

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



MONDAY, MARCH 10, 2014

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, March 10, 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 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 January 13, 2014.

5.0 New Business:

- 5.1 Consideration to approve **REPLAT OF THE POINT**; Being a Subdivision of 6.3636 Acres and being a Replat of The Point F.C. No. 644081 out of the Claude M. Pillot Survey, Abstract No. 632, City of Tomball, Harris County, Texas.
- 5.2 Consideration to approve **PRELIMINARY PLAT PECK STATION**; A Subdivision of 34.4945 Acres of land situated in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas; Being a partial Replat of Lots 296, 297, 298, 302, 308, 309, 310, & 311 of Tomball Townsite Volume 2, Page 65 M.R.H.C.

6.0 Adjournment

CERTIFICATION

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

Meeting Date: March 10, 2014

Topic:

Background:

Origination:

Recommendation:

Funding:

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

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

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 10, 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: March 10, 2014

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of January 13, 2014.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

P&Z Regular Meeting Minutes 01.13.14

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

MONDAY, JANUARY 13, 2014



6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chair Tague at 6:03 p.m. Other members present were:

Commissioner Torres
Commissioner Roquemore
Commissioner Beauvais

Commissioner Anderson – Excused Absence

Others present:

Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Assistant City Planner – Rodney Schmidt
City Attorney – Loren Smith
Senior Administrative Assistant – Brandy Pate

draft

2.0 The following Public Comments were received:

Letter from Monique Dermaux of 2531 S. Cherry Street, expressing her concerns regarding the lack of progress on non-conforming lot regulations was read into the record.

3.0 Lori Lakatos, City Engineer announced Commissioner Anderson's recent appointment to the Planning and Zoning Commission.

4.0 Motion was made by Commissioner Torres to approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 9, 2013; second by Commissioner Roquemore.

Motion carried unanimously.

5.0 Old Business:

- 5.1 Consideration to approve **ZONING CASE P13-148**: Request by the City of Tomball to amend Section 34.4 (“Area Regulations for Residential Uses”) of the City’s Zoning Ordinance (Ordinance No. 2008-01) by creating non-conforming lot regulations for lots within that portion of the Old Town Area bounded by Fannin Street, Houston Street, the railroad tracks, and Pine Street, and including the lots that front on Fannin Street and Houston Street adjacent to such portion.

Rebeca Guerra, City Planner presented the staff report.

Zoning Case P13-148 was tabled at the regular Planning & Zoning Commission meeting of October 14, 2013 with a motion for approval made by Commissioner Beauvais; second by Commissioner Walicki.

Vote on January 13, 2014 was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Tague	<u>Nay</u>

Motion carried; 3 votes Aye, 1 vote Nay.

6.0 New Business:

- 6.1 Consideration to approve **MINOR PLAT OF DANIELS I**; Being a subdivision of 0.161 acre of land situated in the W. Hurd Survey, Abstract Number 371, Harris County, Texas and being a Replat of Lots 20 and 21, in Block 63 of the Tomball Townsite, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume A, Page 25 of the Map Records of Harris County, Texas.

Lori Lakatos, City Engineer presented comment recommendations.

Motion was made by Commissioner Torres; second by Commissioner Beauvais to approve; with contingencies, **MINOR PLAT OF DANIELS I**. Vote was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Tague	<u>Aye</u>

Motion carried; 4 votes Aye, 0 votes Nay.

- 6.2 Consideration to approve **MINOR PLAT OF DANIELS II**; Being a subdivision of 0.161 acre of land situated in the W. Hurd Survey, Abstract Number 371, Harris County, Texas and being a Replat of Lots 41 and 42, in Block 64 of the Tomball Townsite, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume A, Page 25 of the Map Records of Harris County, Texas.

Lori Lakatos, City Engineer presented comment recommendations.

Motion was made by Commissioner Roquemore; second by Commissioner Beauvais to approve; with contingencies, **MINOR PLAT OF DANIELS II**. Vote was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Tague	<u>Aye</u>

Motion carried; 4 votes Aye, 0 votes Nay.

