

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



MONDAY, MARCH 11, 2013

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, March 11, 2013 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 February 11, 2013.

5.0 New Business:

- 5.1 Receipt of Minor Plat; **AULT ACRES**: Being a subdivision of 2.1530 acres of land situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and being a Replat of Lots 2 and 3, in Block 1, of Tomball Acres, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code Number 556141 of the Map Records of Harris County, Texas.
- 5.2 Receipt of Minor Plat; **PARTIAL REPLAT NUMBER TWO OF TOMBALL MARKETPLACE**: A 2.3863 acre subdivision; being Lots 6 and 7, Tomball Marketplace, as recorded in Film Code Number 605157 of the Harris County Map Records out of the John M. Hooper Survey, Abstract 375 Tomball, Harris County, Texas.
- 5.3 Consideration to approve **TOMBALL BUSINESS AND TECHNOLOGY PARK FINAL PLAT**: A subdivision of 120.8081 acres, a portion of which is a Partial Replat of Lots 384, 385, 386, 387, and 394, of the Tom Ball Townsite as recorded in Vol. 2, Pg. 65 of the Harris County Map Records, and being a Replat of Lot 4 of Tomball South Commercial as recorded in Film Code No. 632199 of the Harris County Map Records, in the Elizabeth Smith Survey, Abstract No. 70, and the C. N. Pillot Survey, Abstract No. 632, City of Tomball, Harris County, Texas.
- 5.4 Consideration to approve **ZONING CASE P13-006**: Request by Tomball & Magnolia Properties, LLC to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 1.01 acres of land, legally described as Lot 1, Block 1, Northwest Houston Heart Center within the City of Tomball, Harris County, Texas, generally located northerly of Alma Street, between Holderrieth Boulevard and Lawrence Avenue, from the Single-Family Residential-6 District to the Old Town & Mixed Use District.
- Conduct a Public Hearing on **ZONING CASE P13-006**

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 7th day of March 2013 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: March 11, 2013

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
Data Sheet

Meeting Date: March 11, 2013

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 11, 2013

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of February 11, 2013.

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:

P&Z Regular Meeting Minutes 02.11.13

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

MONDAY, FEBRUARY 11, 2013



6:00 P.M.

1.0 Call to Order

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

Commissioner Tague
Commissioner Chervenak
Commissioner Roquemore
Commissioner Beauvais

Others present:

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

Draft

2.0 Public Comments were received from the following:

- Rick Grassi of 1820 S. Cherry St. – Support of Items 5.1 & 5.2
- Rodney Posinski of 12215 Zion Rd. – Support of Items 5.1 & 5.2
- Dan Rodano of 12125 Zion Rd. – Support of Items 5.1 & 5.2

3.0 Reports and Announcements

- Lori Lakatos introduced Community Development Director, Craig Meyers.

4.0 Motion was made by Commissioner Tague to approve the Minutes of the Regular Planning and Zoning Commission Meeting of January 14, 2013; second by Commissioner Beauvais.

Motion carried unanimously.

5.0 New Business:

5.1 Consideration to approve RODANO SUBDIVISION PRELIMINARY PLAT:

Being a Subdivision of 13.7244 Acres of land situated in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being the residual of a called 15.2374 Acres as described in deed recorded in Clerk's File Number X609278, of the Real Property Records of Harris County, Texas and also including all of that portion of Stasney Road abandoned by the City of Tomball to Daniel Rodano in instrument recorded in Clerk's File Number 20100163186 of said Real Property Records.

Lori Lakatos, Acting City Engineer presented comment recommendations.

Commissioner Tague made a motion to approve **RODANO SUBDIVISION PRELIMINARY PLAT** with contingencies; second by Commissioner Chervenak.

Motion carried unanimously.

- 5.2 Consideration to approve **RODANO SUBDIVISION FINAL PLAT**: Being a Subdivision of 13.7244 Acres of land situated in the Ralph Hubbard Survey, Abstract Number 383, of Harris County, Texas, and being the residual of a called 15.2374 Acres as described in deed recorded in Clerk's File Number X609278, of the Real Property Records of Harris County, Texas and also including all of that portion of Stasney Road abandoned by the City of Tomball to Daniel Rodano in instrument recorded in Clerk's File Number 20100163186 of said Real Property Records.

Lori Lakatos, Acting City Engineer presented comment recommendations.

Commissioner Tague made a motion to approve **RODANO SUBDIVISION FINAL PLAT** with contingencies; second by Commissioner Chervenak.

Commissioner Tague amended her motion to remove contingencies; second by Commissioner Chervenak.

Motion failed 5-0.

- 5.3 Consideration to approve **RALEIGH CREEK SECTION ONE**: Being a Subdivision of 142.8407 Acres in the Joseph Miller Survey, Abstract Number 50, Harris County, Texas.

Lori Lakatos, Acting City Engineer presented comment recommendations.

Commissioner Chervenak made a motion to approve **RALEIGH CREEK SECTION ONE** with contingencies; second by Commissioner Tague.

Motion carried unanimously.

6.0 Motion was made by Commissioner Tague to adjourn; second by Commissioner Roquemoire.

Motion carried unanimously.

Meeting adjourned at 6:28 p.m.

PASSED AND APPROVED this _____ day of _____ 2013.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 11, 2013

Data Sheet

Topic:

Receipt of Minor Plat; **AULT ACRES:** Being a subdivision of 2.1530 acres of land situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and being a Replat of Lots 2 and 3, in Block 1, of Tomball Acres, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code Number 556141 of the Map Records of 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:

Minor Plat of Ault Acres

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 11, 2013

Data Sheet

Topic:

Receipt of Minor Plat; **PARTIAL REPLAT NUMBER TWO OF TOMBALL MARKETPLACE**: A 2.3863 acre subdivision; being Lots 6 and 7, Tomball Marketplace, as recorded in Film Code Number 605157 of the Harris County Map Records out of the John M. Hooper Survey, Abstract 375 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:

Minor Plat - Partial Replat Number Two of Tomball Marketplace

STATE OF TEXAS §
COUNTY OF HARRIS §

We, Weingarten/Investments, Inc., hereinafter referred to as owners of the 2.3863 acre tract described in the above and foregoing plat of **PARTIAL REPLAT NUMBER TWO OF TOMBALL MARKETPLACE**, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein express; and do hereby bind ourselves our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet 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 with 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 on 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 covenant and agree that all the property with 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, plantings, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly in this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the Weingarten/Investments, Inc. has caused these presents to be signed by M. Candace DuFour, thereunto authorized, attested by William M. Crook, and its common seal hereunto affixed this _____ day of _____, 2013.

WEINGARTEN/INVESTMENTS, INC.

BY: _____

NAME: Alan Kofoed

TITLE: Sr VP / Construction

ATTEST:

BY: _____

NAME: William M. Crook

TITLE: VP/Associate General Counsel/Asst. Secretary

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Alan Kofoed, and William M. Crook, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said Weingarten/Investments, Inc.

Notary Public in and for the State of Texas
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 **PARTIAL REPLAT NUMBER TWO OF TOMBALL MARKETPLACE** in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorize the recording of this plat this _____ day of _____, 2013.

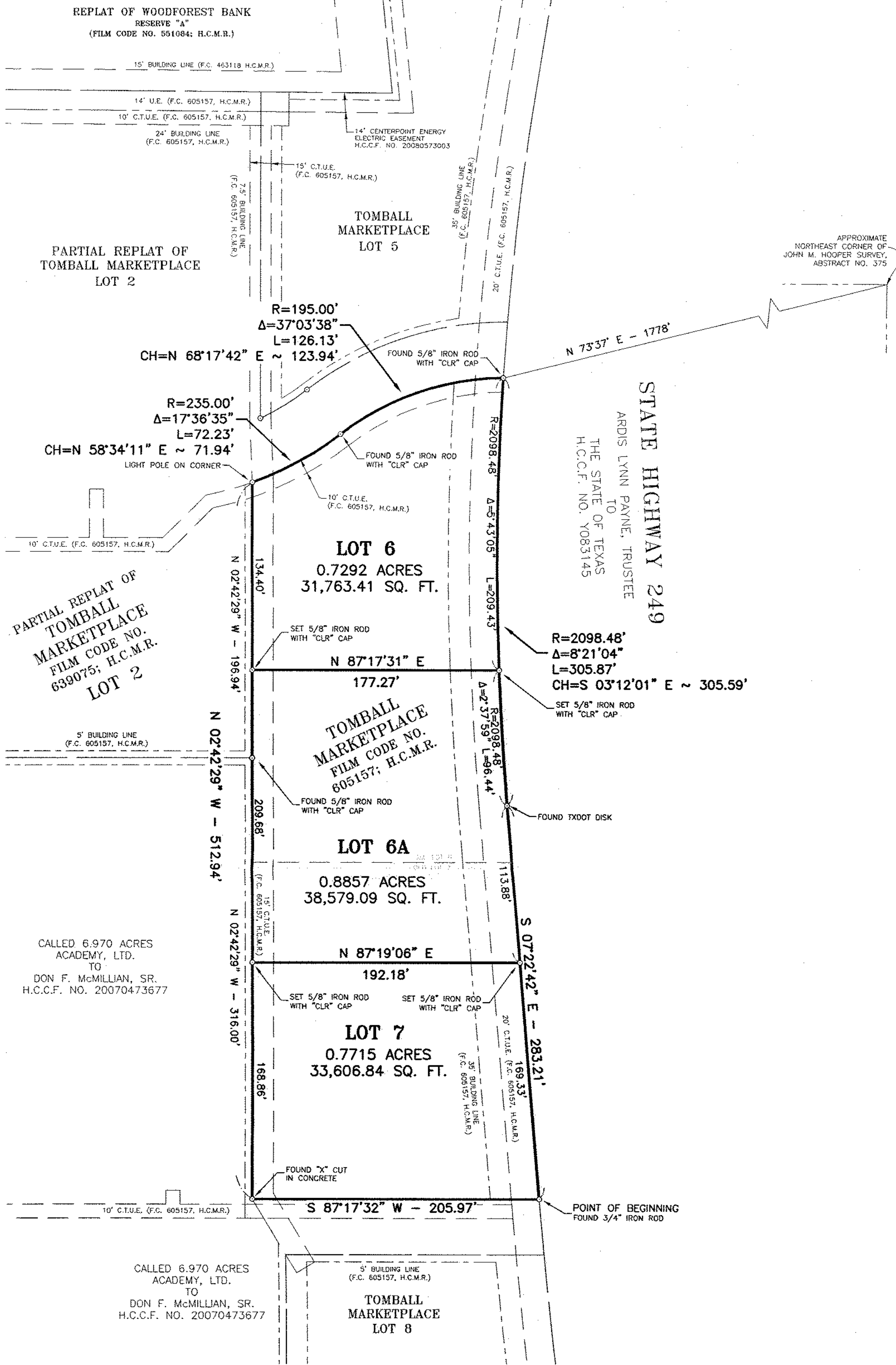
By: _____ By: _____
Lori Wallace, Chairman Evelyn Chervenak, Vice Chairman

We, the City Manager and City Engineering for the City of Tomball, Texas, do hereby certify that the plat of **PARTIAL REPLAT NUMBER TWO OF TOMBALL MARKETPLACE** is in conformance with the City of Tomball ordinances.

