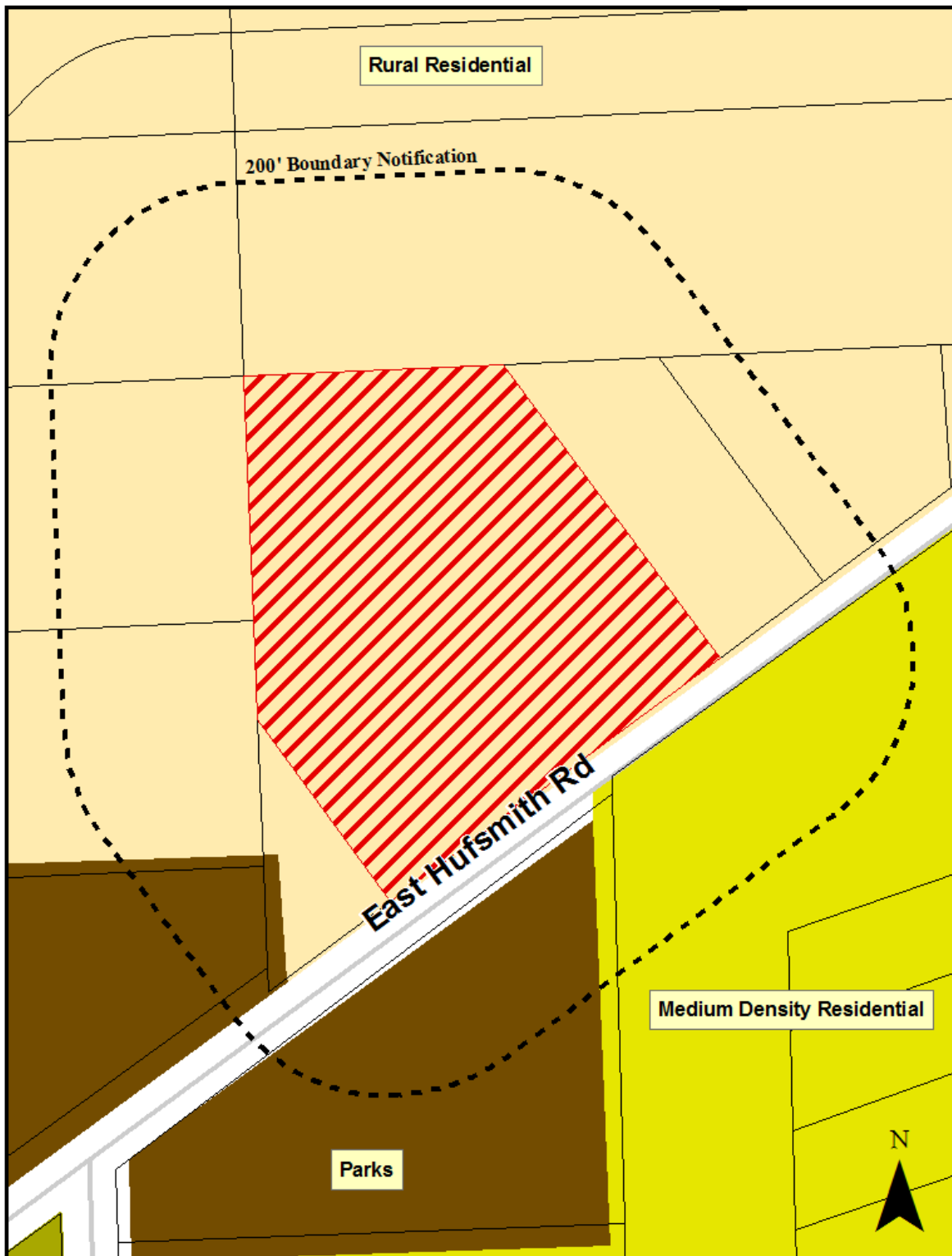


Exhibit "C"
Zoning Map

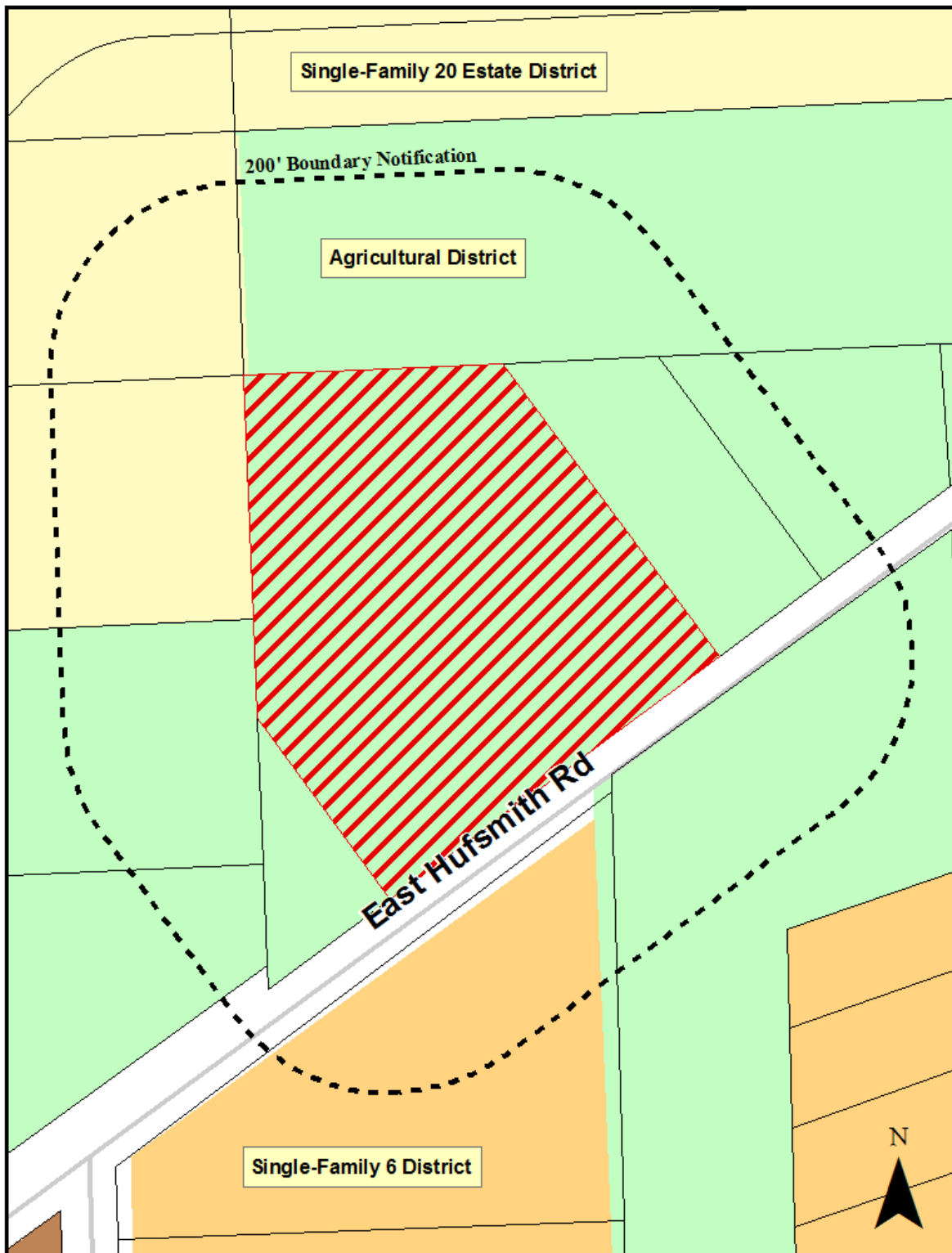


Exhibit “D”
Site Photo

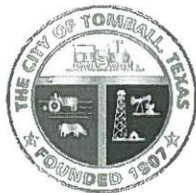


Figure 1: Subject site.
Source: City of Tomball

Exhibit "E"
CUP Application

P14-186

Revised 1/20/09



**APPLICATION FOR
CONDITIONAL USE PERMIT**
Engineering & Planning Department

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

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

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

Applicant

Name: JOSE TORIELLO Title: ARCHITECT.
Mailing Address: 14863 HWY 105 W. City: MONTGOMERY State: TX
Zip: 77356 Email: JTORIELLO@ALLINNATURALSTONE.COM.
Phone: (936) 718 1489 Fax: (936) 230 3646

Owner

Name: TENNIS VENTURE LLC Title: OWNER
Mailing Address: 43 GOLDEN ORCHARD PL City: WOODLANDS State: TX
Zip: 77354 Email: BLUEBENCEBU@YAHOO.COM.
Phone: (832) 671 4519 Fax: (832) 521-3439

Engineer/Surveyor (if applicable)

Name: TONY SWONKE Title: LAND SURVEYING.
Mailing Address: 700 KANE ST. City: TOMBALL State: TX
Zip: 77375 Email: TONYSWONKE@GMAIL.COM.
Phone: (281) 351 7789 Fax: ()

Description of Proposed Project: TENNIS CLUB

Physical Location of Property: EAST HUFFSMITH RD, TRACT 64B1, TOMBALL

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

Legal Description of Property: RALPH HUBBARD SURVEY, ABSTRACT N-383, H.C.
PART OF LOT 64 [Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: 0352820000176 Acreage: 4.017

Current Use of Property: AGRICULTURAL.

Proposed Use of Property: CONDITIONAL COMMERCIAL
COUNTRY CLUB (PRIVATE.)

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

09-02-14

Date

X
Signature of Owner

09-02-14

Date

09/02/2014

CITY OF TOMBALL
Engineering and Planning Department

To Whom it May Concern;

Tennis Venture LLC is the applicant company for the city of Tomball tx. Masters International Tennis Academy will be the company operating the business on the Facility.

Masters International Tennis Academy

Is a Tennis Club that will provide different varieties of Adult and Junior Programs. We will serve quality training by carrying one of the best tennis coaches of Texas. We use worldwide trainings techniques which makes us unique. We use Russian Style Mental Training, Technical exercises from Germany, Footwork Drills from Spain and South America, and of course the Team Work and Motivation from the United States.