- 6.3 Consideration to approve **WELLING OWENS QUADRUPLEXES**: Being a Replat of Outlots 104, 103, and 98 of Tomball Townsite, City of Tomball, recorded under Vol. 2, Pg. 65 of the Harris County Map Records located in the Ralph Hubbard Survey, Abstract 383, Harris County, Texas.

Lori Lakatos, City Engineer presented comment recommendations.

Motion was made by Commissioner Torres; second by Commissioner Roquemore to approve; with contingencies, **WELLING OWENS QUADRUPLEXES**. Vote was as follows:

Commissioner Torres	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Roquemore	<u>Aye</u>
Commissioner Tague	<u>Aye</u>

Motion carried; 4 votes Aye, 0 votes Nay.

- 7.0 Motion was made by Commissioner Torres to adjourn; second by Commissioner Roquemore.

Motion carried unanimously.

Meeting adjourned at 6:28 p.m.

PASSED AND APPROVED this _____ day of March 2014.

Brandy Pate
P&Z Commission Secretary

Barbara Tague
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 10, 2014

Data Sheet

Topic:

Consideration to approve **REPLAT OF THE POINT**; Being a Subdivision of 6.3636 Acres and being a Replat of The Point F.C. No. 644081 out of the Claude M. Pillot Survey, Abstract No. 632, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Funding:

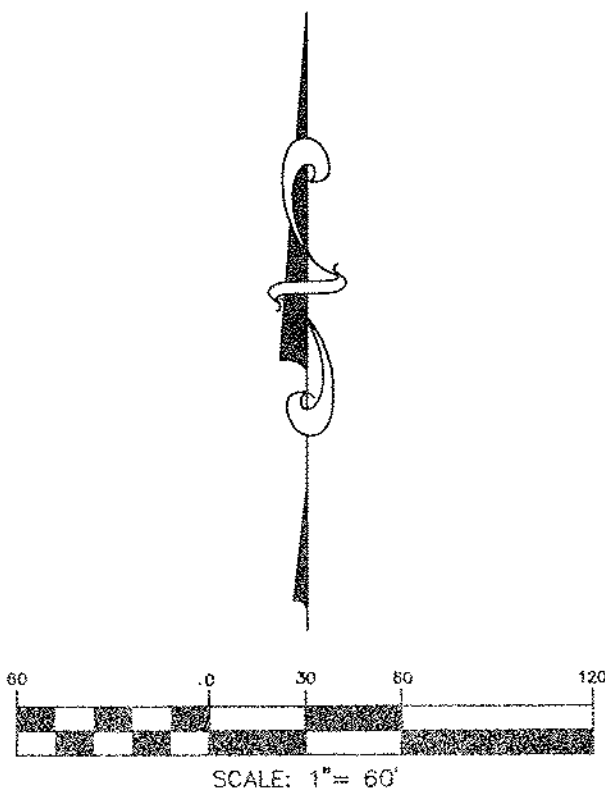
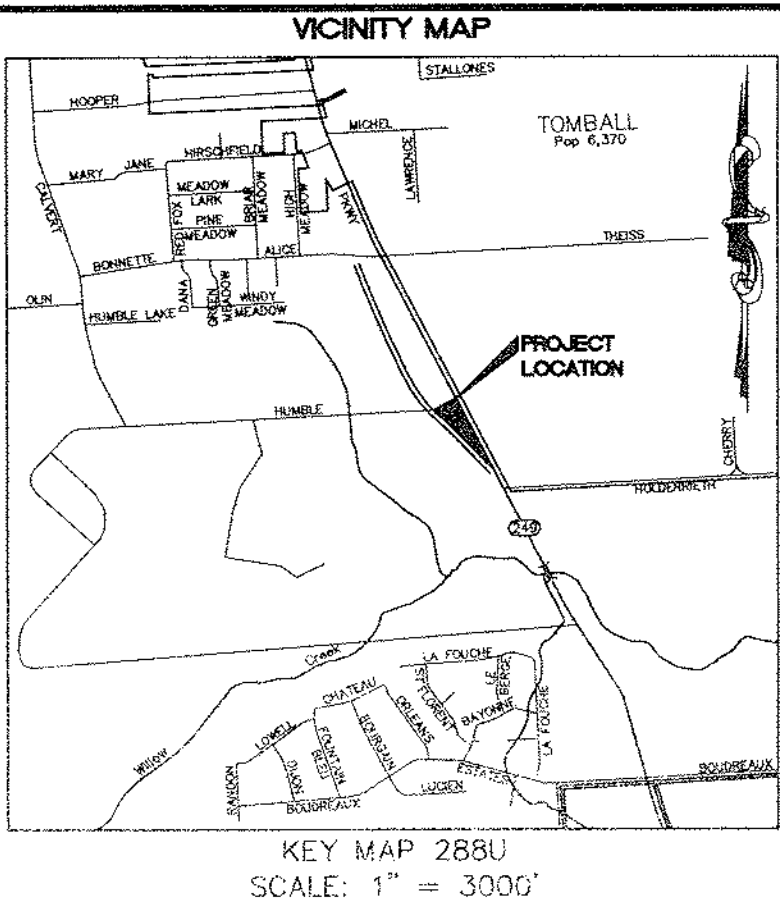
Party(ies) responsible for placing this item on agenda:

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Replat of The Point



I, Hugh W. Clarkson, 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 (3/4) inch and a length of not less than three (3) feet unless found and noted otherwise; and that the plat boundary corners have been tied to the nearest street intersection.

Hugh W. Clarkson 2/26/14
Date
Hugh W. Clarkson
Texas Registration No. 4113



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

STATE OF TEXAS §
COUNTY OF HARRIS §

We, R.K. McGaughey, Trustee, and Peter S. Terpstra, Trustee, and Big Diamond, LLC, a Texas limited liability company, acting by and through, Douglas M. Miller, Vice President, and Paul C. Clark, Vice President, owners, hereinafter referred to as Owners of the 6.3636 acre tract described in the above and foregoing plat of REPLAT OF THE POINT, do hereby make and establish said subdivision and development plan 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, alleys, parks, water courses, drains easements, and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

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

FURTHER, Owners do hereby 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 hand, in the City of Tomball, Texas this the _____ day of _____, 2014

By: _____ R.K. McGaughey, Trustee By: _____ Peter S. Terpstra, Trustee

IN TESTIMONY WHEREOF, Big Diamond, LLC, a Texas limited liability company, has caused these presents to be signed by Douglas M. Miller, Vice President, and Paul C. Clark, Vice President, this day of _____, 2014.

By: _____ Douglas M. Miller, Vice President By: _____ Paul C. Clark, Vice President

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared R.K. McGaughey, Trustee 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 _____, 2014.

Notary Public in and for the State of Texas

(Print Name)

My Commission Expires: _____

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Douglas M. Miller, Vice President, and Paul C. Clark, Vice President, 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 _____, 2014.

Notary Public in and for the State of Texas

(Print Name)

My Commission Expires: _____

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Peter S. Terpstra, Trustee 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 _____, 2014.

Notary Public in and for the State of Texas

(Print Name)

My Commission Expires: _____

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of REPLAT OF THE POINT 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: _____
Lori Wallace, Chair