George Shackelford Lori Lakatos, PE
City Manager Acting City Engineer

This is to certify that the City accepts the Planning and Zoning Commission's authorized approval and acceptance of all the dedicated public easements and 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 _____, 2013.

Gretchen Fagan Doris Speer
Mayor City Secretary



PROPERTY DESCRIPTION:

A 2.3863 acre (103,949.34 square foot) tract of land being all of Lot 6 and Lot 7, Tomball Marketplace, as recorded under Film Code Number 605157, in the John M. Hooper Survey, Abstract Number 375, Tomball, Harris County, Texas, said 2.3863 acre tract being more particularly described as follows (bearings based on the Texas State Plane Coordinate System, South Central Zone, NAD83):

BEGINNING at a 3/4-inch iron rod found in the west right-of-way line of State Highway 249 as described in a deed from Ardis Lynn Payne, Trustee, to the State of Texas, recorded in Harris County Clerk's File Number Y083145, marking a northeasterly corner of a called 6.970 acre tract of land described in a deed from Academy, Ltd. to Don F. McMillan, Sr. as recorded under Harris County Clerk's File Number 20070473677, for the southeast corner hereof;

THENCE, South 87 degrees 17 minutes 32 seconds West, a distance of 205.97 feet to a cut "X" in concrete found for an interior corner of said called 6.970 acre tract, and for the southwest corner hereof;

THENCE, North 02 degrees 42 minutes 29 seconds West, at a distance of 316.00 feet pass a 5/8-inch iron rod found in the west right-of-way line of said State Highway 249 as described in a deed from Ardis Lynn Payne, Trustee, to the State of Texas, recorded in Harris County Clerk's File Number Y083145, marking a northeasterly corner of a called 6.970 acre tract common with a southeast corner of Lot 2, Replat Of Tomball Marketplace, as recorded in Film Code No. 639075, Harris County Map Records, in all a total distance of 512.94 feet to a point on a light pole for an interior corner of said Lot 2 and for the northwest corner hereof;

THENCE, along the arc of a non-tangent curve to the left, having a radius of 235.00 feet, a central angle of 17 degrees 36 minutes 35 seconds, an arc length of 72.23 feet and a chord which bears North 58 degrees 34 minutes 11 seconds East, a distance of 71.94 feet to a 5/8-inch iron rod with "CLR" cap found for a point of reverse curve;

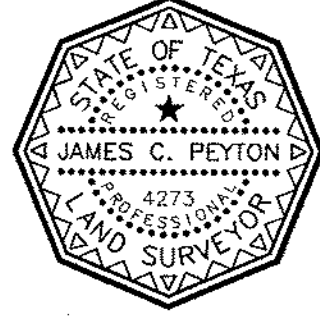
THENCE, along the arc of a reverse curve to the right, having a radius of 195.00 feet, a central angle of 37 degrees 03 minutes 38 seconds, an arc length of 126.13 feet and a chord which bears North 68 degrees 17 minutes 42 seconds East, a distance of 123.94 feet to a 5/8-inch iron rod with "CLR" cap found in the west right-of-way line of said State Highway 249, marking a southeasterly corner of said Lot 2, for the northeast corner hereof;

THENCE, with the west right-of-way line of said State Highway 249, along the arc of a non-tangent curve to the left, having a radius of 2,098.48 feet, a central angle of 08 degrees 21 minutes 04 seconds, an arc length of 305.87 feet and a chord which bears South 03 degrees 12 minutes 01 seconds East, a distance of 305.59 feet to a TXDOT disk found for corner;

THENCE, continuing with the west right-of-way line of said State Highway 249, South 07 degrees 22 minutes 42 seconds East, a distance of 283.21 feet to the **POINT OF BEGINNING** and containing a computed area of 2.3863 acres (103,949.34 square feet) of land.

I, James C. Peyton, am authorized by 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 rods having an outside diameter of not less than five-eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the nearest survey corner.

James C. Peyton, RPLS
Registered Professional Land Surveyor No. 4273



STATE OF TEXAS §
COUNTY OF HARRIS §

I, Stan Stanart, County Clerk of Harris County, Texas, do hereby certify that the written instrument with its certificate of authentication was filed for registration in my office on _____, 2013 at _____ o'clock _____ M. and at _____ of the Map Records of Harris County for said county and duly recorded on _____, 2013, at _____ o'clock _____ M.

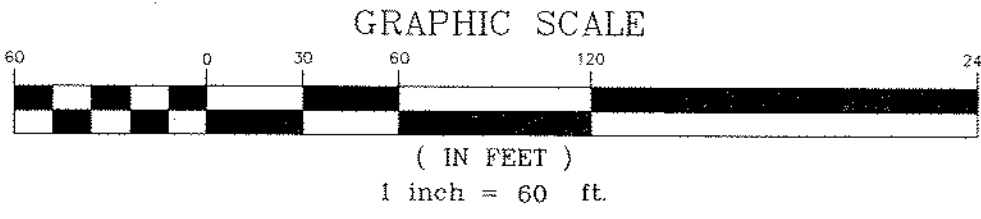
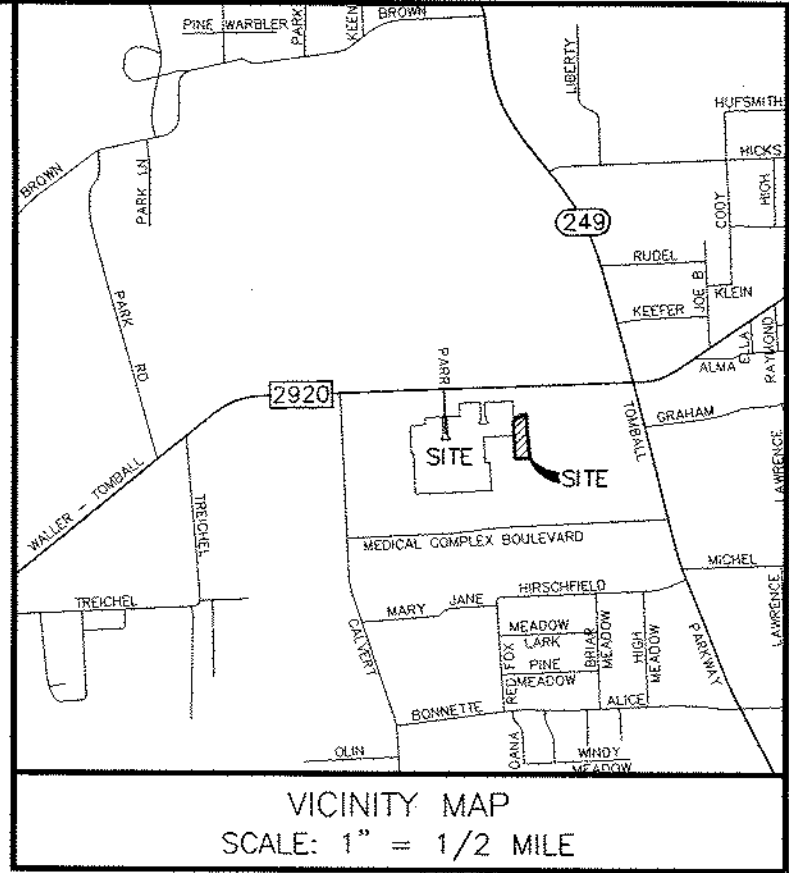
Witness my hand and seal of office, at Harris County, Texas, the day and date last above written.

Stan Stanart
County Clerk
Harris County, Texas

By: _____
Deputy



LEGEND
U.E. - UTILITY EASEMENT
C.T.U.E. - CITY OF TOMBALL UTILITY EASEMENT
B.L. - BUILDING LINE
H.C.C.F. - HARRIS COUNTY CLERK'S FILE
H.C.M.R. - HARRIS COUNTY MAP RECORD
H.C.D.R. - HARRIS COUNTY DEED RECORD



NOTES:

Flood Information:
According to FEMA Firm Panel No. 48201C0230L (effective date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.

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 at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any public utility shall be responsible for the replacing or reimbursing the property owner due to removal or relocation of any obstruction on the public easements.