Giovanni Halman

Originally from Munich Germany
Former NCAA tennis player and National Champion.
Former Professional player
Trained top ranked Texas players.
Number 1 girl in Texas 12' 16' and 18's
Trained David Lou 15th In the United States and world ranked players.

Oscar Ortiz

Former ATP player a ranking as high as of 139 in the world singles
115 doubles, played in the Olympics and players such as Andre Agassi.
Main draw US Open
Head coach of the Mexican Davis cup team
Trained top ranked world junior players

MITA will be a facility that will use a Clay surface for the courts. Why use Clay Courts?

Clay Court is one of the most difficult surfaces to move on and much healthier to train on, especially with our young athletes who have a long career ahead of them. Mastering the movement on Clay Courts will be able to help improve each player on every other surface. If you know about the World Dominating training in Europe, almost all players come from a Clay Court surface trainings atmosphere. We strongly believe that each player should know how to master their movement on the Clay Court and will be naturally able to move successfully on the Hard Court and Grass atmosphere.
FLORIDA & CALIFORNIA are heavily known for training many players on Clay Court Surfaces.

Our main customers will be Juniors from age of 4 all the way to adults 50 and up. The city of Tomball is an excellent location for us because we carry clients from all over Houston. It would also benefit Tomball to have people from other areas like the Woodlands, Houston (Galleria), Gleanloch Farms and North Gate that are strongly committed to their areas, getting used to the Tomball area and help the city grow. Tomball is not known for strong tennis and we will change that. This will also help for Tomball High School's programs to get better and compete better against their competition - WOODLANDS, SPRING. MAGNOLIA, etc.....

We will make a huge difference for the Tomball District in this sport.

Our business hours will be from 7 a.m. - 9 p.m. and we will be hosting different types of events. Community get together and offering free drills for juniors and adults to help grow this sport within the community. We will host some tournaments - 50 players throughout the weekend

We are expecting around 30 - 50 customers throughout the day from 7 - 9 p.m.

We will be the best academy in Texas and eventually we will be National and internationally known with the help with our very knowledgeable coaching squad and we already have players that are high state and nationally ranked.

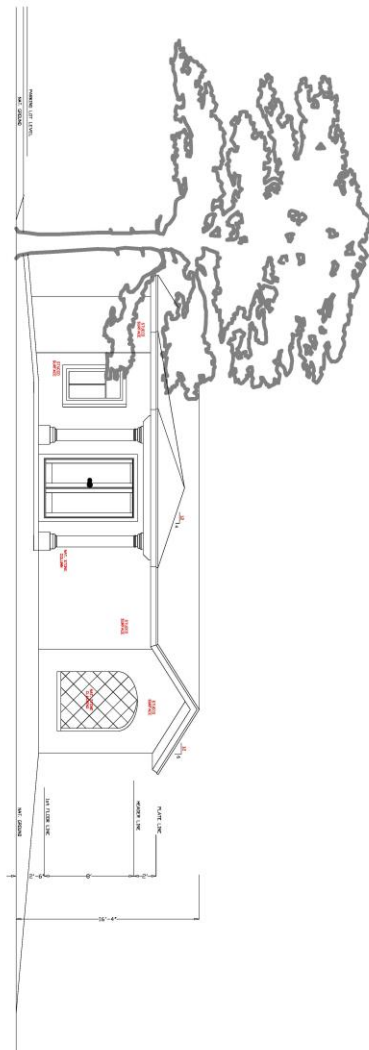
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Sincerely,

**Tennis Venture LLC.
Masters International Tennis Academy
Your Tennis Family and Home**

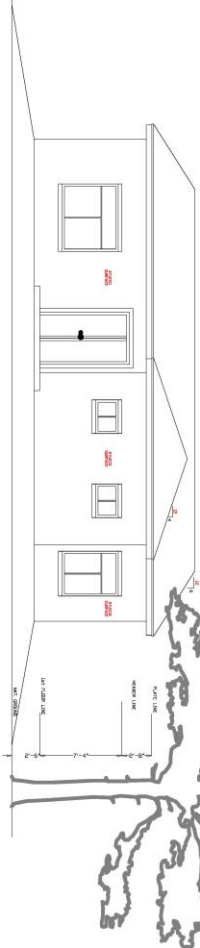
Exhibit “F” Concept Plan





PROPOSED FRONT ELEVATION

ESC. $\frac{1}{4}" = 1' - 0"$



PROPOSED BACK ELEVATION

ESC. $\frac{1}{4}" = 1' - 0"$

Copyright © 2014

Tennis Venture LLC

43 Golden Orchard Plac., The Woodlands, Tx 77354

PROPOSED ;
ELEVATIONS

NO.	DESCRIPTION / NOTES	DATE

All in Natural Stone LLC
14863 Hwy 105 W
Montgomery, TX

TENNIS VENTURE LLC
43 Golden Orchard Plac.
The Woodlands, TX
77354

Scale: $\frac{1}{4}" = 1'$
A2