By: _____
Evelyn Chervenak, Vice Chair

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

By: _____
George Shackelford, City Manager

By: _____
Lori Lakatos, P.E., Acting City Engineer & Planning

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83. THE REFERENCE COORDINATES ARE BASED ON NAD 83, AND MAY BE BROUGHT TO SURFACE BY DIVIDING THE DEPICTED COORDINATE BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99993357782 (X=S.F.=SURFACE VALUE).
2. ACCORDING TO F.A.M. MAP NO. 48201C0210L (COMMUNITY-PANEL NO. 4802870210L), MAP REVISED DATE: JUNE 18, 2007, THE SUBJECT PROPERTY LIES WITHIN THE AREAS DESIGNATED AS ZONE "X" UNSHADED - DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD, ZONE X SHADED - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD; AND ZONE AE - BASE FLOOD ELEVATIONS DETERMINED.
3. THIS STATEMENT IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE ABOVE REFERENCED MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.
4. THE SUBJECT TRACT IS AFFECTED BY THE CITY ORDINANCES OF THE CITY OF TOMBALL.
5. THIS SURVEY HAS BEEN PREPARED UTILIZING A CITY PLANNING LETTER FROM STEWART TITLE WITH AN EFFECTIVE DATE OF FEBRUARY 19, 2014.
6. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
7. ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
8. 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.
9. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
10. 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.
11. THE SUBJECT PROPERTY IS AFFECTED BY THREE (3) UNLOCATED PIPELINE EASEMENTS GRANTED TO HUMBLE PIPELINE COMPANY, RECORDED UNDER VOL. 934 PG. 199; VOL. 1055 PG. 560; AND VOL. 1073 PG. 650 HARRIS COUNTY DEED RECORDS.
12. THE SUBJECT PROPERTY IS AFFECTED BY AN UNLOCATED PIPELINE EASEMENT GRANTED TO SHELL OIL COMPANY RECORDED UNDER VOL. 3431 PG. 480 HARRIS COUNTY DEED RECORDS.
13. LOT A IS SUBJECT TO A TEMPORARY CONSTRUCTION EASEMENT RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER 20130212947.

Public Easements:

Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, or 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.

REASON FOR REPLAT:
TO CREATE 3 LOTS

REPLAT OF THE POINT

BEING A SUBDIVISION OF
6.3636 ACRES
AND BEING A REPLAT OF THE POINT
F.C. NO. 644081
OUT OF THE
CLAUDE M. PILLOT SURVEY,
ABSTRACT NO. 632
CITY OF TOMBALL
HARRIS COUNTY, TEXAS

1 BLOCK 3 LOTS

MARCH 2014

WEST BELT
SURVEYING, INC.
CERTIFIED FIRM NO. 10078800

21020 PARK ROW KATY, TX. 77449 PHONE: (281) 599-8288 FAX: (281) 492-0026

BROOKS & SPARKS, INC.

CONSULTING ENGINEERING
TEXAS REGISTERED ENGINEERING FIRM F-880
21020 PARK ROW KATY, TEXAS 77449 PHONE: (281) 578-9555 FAX: (281) 578-9686