- All oil and gas wells (plugged and abandoned and/or active) either found within the boundaries of the subdivision or their approximate location advised, have been shown hereon. All known pipelines or pipeline easements are shown hereon.
- All visible easements and easements of record as reflected on title commitment from Veritas Title Partners, L.P., as agent for Fidelity National Title Insurance Company, G.F. No. 13003425, effective date of February 11, 2013, issued February 20, 2013, are shown hereon.
- No building or structure shall be constructed across any pipelines, building lines, and / or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to remove any valid restrictions or covenants.
- The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Tomball Code of Ordinances at the time of the development of the property.
- Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (NAD83) as determined by GPS observations from Cooperative CORS WLA1. This project has a combined scale factor of 0.9994447814.
- All property corners are found 5/8-inch iron rods with "CLR" caps unless otherwise noted.
- Acres and square footage areas shown hereon and on the metes and bounds descriptions are based on mathematical closures using the bearings and distance calls and do not represent the positional accuracy of the boundary monumentation.
- BENCHMARK: TSARP RM 120210, a brass disk at the intersection of Michel Road and Harris County Flood Control District ditch M-125-00-00, located on the west end of a downstream headwall on the south side of the road. Elevation = 180.10 (NAVD 88, 2001 adj.)

**PARTIAL REPLAT NUMBER TWO OF
TOMBALL MARKETPLACE**

**A 2.3863 ACRE (103,949.34 SQUARE FOOT) SUBDIVISION
BEING LOTS 6 & 7, TOMBALL MARKETPLACE,
AS RECORDED IN FILM CODE NUMBER 605157,
OF THE HARRIS COUNTY MAP RECORDS
OUT OF THE JOHN M. HOOPER SURVEY, ABSTRACT 375
TOMBALL, HARRIS COUNTY, TEXAS**

OWNER:
WEINGARTEN/INVESTMENTS, INC.
2600 Citadel Plaza Drive, Suite 300
Houston, Texas 77008
713-866-6000

SURVEYOR / ENGINEER:
CLR, Inc.
Engineers • Surveyors • GIS
19530 FM-362, Waller, Texas 77484 Phone: (713) 462-9993

3 LOTS

SCALE: 1"=60'

MARCH, 2013

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 11, 2013

Data Sheet

Topic:

Consideration to approve **TOMBALL BUSINESS AND TECHNOLOGY PARK FINAL PLAT**: A subdivision of 120.8081 acres, a portion of which is a Partial Replat of Lots 384, 385, 386, 387, and 394, of the Tom Ball Townsite as recorded in Vol. 2, Pg. 65 of the Harris County Map Records, and being a Replat of Lot 4 of Tomball South Commercial as recorded in Film Code No. 632199 of the Harris County Map Records, in the Elizabeth Smith Survey, Abstract No. 70, and the C. N. Pillot Survey, Abstract No. 632, City of Tomball, Harris County, Texas.

Background:

The Tomball Business and Technology Park Preliminary Plat was presented to the Planning and Zoning Commission on December 10, 2012 and approved with contingencies. Corrections have been made and the Preliminary Plat was accepted by the Engineering Division on March 6, 2013. The Final Plat is now being presented for approval consideration.

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:

Tomball Business and Technology Park Final Plat Pg. 1 of 3

Tomball Business and Technology Park Final Plat Pg. 2 of 3

Tomball Business and Technology Park Final Plat Pg. 3 of 3

THE STATE OF TEXAS
COUNTY OF HARRIS

WE, TOMBALL ECONOMIC DEVELOPMENT CORPORATION, ACTING BY AND THROUGH GRETCHEN FAGAN, PRESIDENT OF THE BOARD OF DIRECTORS, AND 2978 INDUSTRIAL PROPERTIES, LLC, ACTING BY AND THROUGH JEFF PRESNAL, MANAGER, BEING OFFICERS OF TOMBALL ECONOMIC DEVELOPMENT CORPORATION AND 2978 INDUSTRIAL PROPERTIES, LLC, RESPECTIVELY, OWNERS HEREINAFTER REFERRED TO AS OWNERS OF THE 120.8081 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED SERIAL 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 SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-INCH DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

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

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

IN TESTIMONY WHEREOF, THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY GRETCHEN FAGAN, PRESIDENT OF THE BOARD OF DIRECTORS, THEREUNTO AUTHORIZED, ATTESTED BY THE SECRETARY OF THE BOARD OF DIRECTORS, W. E. (BILL) SUMNER, JR., AND ITS COMMON SEAL HEREUNTO AFFIXED THIS _____ DAY OF _____, 2013.

TOMBALL ECONOMIC DEVELOPMENT CORPORATION

BY: _____
GRETCHEN FAGAN
PRESIDENT OF THE BOARD OF DIRECTORS

ATTEST:

BY: _____
W. E. (BILL) SUMNER, JR.
SECRETARY OF THE BOARD OF DIRECTORS

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GRETCHEN FAGAN AND W. E. (BILL) SUMNER, JR., PRESIDENT AND SECRETARY, RESPECTIVELY, OF THE BOARD OF DIRECTORS OF TOMBALL ECONOMIC DEVELOPMENT CORPORATION, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2013.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

IN TESTIMONY WHEREOF, THE 2978 INDUSTRIAL PROPERTIES, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JEFF PRESNAL, MANAGER, THEREUNTO AUTHORIZED, ATTESTED BY DAVID BUTLER, MEMBER, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS _____ DAY OF _____, 2013.

2978 INDUSTRIAL PROPERTIES, LLC

BY: _____
JEFF PRESNAL
MANAGER

ATTEST:

BY: _____
DAVID BUTLER, MEMBER

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JEFF PRESNAL AND DAVID BUTLER, MANAGER AND MEMBER, RESPECTIVELY, OF 2978 INDUSTRIAL PROPERTIES, LLC, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2013.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

I, ROBERT W. TERRY, 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 ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN, ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER 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 DIMENSIONED TO THE NEAREST SURVEY CORNER.

ROBERT W. TERRY
TEXAS REGISTRATION NO. 4420

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF TOMBALL BUSINESS AND TECHNOLOGY PARK 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 _____, 2013.

BY: _____
LORI WALLACE, CHAIRMAN

BY: _____
EVELYN CHERVENAK, VICE CHAIRMAN

WE, THE CITY MANAGER AND THE DIRECTOR OF ENGINEERING & PLANNING FOR THE CITY OF TOMBALL, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE CITY OF TOMBALL ORDINANCE.

GEORGE SHACKELFORD
CITY MANAGER

LORI LAKATOS, P.E.
ACTING CITY ENGINEER

THIS IS TO CERTIFY THAT THE CITY OF TOMBALL ACCEPTS THE PLANNING AND ZONING COMMISSIONS 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 _____, 2013.

BY: _____
GRETCHEN FAGAN, MAYOR

BY: _____
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 _____, 2013, AT _____ O'CLOCK _____ M., AND IN FILM CODE NUMBER _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

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

STAN STANART, CLERK OF
HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

METES AND BOUNDS DESCRIPTION
120.8081 ACRES (5,262,399.08 SQUARE FEET)
ELIZABETH SMITH SURVEY, ABSTRACT NO. 70
C. N. PILLOT SURVEY, ABSTRACT NO. 632
HARRIS COUNTY, TEXAS

DESCRIPTION OF A 120.8081 ACRE (5,262,399.08 SQUARE FEET) TRACT OF LAND BEING ALL OF A CALLED 17,6301 ACRE TRACT DESCRIBED IN A DEED TO 2978 INDUSTRIAL PROPERTIES, LLC AS RECORDED UNDER FILE NO. 20070269548 OF THE HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY (H.C.O.P.R.P.), ALL OF A CALLED 97.57 ACRE TRACT DESCRIBED IN A DEED TO TOMBALL INDUSTRIAL DEVELOPMENT CORPORATION AS RECORDED UNDER FILE NO. 20120018139 OF SAID H.C.O.P.R.P., ALL OF LOTS 384, 385, 386, 387 AND 394 OF THE TOM BALL TOWNSITE AS RECORDED IN VOLUME 2, PAGE 65 OF THE HARRIS COUNTY MAP RECORDS (H.C.M.R.), AND ALL OF LOT 4 OF THE PLAT OF TOMBALL SOUTH COMMERCIAL AS RECORDED IN FILM CODE NO. 632199 OF SAID H.C.M.R., IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, AND THE C. N. PILLOT SURVEY, ABSTRACT NO. 632, IN HARRIS COUNTY, TEXAS, SAID 120.8081 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS (WITH BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE):

BEGINNING AT A 5/8-INCH IRON ROD FOUND ON THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN, INC. RAILROAD WHICH MARKS THE NORTHWESTERLY CORNER OF THE PLAT OF HOUSTON POLYBAG AS RECORDED IN VOLUME 335, PAGE 108, OF THE HARRIS COUNTY MAP RECORDS, SAID POINT ALSO MARKS THE MOST WESTERLY SOUTHWEST CORNER OF SAID 17.6301 ACRE TRACT AND THIS HEREIN DESCRIBED TRACT:

THENCE, NORTH 28° 04' 44" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND THE WESTERLY LINE OF SAID 17.6301 ACRE TRACT, A DISTANCE OF 644.18 FEET TO A 5/8-INCH IRON ROD FOUND FOR AN ANGLE POINT;

THENCE, NORTH 28° 00' 47" WEST, CONTINUING ALONG THE AFORESAID LINES, A DISTANCE OF 641.90 FEET TO A CORNERWELD FOUND FOR THE NORTHWESTERLY CORNER OF SAID 17.6301 ACRE TRACT IN THE SOUTHERLY LINE OF A 30-FOOT WIDE ROADWAY AS REFLECTED ON THE PLAT OF TOM BALL TOWNSITE AS RECORDED IN VOLUME 2, PAGE 65, OF THE HARRIS COUNTY MAP RECORDS;

THENCE, NORTH 42° 47' 16" EAST, ALONG THE NORTHWESTERLY LINE OF SAID 17.6301 ACRE TRACT, PASSING AT A DISTANCE OF 329.64 FEET A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND FOR THE MOST NORTHERLY CORNER OF SAID 17.6301 ACRE TRACT AND THE MOST WESTERLY CORNER OF SAID 97.57 ACRE TRACT, AND CONTINUING ALONG THE MOST NORTHWESTERLY LINE OF SAID 97.57 ACRE TRACT FOR A TOTAL DISTANCE OF 1,036.05 FEET TO A CORNERWELD FOUND FOR A NORTHWESTERLY CORNER OF SAID 97.57 ACRE TRACT;

THENCE, SOUTH 46° 42' 29" EAST, ALONG A NORTHWESTERLY LINE OF SAID 97.57 ACRE TRACT, A DISTANCE OF 809.80 FEET TO A CORNERWELD FOUND FOR AN INTERIOR CORNER OF SAID 97.57 ACRE TRACT;

THENCE, NORTH 42° 46' 13" EAST, ALONG A NORTHWESTERLY LINE OF SAID 97.57 ACRE TRACT, A DISTANCE OF 1,122.13 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "AECOM" SET IN A SOUTHWESTERLY LINE OF LOT OF THE SAID PLAT OF TOMBALL SOUTH COMMERCIAL;

THENCE, SOUTH 47° 13' 47" EAST, ALONG THE COMMON LINE BETWEEN SAID 97.57 ACRE TRACT AND SAID LOT 2, A DISTANCE OF 54.06 FEET TO A POINT FOR CORNER, FROM WHICH A FOUND 5/8-INCH IRON ROD WITH CAP STAMPED "GS" BEARS SOUTH 80° 05' WEST, 0.22 FOOT;

THENCE, NORTH 44° 30' 33" EAST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 130.94 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND FOR A NORTHERLY CORNER OF SAID 97.57 ACRE TRACT AND AN INTERIOR CORNER OF SAID LOT 2, SAID POINT MARKS THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE, SOUTHEASTERLY, 23.81 FEET ALONG SAID COMMON LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT (CENTRAL ANGLE = 05° 03' 09", RADIUS = 270.00 FEET; CHORD BEARING AND DISTANCE = SOUTH 22° 53' 22" EAST, 23.80 FEET) TO A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND FOR A POINT OF TANGENCY;

THENCE, SOUTH 20° 21' 47" EAST, CONTINUING ALONG SAID COMMON LINE, AT 352.52 FEET PASS A 5/8-INCH IRON ROD WITH CAP STAMPED "C&C" FOUND FOR THE SOUTHWESTERLY CORNER OF SAID LOT 2 AND THE NORTHWESTERLY CORNER OF LOT 3 OF SAID TOMBALL SOUTH COMMERCIAL, AND CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 3 FOR A TOTAL DISTANCE OF 666.52 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND FOR THE SOUTHWESTERLY CORNER OF SAID LOT 3 AND AN INTERIOR CORNER OF SAID 97.57 ACRE TRACT;

THENCE, NORTH 69° 38' 13" EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 3 AND A NORTHERLY LINE OF SAID 97.57 ACRE TRACT, AT 180.00 FEET A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND FOR THE NORTHWESTERLY CORNER OF LOT 4 OF SAID TOMBALL SOUTH COMMERCIAL, AND CONTINUING ALONG THE COMMON LINE BETWEEN SAID LOTS 3 AND 4 FOR A TOTAL DISTANCE OF 500.00 FEET TO A 5/8-INCH IRON ROD FOUND ON THE WESTERLY RIGHT-OF-WAY LINE OF HUFSMITH-KOHRVILLE ROAD (WIDTH VARIES) WHICH MARKS THE MOST NORTHERLY CORNER OF SAID LOT 4;

THENCE, SOUTH 20° 21' 47" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HUFSMITH-KOHRVILLE ROAD AND THE EASTERLY LINE OF SAID LOT 4, A DISTANCE OF 568.74 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, SOUTHEASTERLY, 171.11 FEET, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT (CENTRAL ANGLE = 08° 56' 46", RADIUS = 1,095.92 FEET; CHORD BEARING AND DISTANCE = SOUTH 15° 54' 19" EAST, 170.94 FEET) TO A 5/8-INCH IRON ROD WITH CAP STAMPED "C&C" FOUND ON A NORTHERLY LINE OF SAID 97.57 ACRE TRACT FOR THE MOST EASTERLY SOUTHEAST CORNER OF SAID LOT 4;

THENCE, NORTH 80° 08' 10" EAST, ALONG A NORTHERLY LINE OF SAID 97.57 ACRE TRACT, A DISTANCE OF 20.01 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID HUFSMITH-KOHRVILLE ROAD WHICH MARKS THE MOST EASTERLY NORTHEAST CORNER OF SAID 97.57 ACRE TRACT, SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT

THENCE, SOUTHEASTERLY, 224.16 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HUFSMITH-KOHRVILLE ROAD AND ALONG THE ARC OF SAID CURVE TO THE RIGHT (CENTRAL ANGLE = 11° 30' 33", RADIUS = 1,115.92 FEET; CHORD BEARING AND DISTANCE = SOUTH 05° 38' 59" EAST, 223.78 FEET TO A 1-INCH IRON ROD FOUND FOR END OF CURVE;

THENCE, SOUTH 00° 07' 01" WEST, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 604.28 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND FOR THE MOST EASTERLY SOUTHEAST CORNER OF SAID 97.57 ACRE TRACT AND THE NORTHEASTERLY CORNER OF A CALLED 2.8316 ACRE TRACT DESCRIBED IN A DEED TO YAM DEVELOPMENT, INC. AS RECORDED UNDER FILE NO. Y546849 OF THE HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY;

THENCE, SOUTH 84° 40' 07" WEST, ALONG A SOUTHERLY LINE OF SAID 42.6757 ACRE TRACT AND THE NORTHERLY LINE OF SAID 2.8316 ACRE TRACT, A PORTION OF SAID LINE ALSO BEING THE NORTHERLY LINE OF UNRESTRICTED RESERVE "A" OF THE PLAT OF YAM PLAZA AS RECORDED IN FILM CODE NO. 594151 OF THE HARRIS COUNTY MAP RECORDS, A DISTANCE OF 408.60 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID RESTRICTED RESERVE "A", FROM WHICH A FOUND 5/8-INCH IRON ROD WITH CAP BEARS NORTH 00° 07' WEST, 0.31 FOOT;

THENCE, SOUTH 08° 49' 53" EAST, IN PART ALONG THE WESTERLY LINE OF SAID RESTRICTED RESERVE "A" AND ALONG THE COMMON LINE BETWEEN SAID 97.57 ACRE TRACT AND THE WESTERLY LINE OF SAID 2.8316 ACRE TRACT, A DISTANCE OF 335.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HOLDERRIETH ROAD WHICH MARKS THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID 97.57 ACRE TRACT;

THENCE, SOUTH 81° 10' 07" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HOLDERRIETH ROAD AND THE MOST SOUTHERLY LINE OF SAID 97.57 ACRE TRACT, AT 1,405.41 FEET PASS A 5/8-INCH IRON ROD WITH CAP STAMPED "GS" FOUND FOR THE SOUTHWESTERLY CORNER OF SAID 97.57 ACRE TRACT AND THE SOUTHEASTERLY CORNER OF SAID 17.6301 ACRE TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 1,607.34 FEET TO A POINT FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID 17.6301 ACRE TRACT AND THE SOUTHEASTERLY CORNER OF SAID HOUSTON POLYBAG, FROM WHICH A FOUND 5/8-INCH IRON ROD WITH CAP BEARS NORTH 43° 41' WEST, 0.33 FOOT;

THENCE, NORTH 28° 04' 02" WEST, ALONG A WESTERLY LINE OF SAID 17.6301 ACRE TRACT AND THE EASTERLY LINE OF SAID HOUSTON POLYBAG, A DISTANCE OF 642.79 FEET TO A 5/8-INCH IRON ROD FOUND FOR AN INTERIOR CORNER OF SAID 17.6301 ACRE TRACT AND THE NORTHEASTERLY CORNER OF SAID HOUSTON POLYBAG;

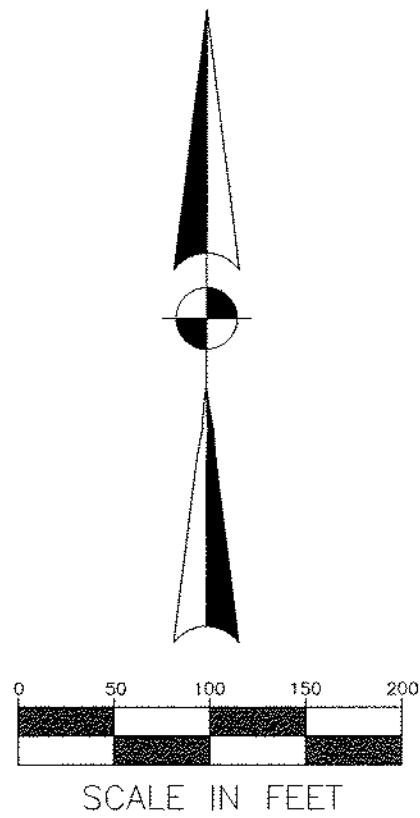
THENCE, SOUTH 61° 54' 59" WEST, ALONG A SOUTHERLY LINE OF SAID 12.8301 ACRE TRACT AND THE NORTHERLY LINE OF SAID HOUSTON POLYBAG, A DISTANCE OF 37.77 FEET TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 120.8081 ACRES (5,262,399.08 SQUARE FEET) OF LAND.