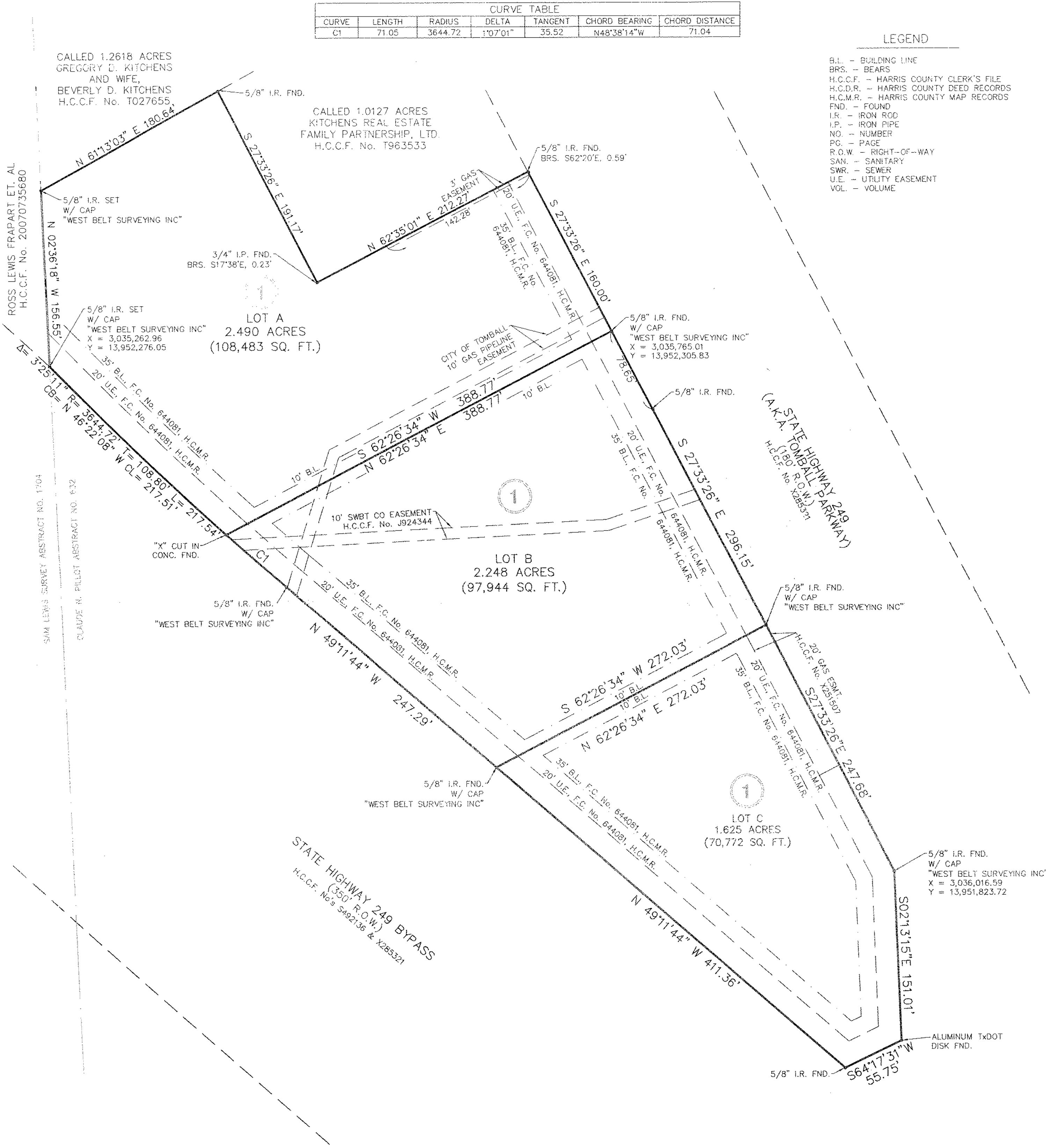
OWNER / DEVELOPER:

R.K. MCGAUGHEY
PETER S. TERPSTRA
1444-B TOWER CHASE
HOUSTON, TEXAS 77004
PHONE: (281) 580-4855
BIG DIAMOND LLC,
A TEXAS LIMITED LIABILITY COMPANY
ONE VARIO WAY
SAN ANTONIO, TEXAS 78249-1016
2101 692-2212

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD DISTANCE
CI	71.05	3644.72	107.01°	35.52	N48°38'14"W	71.04

LEGEND

BL - BUILDING LINE
BRS - BEARS
H.C.C.F. - HARRIS COUNTY CLERK'S FILE
H.C.D.R. - HARRIS COUNTY DEED RECORDS
H.C.M.R. - HARRIS COUNTY MAP RECORDS
FND - FOUND
I.R. - IRON ROD
I.P. - IRON PIPE
NO - NUMBER
PG - PAGE
R.O.W. - RIGHT-OF-WAY
SAN. - SANITARY
SWR. - SEWER
U.E. - UTILITY EASEMENT
VOL. - VOLUME



Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 10, 2014

Data Sheet

Topic:

Consideration to approve **PRELIMINARY PLAT PECK STATION**; A Subdivision of 34.4945 Acres of land situated in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas; Being a partial Replat of Lots 296, 297, 298, 302, 308, 309, 310, & 311 of Tomball Townsite Volume 2, Page 65 M.R.H.C.

Background:

Origination:

Recommendation:

Funding:

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

Brandy Pate, Engineering and Planning

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

ATTACHMENTS:

Preliminary Plat Peck Station