CURVE TABLE					
NO.	ARC	DELTA	RADIUS	CHORD BRG	CHORD DIST
C1	23.81'	05°03'09"	270.00'	S22°53'22"E	23.80'
C2	171.11'	08°56'46"	1095.92'	S15°54'19"E	170.94'
C3	224.16'	11°30'33"	1115.92'	S05°38'59"E	223.78'
C4	427.50'	24°29'38"	1000.00'	N89°38'51"E	424.25'
C5	1193.16'	67°47'23"	1000.00'	N42°43'35"W	1115.34'
C6	485.84'	27°50'13"	1000.00'	N62°42'10"W	481.08'
C7	768.33'	44°01'19"	1000.00'	S54°36'37"E	749.57'
C8	414.83'	23°46'05"	1000.00'	S20°42'55"E	411.86'
C9	484.66'	41°26'46"	670.00'	N07°20'39"W	474.16'
C10	361.68'	41°26'46"	500.00'	S07°20'39"E	353.85'
C11	103.12'	11°08'52"	530.00'	N03°15'27"W	102.96'
C12	103.12'	11°08'52"	530.00'	N03°15'27"W	102.96'
C13	1135.83'	67°47'23"	960.00'	N42°43'35"W	1070.73'
C14	506.38'	27°53'50"	1040.00'	N62°40'21"W	501.59'
C15	465.31'	27°46'17"	960.00'	S62°44'08"E	460.77'
C16	734.05'	40°26'25"	1040.00'	S56°24'04"E	718.91'
C17	444.60'	24°29'38"	1040.00'	N69°38'51"E	441.22'
C18	103.12'	11°08'52"	530.00'	N76°19'14"E	102.96'
C19	103.12'	11°08'52"	530.00'	N76°19'14"E	102.96'
C20	85.06'	02°29'57"	1950.00'	S10°08'52"E	85.05'
C21	85.01'	02°29'52"	1950.00'	S07°39'02"E	85.00'
C22	103.12'	11°08'52"	530.00'	S87°28'06"W	102.96'
C23	103.12'	11°08'52"	530.00'	S87°28'06"W	102.96'
C24	410.40'	24°29'38"	960.00'	S69°38'51"W	407.28'
C25	366.41'	20°11'11"	1040.00'	S18°55'28"E	364.52'
C26	103.12'	11°08'52"	530.00'	S14°24'19"E	102.96'
C27	103.12'	11°08'52"	530.00'	S14°24'19"E	102.96'
C28	235.04'	06°54'22"	1950.00'	N14°51'05"W	234.90'
C29	221.83'	06°31'05"	1950.00'	N03°08'32"W	221.71'
C30	7.54'	00°46'53"	530.00'	S71°09'15"W	7.54'
C31	95.58'	10°19'59"	530.00'	S76°43'41"W	95.45'
C32	223.88'	12°20'03"	1040.00'	S70°27'15"E	223.45'
C33	282.49'	15°33'47"	1040.00'	S56°30'19"E	281.62'

TO AND T

A SUBDIVISION OF
PORTION OF WHICH
386, 387 AND
RECORDED IN VOLUME
RECORDS, AND BEING
COMMERCIAL AS R
HARRIS COUNTY
SURVEY, ABSTRACT
ABSTRACT NO. 63

ABBREVIATIONS:



CORRECTED MAP OF
TOMBALL OUTLOTS
VOL. 4, PG. 75
H.C.M.R.

MELVIN E. MICHEL AND
TRACY A. MICHEL
CALLED 56.8803 ACRES
FILE NO. S954259
H.C.O.P.R.R.P.

TOMBALL TOWNSITE
VOL. 2, PG. 65
H.C.M.R.

ROBERTA PASSAFUMA
CALLED 2.0 ACRES
FILE NO. 20100443954
H.C.O.P.R.R.P.

PHILLIP EUGENE PASSAFUMA, SR.
AND WIFE, ROBERTA D. PASSAFUMA
CALLED 15.000 ACRES
FILE NO. E556736
H.C.O.P.R.R.P.

LORIE P. RABALAIS, JR.
(0.125 INTEREST)
FILE NO. N526005
H.C.O.P.R.R.P.

LOT 3
4.8226 ACRES
210,073.74 SQ.FT.

1.8803 ACRES (81,033.57 SQ.FT.)
IS HEREBY DEDICATED AS
DRAINAGE RIGHT-OF-WAY

TEMPORARY CUL-DE-SAC
(SEE NOTE 2 BELOW)

LOT 7
3.5986 ACRES
156,755.89 SQ.FT.

LOT 6
11.2917 ACRES
491,864.63 SQ.FT.

6.3455 ACRES (276,110.28 SQ.FT.)
IS HEREBY DEDICATED AS
DRAINAGE RIGHT-OF-WAY

LOT 5
21.5547 ACRES
938,924.62 SQ.FT.

HOUSTON POLYBAG
VOL. 335, PG. 108
H.C.M.R.

HOUSTON POLY BAG, INC.
CALLED 5 ACRES
FILE NO. M626023
H.C.O.P.R.R.P.

FINAL PLAT TOMBALL BUSINESS AND TECHNOLOGY PARK

A SUBDIVISION OF 120.8081 ACRES (5,262,399.08 SQ.FT.), A PORTION OF WHICH IS A PARTIAL REPLAT OF LOTS 384, 385, 386, 387 AND 394, OF THE TOMBALL TOWNSITE AS RECORDED IN VOL. 2, PG. 65 OF THE HARRIS COUNTY MAP RECORDS, AND BEING A REPLAT OF LOT 4 OF TOMBALL SOUTH COMMERCIAL AS RECORDED IN FILM CODE NO. 632199 OF THE HARRIS COUNTY MAP RECORDS, IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, AND THE C. N. PILOT SURVEY, ABSTRACT NO. 632, CITY OF TOMBALL, HARRIS COUNTY, TEXAS

OWNERS:

Tomball Economic
Development Corporation
29201 Quinn Road
Tomball, TX 77375
281-401-4086

SURVEYOR / ENGINEER:

CLR, Inc.

Engineers • Surveyors • GIS
19530 FM-362, Waller, Texas 77484
Phone: (713) 462-0993 Fax: (713) 462-2732

SURVCON
A DIVISION OF
McKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
6727 Woodcherry Drive, Suite 101 West
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www.mckimcreed.com

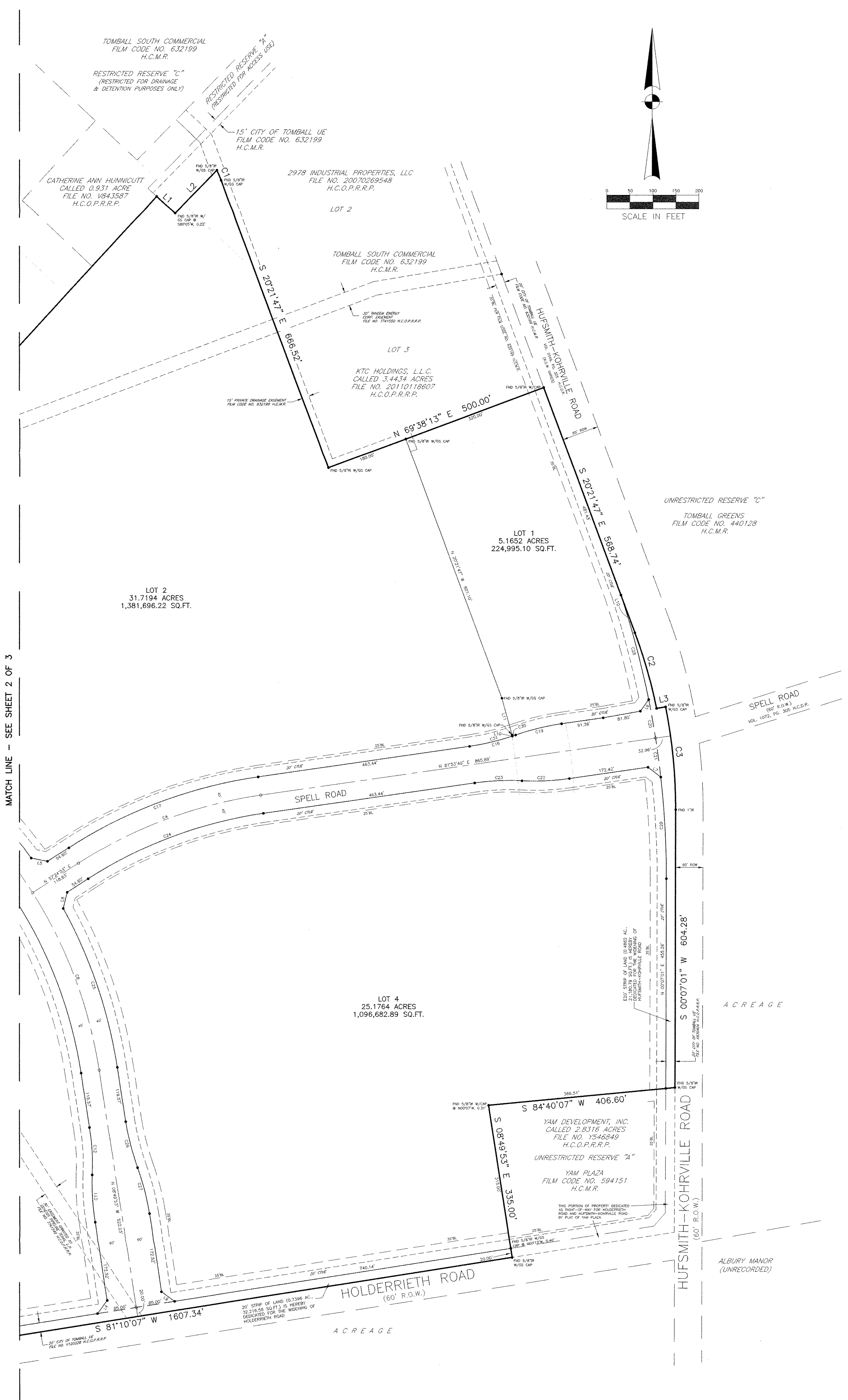
7 LOTS

SCALE: 1"=100' MARCH, 2013

NOTES (SHEET 2 ONLY):

- ONE-FOOT RESERVE DEDICATED FOR BUFFER PURPOSES TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREET WHERE SUCH STREETS ABUT ADJACENT PROPERTY. THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED OR RE-SUBDIVIDED IN A RECORDED PLAT, THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, THEIR HEIRS, ASSIGNS OR SUCCESSORS.
- TEMPORARY CUL-DE-SAC IS PROVIDED AS A TURN-AROUND AT THE END OF A DEAD END STREET. THE TEMPORARY CUL-DE-SAC SHALL BE AUTOMATICALLY TERMINATED UPON THE EXTENSION OF SOUTH PERSIMMON STREET INTO THE ADJACENT PROPERTY.
- SEE SHEET 1 OF 3 FOR LINE AND CURVE TABLES.

MATCH LINE - SEE SHEET 3 OF 3



MATCH LINE - SEE SHEET 2 OF 3

FINAL PLAT TOMBALL BUSINESS AND TECHNOLOGY PARK

A SUBDIVISION OF 120.8081 ACRES (5,262,399.08 SQ.FT.), A PORTION OF WHICH IS A PARTIAL REPLAT OF LOTS 384, 385, 386, 387 AND 394, OF THE TOM BALL TOWNSITE AS RECORDED IN VOL. 2, PG. 65 OF THE HARRIS COUNTY MAP RECORDS, AND BEING A REPLAT OF LOT 4 OF TOMBALL SOUTH COMMERCIAL AS RECORDED IN FILM CODE NO. 632199 OF THE HARRIS COUNTY MAP RECORDS, IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, AND THE C. N. PILLOT SURVEY, ABSTRACT NO. 632, CITY OF TOMBALL, HARRIS COUNTY, TEXAS

OWNERS:
Tomball Economic
Development Corporation
29201 Quinn Road
Tomball, TX 77375
281-401-4086

2978 Industrial Properties, LLC
25614 Bridle Creek Drive North
Magnolia, TX 77355-5876

SURVEYOR / ENGINEER:
CLR, Inc.
Engineers • Surveyors • GIS
19530 FM-362, Waller, Texas 77484
Phone: (713) 462-0993 Fax: (713) 462-2732

SURVCON
A DIVISION OF
MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
5757 Woodway Drive, Suite 101 West
Houston, TX 77057
713.697.0021
www.mckimcreed.com

7 LOTS

SCALE: 1"=100' MARCH, 2013

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 11, 2013

Data Sheet

Topic:

Consideration to approve **ZONING CASE P13-006**: Request by Tomball & Magnolia Properties, LLC to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 1.01 acres of land, legally described as Lot 1, Block 1, Northwest Houston Heart Center within the City of Tomball, Harris County, Texas, generally located northerly of Alma Street, between Holderrieth Boulevard and Lawrence Avenue, from the Single-Family Residential-6 District to the Old Town & Mixed Use District.

- Conduct a Public Hearing on **ZONING CASE P13-006**

Background:

Origination:

Tomball and Magnolia Properties, LLC

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:

Notice of Public Hearing

Property Owner Notification Letter

P13-006 Staff Report

**NOTICE OF PUBLIC HEARINGS
CITY OF TOMBALL
PLANNING & ZONING COMMISSION
MARCH 11, 2013
&
CITY COUNCIL
MARCH 18, 2013**



Notice is Hereby Given that Public Hearings will be held by the Planning & Zoning Commission of the City of Tomball on **Monday, March 11, 2013, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, March 18, 2013, 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 Planning & Zoning Commission and City Council will consider the following:

ZONING CASE P13-006: Request by Tomball & Magnolia Properties, LLC to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 1.01 acres of land, legally described as Lot 1, Block 1, Northwest Houston Heart Center within the City of Tomball, Harris County, Texas, generally located northerly of Alma Street, between Holderrieth Boulevard and Lawrence Avenue, from the Single-Family Residential-6 District to the Old Town & Mixed Use District.

Persons interested in these cases will be given an opportunity to be heard. Action by the Planning & Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Should the Planning & Zoning Commission vote to table a decision/recommendation on one or more of the above cases, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a decision/recommendation is forwarded to the City Council by the Planning & Zoning Commission. 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 Engineering & Planning Department office, located at 501 James Street, Tomball, TX 77375. **Contact Assistant City Planner** Rodney Schmidt, (281) 290-1410, rschmidt@tomballtx.gov.

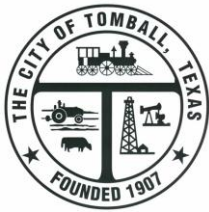
CERTIFICATION

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 7th day of March 2013 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Brandy Pate

Brandy Pate
Senior Administrative Assistant
P&Z Commission Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.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: P13-006

APPLICANT: Tomball & Magnolia Properties, LLC

LOCATION: Northerly of Alma Street, between Holderrieth Boulevard and Lawrence Avenue

PROPOSAL: Request to amend the City's Comprehensive Zoning Ordinance by rezoning approximately 1.01 acres of land, legally described as Lot 1, Block 1, Northwest Houston Heart Center within the City of Tomball, Harris County, Texas, from the Single-Family Residential-6 District to the Old Town & Mixed Use District.

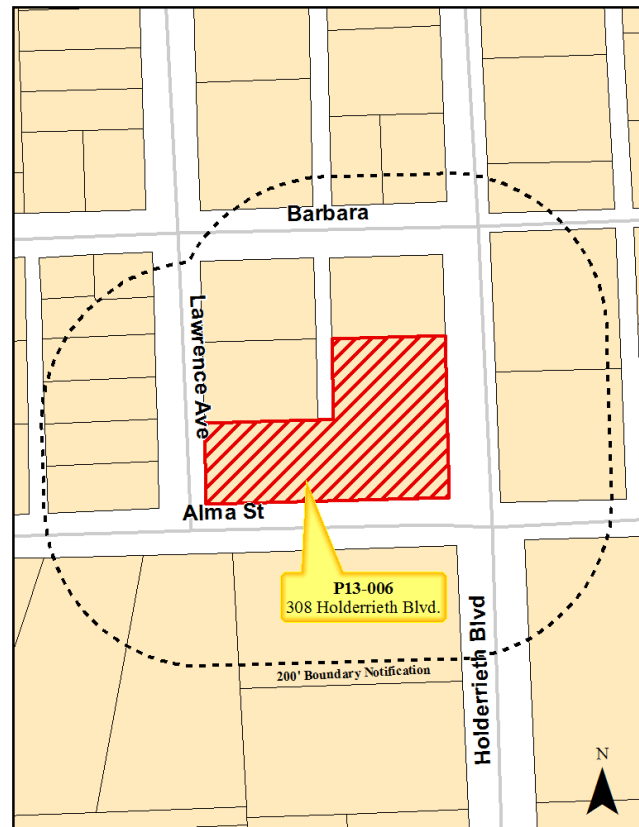
CONTACT: Rodney Schmidt

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.

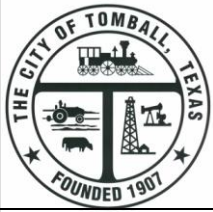


**Planning & Zoning Commission
Public Hearing:
Monday, March 11, 2013, 6:00 PM**

**City Council Public Hearing:
*Monday, March 18, 2013, 6:00 PM**

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

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



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: March 11, 2013

Rezoning Case: P13-006
Property Owner: Tomball & Magnolia Properties, LLC
Applicant: Tomball & Magnolia Properties, LLC
Legal Description: Lot 1, Block 1, Northwest Houston Heart Center
Location: Northerly of Alma Street, between Holderrieth Boulevard and Lawrence Avenue
Area: 1.01 acres
Present Zoning and Use: Single-Family Residential-6 District (Exhibit "A") / Medical office (Exhibit "B")
Comp Plan Designation: Mixed Use (Exhibit "C")
Proposed Zoning and Use: Old Town & Mixed Use District / Medical office and parking lot

It should be noted, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning & Zoning Commission may consider zoning classifications other than that sought by the applicant for this property.

Adjacent Zoning & Land Uses:

North: Single-Family Residential-6 District and Old Town & Mixed Use District / Single-family residences, undeveloped land, Barbara Street, auto service garage, and warehouse
South: General Retail District / Alma Street and undeveloped land
West: Single-Family Residential-6 District / Lawrence Avenue and single-family residences
East: General Retail District / Holderrieth Boulevard, law office, and single-family residence

BACKGROUND

On October 8, 2012, the Planning & Zoning Commission (P&Z) heard a request by Tomball & Magnolia Properties, LLC to rezone the subject site from the Single-Family Residential-6 (SF-6) District to the Commercial District to facilitate the expansion of the existing medical office parking lot. P&Z voted to recommend approval of the request with the condition that the property be rezoned to the Old Town & Mixed Use District instead of the Commercial District. On October 15, 2012, City Council voted to deny the requested rezoning the Commercial District.

On January 24, 2013, the City of Tomball met with representatives of Tomball & Magnolia Properties, LLC to discuss the possible rezoning of the subject site from the SF-6 District to the Old Town & Mixed Use District. The property representatives indicated the rezoning request was, again, to facilitate the expansion of the existing medical office parking lot. City staff explained that the property is classified on the Comprehensive Plan (CP) Future Land Use (FLU) map as “Mixed Use” and appeared to be compatible with the Old Town & Mixed Use District proposed for this site. On that same day, the City received a rezoning application from Tomball & Magnolia Properties, LLC for the subject site (Exhibit “D”).

ANALYSIS

There are several land uses in the vicinity of the subject site. To the north are single-family residences, undeveloped land, Barbara Street, auto service garage, and a warehouse in the SF-6 and Old Town & Mixed Use (OT&MU) districts; to the south is Alma Street and undeveloped land in the General Retail District; to the west is Lawrence Avenue and single-family residences in the SF-6 District; and to the east is Holderrieth Boulevard, a law office, and a single-family residence with parking for the subject site in the General Retail District (Exhibit “E”). The uses permitted in the Old Town & Mixed Use District appear to be consistent with the existing uses in the vicinity.

The Old Town & Mixed Use District “...is intended to provide a zoning mechanism for a variety of uses in the original town site and those areas that have a diverse mixture of uses.” Furthermore, “The Old Town and Mixed Use District is also intended for those areas outside the Old Town Area that either currently have or are suitable for a mixture of retail, commercial and other nonresidential uses, along with single family homes and multiple-family uses and are designated for such mixed use on the adopted Comprehensive Plan.” The Old Town & Mixed Use District appears to be compatible with the zoning districts in the vicinity.

The Comprehensive Plan’s FLU map identifies the site as “Mixed Use.” The CP states, “Mixed Use is intended to include a mix of office, retail/commercial, and high density residential uses in a master planned, integrated manner. These uses may be located within a development, either horizontally or vertically in form. This may be accomplished on single or multiple parcels of land as long as the site is planned and developed as one integrated project. It is envisioned that Mixed Use designations will ultimately be located in areas with multimodal transportation access to support the intensity of development. Compatibility with surrounding neighborhoods is determined by a transition based on the scale of development using (but not limited to) articulation in building height, required setbacks, building materials, and building massing.” The Old Town & Mixed Use District appears to be compatible with the Comprehensive Plan.

ZONING CONSIDERATIONS

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

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

The uses permitted in the Old Town & Mixed Use District appear to be consistent with the existing uses in the vicinity.

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

The proposed rezoning is not anticipated to negatively impact public schools, streets, water supply, sanitary sewers, or other utilities to the area.

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

There is little vacant property in the vicinity zoned Old Town & Mixed Use District; there are several vacant properties elsewhere in the City zoned Old Town & Mixed Use District.

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

Recently, there has been limited development city-wide or in the vicinity of the subject site in the Old Town & Mixed Use District.

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

If the proposed zoning change were approved, few, if any affects on other areas designated for similar developments are anticipated.

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

The proposed rezoning is not anticipated to affect the public health, safety, morals, or general welfare.

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

According to the CP, rezonings are “to conform to the intended future land use pattern shown on the Future Land Use [FLU] Plan and should occur only when economic, physical, social, and other factors will allow the proposed land use to be developed:

- Within the capacities of existing or funded infrastructure and public facilities and services;
- In a compatible manner with surrounding land uses;
- To standards specified for and appropriate to the proposed land use; and
- In a way that furthers or helps achieve the goals of the Plan.”

The Comprehensive Plan’s FLU map identifies the site as “Mixed Use.” The CP states, “Mixed Use is intended to include a mix of office, retail/commercial, and high density residential uses in a master planned, integrated manner. These uses may be located within a development, either horizontally or vertically in form. This may be

accomplished on single or multiple parcels of land as long as the site is planned and developed as one integrated project. It is envisioned that Mixed Use designations will ultimately be located in areas with multimodal transportation access to support the intensity of development. Compatibility with surrounding neighborhoods is determined by a transition based on the scale of development using (but not limited to) articulation in building height, required setbacks, building materials, and building massing.” The Old Town & Mixed Use District appears to be compatible with the Comprehensive Plan.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on March 1, 2013. The following public comment forms were received in support of the request at the time of the rezoning staff report finalization (Exhibit “F”):

- Maria Jordan (0 Alma)
- Tomball & Magnolia Properties, LLC (210 Holderrieth)
- Ahmad Aslam/Tomball & Magnolia Properties, LLC (911 Barbara and 308 Holderrieth)
- Ahmad Aslam (301 and 309 Holderrieth)
- E. Wheeler Coe, Jr. (910 Barbara)

RECOMMENDATION

1. **APPROVAL** of Zoning Case P13-006 based on the following:
 - a. The uses permitted in the Old Town & Mixed Use District appear to be consistent with the existing uses in the vicinity.
 - b. The Old Town & Mixed Use District appears to be compatible with the zoning districts in the vicinity.
 - c. The Old Town & Mixed Use District appears to be compatible with the Comprehensive Plan.
2. **APPROVAL** of the Staff Report as the Planning & Zoning Commission’s final recommendation to the City Council.

EXHIBITS

- A. Zoning Map
- B. Aerial Photo
- C. Comprehensive Plan FLU Map
- D. Rezoning Application
- E. Site Photos
- F. Public Comment Form(s)

Exhibit "A"
Zoning Map

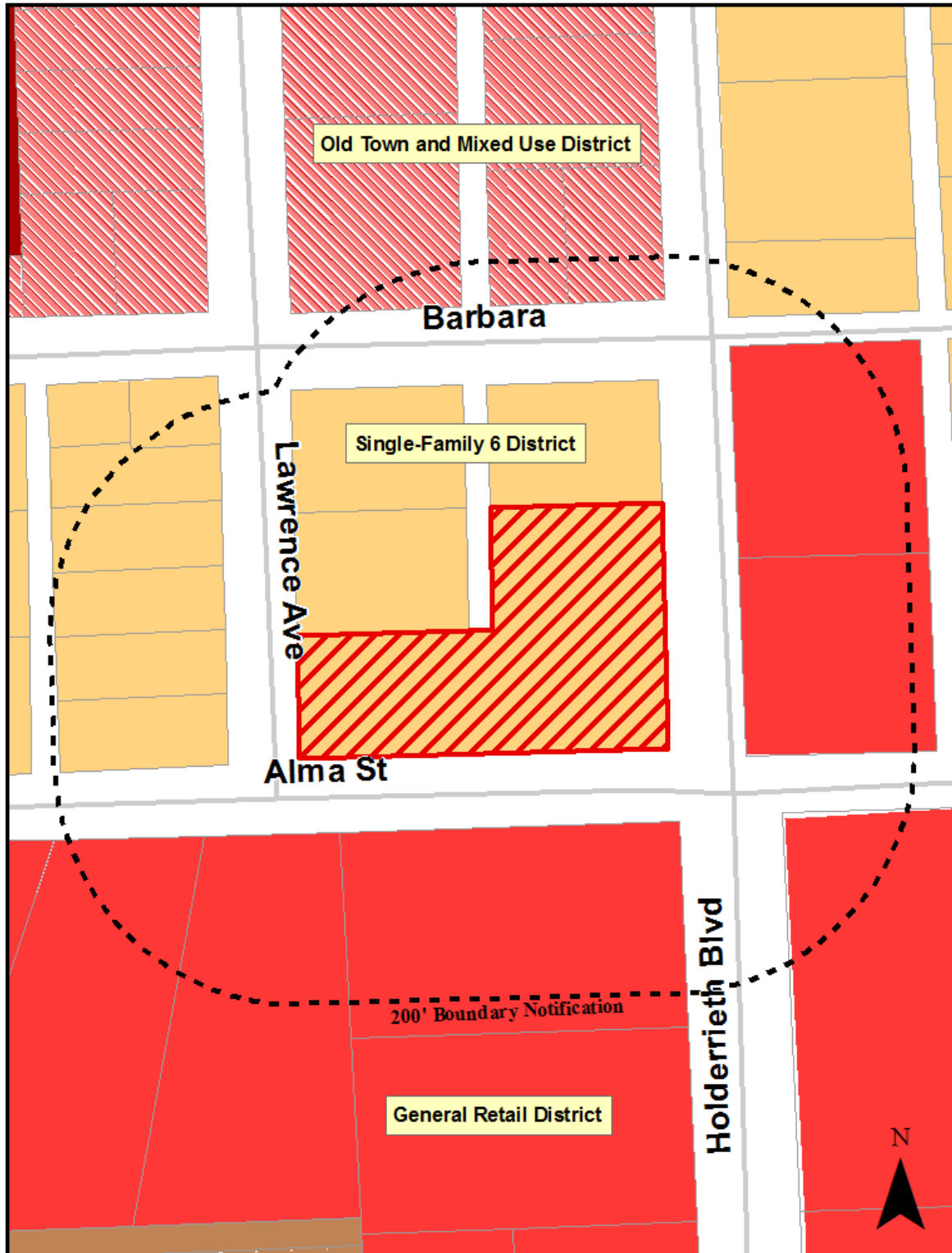


Exhibit "B"
Aerial Photo



Exhibit "C"
Comprehensive Plan FLU Map

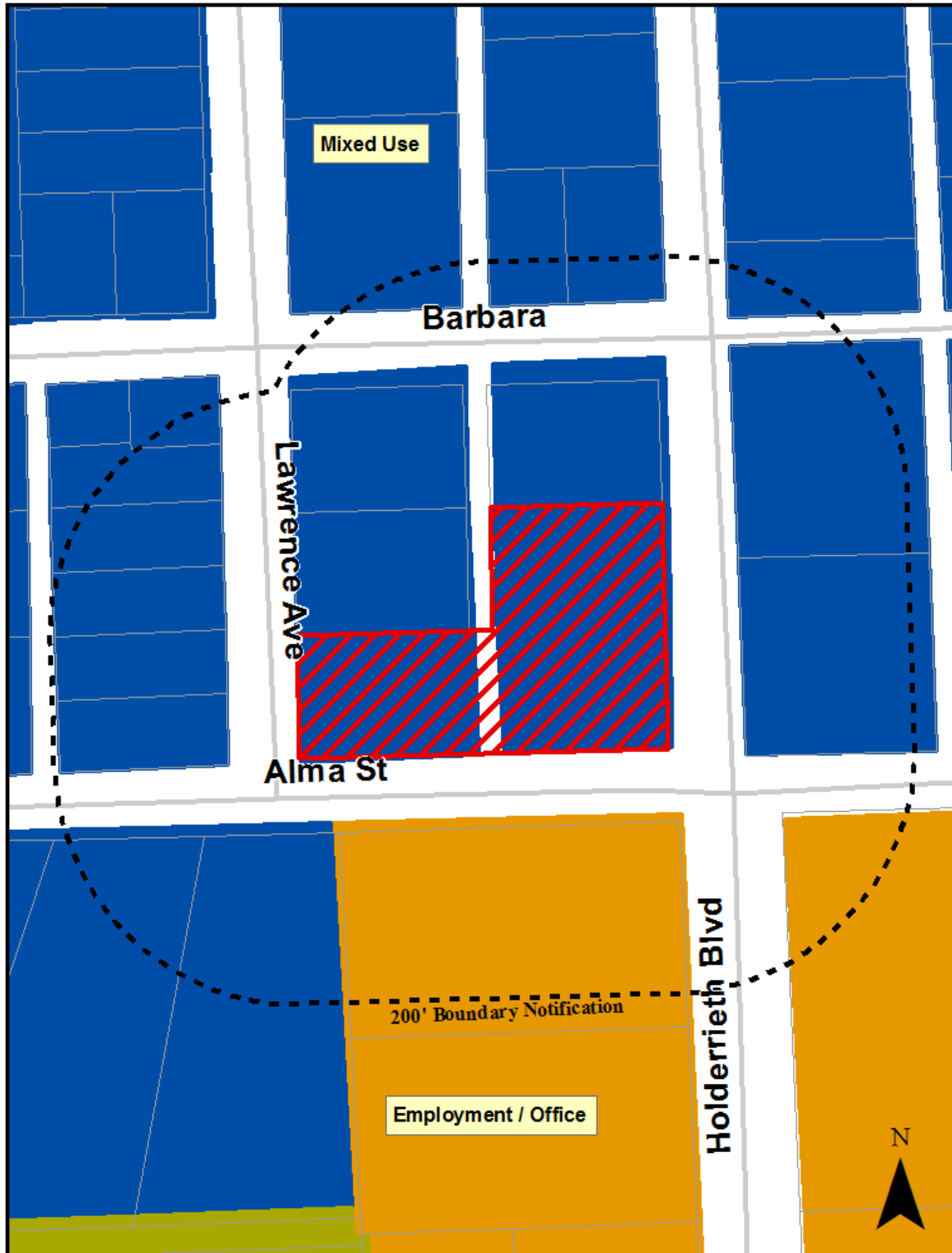
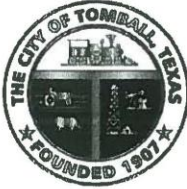


Exhibit "D"
Rezoning Application

Revised 1/20/09



APPLICATION FOR REZONING
Engineering & Planning Department



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: AHMAD ASLAM ^{Tomball & Magnolia Properties, LLC} Title: M.D.
Mailing Address: 50 Pendleton Park Point City: The Woodlands State: TX
Zip: 77382-1679
Phone: (281) 351-4911 Fax: (281) 351-4915 Email: houstonheartcenter@yahoo.com
office.manager@houstonheartcenter.com

Owner

Name: AHMAD ASLAM ^{Tomball & Magnolia Properties, LLC} Title: M.D.
Mailing Address: 50 Pendleton Park Point City: The Woodlands State: TX
Zip: 77382-1679
Phone: (281) 351-4911 Fax: (281) 351-4915 Email: houstonheartcenter@yahoo.com

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: 1.01 Acres 308 Holderrieth Blvd.

Physical Location of Property: NW Corner of Holderrieth Blvd & Alma
[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: Lot 1 Block 1 Northwest Houston Heart Center
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: SF6

Current Use of Property: Medical Office

Proposed Zoning District: Old town & Mixed use District

Proposed Use of Property: Old town & Mixed use Medical office with parking

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

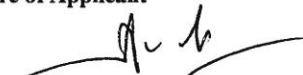
www.ci.tomball.tx.us

HCAD Identification Number: 130-784-001-0001 Acreage: 1.0101 Ac

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  1/17/13
Signature of Applicant Date

X  1/17/13
Signature of Owner Date



NORTHWEST HOUSTON HEART CENTER

A. ADNAN ASLAM
MD, FACC, FSCAI

SAMUEL J. FERRIS
MD, FACC

TAYYAB MOHYUDDIN
MD

January, 17th 2013

Engineering and Planning Department
City of Tomball
Tomball.

Re: Application for Rezoning

Our company, Northwest Houston Heart Center is a Medical Practice located at 308 Holderrieth Boulevard, Tomball, TX 77375. Due to growth in our business, we are experiencing the shortage of existing parking facility at this location.

We intend to add more space for parking for our patients. We have additional space available next to our existing office but just get to know that this proposed parking space falls under residential zone. We want to request City of Tomball to rezone this place into "Old Town and Mixed Use District" in order to construct additional parking facility for our patients.

In case some question, please call me directly at 281-351-4911. A considerate response to our request is highly appreciated.

Sincerely,

Ahmad Aslam
Tomball & Magnolia Properties LLC
50 Pendleton Park Pt
The Woodlands, TX, 77382-1679

308 Holderrieth Blvd.
Tomball, TX 77375

18220 Tomball Parkway, Suite 205
Houston, TX 77070
(inside Methodist Willowbrook Hospital)

18230 FM 1488, Suite 201
Magnolia, TX 77354

Phone: 281-351-4911 Fax: 281-351-4915 • www.houstonheartcenter.com

**Exhibit “E”
Site Photos**



Figure 1: Subject site. Source: maps.google.com



Figure 2: Subject site. Source: maps.google.com



Figure 3: Single-family residence and undeveloped land to the north.
Source: maps.google.com



Figure 4: Auto service garage to the north. Source: maps.google.com



Figure 5: Single-family residence to the north. Source: maps.google.com



Figure 6: Warehouse to the north. Source: maps.google.com



Figure 7: Single-family residence to the north. Source: maps.google.com

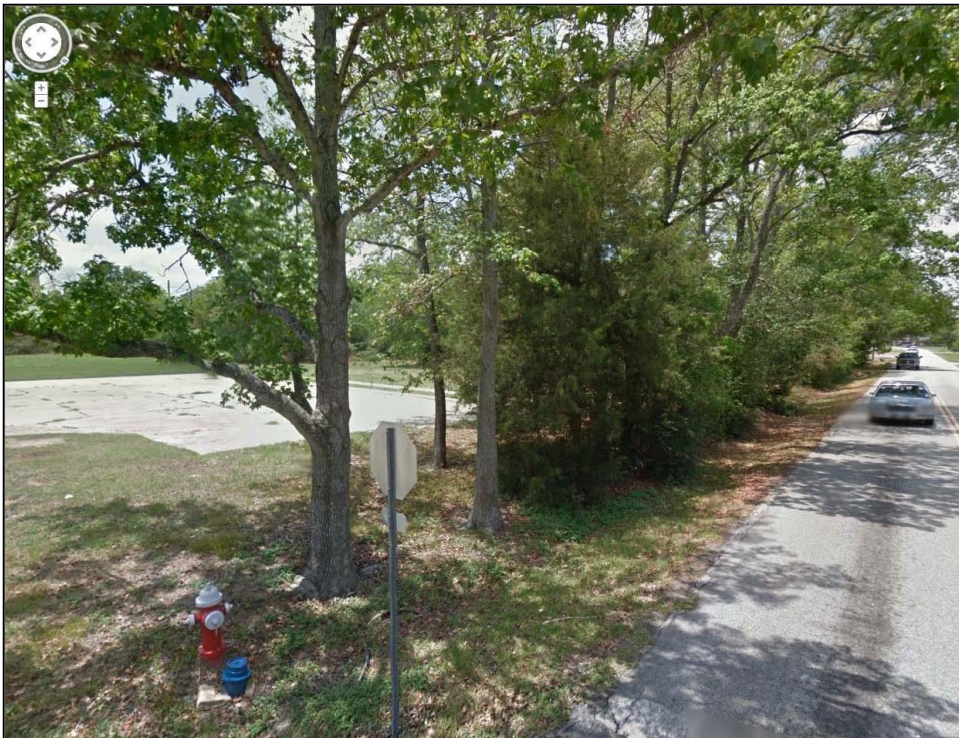


Figure 8: Undeveloped property to the south. Source: maps.google.com



Figure 9: Single-family residences to the west. Source: maps.google.com



Figure 10: Single-family residence with parking for subject site and law office to the east. Source: maps.google.com

Exhibit "F"
Public Comment Form(s)



Public Comment Form

(Please type or use black ink)

Please return to:

City of Tomball
Attn: Rodney Schmidt
501 James Street
Tomball, TX 77375

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



Name:
(please print)

Address:

Signature:

Date:



I am **FOR** the requested rezoning as explained on the attached public notice for Zoning Case P13-006. (Please state reasons below)

I am **AGAINST** the requested rezoning as explained on the attached public notice for Zoning Case P13-006. (Please state reasons below)

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

Monday, March 11, 2013, 6:00 PM

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

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

Monday, March 18, 2013, 6:00 PM

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

COMMENTS:

You may also comment via email to rschmidt@tomballtx.gov.
Please reference the case number in the subject line.
For questions regarding this request please call 281-290-1410.



Public Comment Form

(Please type or use black ink)

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

Please return to:

City of Tomball
Attn: Rodney Schmidt
501 James Street
Tomball, TX 77375



Name:
(please print)
Address:

Tomball & Magnolia Properties (TOMBALL and MAGNOLIA PROPERTIES)

210 HOLDERREITH BLVD
Tomball TX 77375

Signature:

Date:

[Signature]

3/3/13

☒

I am **FOR** the requested rezoning as explained on the attached public notice for **Zoning Case P13-006**. (Please state reasons below)

☐

I am **AGAINST** the requested rezoning as explained on the attached public notice for **Zoning Case P13-006**. (Please state reasons below)

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(Please type or use black ink)

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Please return to:

City of Tomball
Attn: Rodney Schmidt
501 James Street
Tomball, TX 77375



Name: AHMAD ASLAM
(please print)
Address: 301 / 309 HOLDERRIETH BLVD
TOMBALL, TX 77375
Signature: [Signature]
Date: 3/3/13

X

I am **FOR** the requested rezoning as explained on the attached public notice for **Zoning Case P13-006**. (Please state reasons below)

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Please return to:

City of Tomball
Attn: Rodney Schmidt
501 James Street
Tomball, TX 77375



Name: AHMAD ASLAM (TOMBALL AND MAGNOLIA PROPERTIES)
(please print)
Address: 911 Barbara Street / 308 HOLDEPRIETA
Tomball TX 77375 / BLVD TOMBALL
TX 77375
Signature: [Signature]
Date: 3/3/13

☒ I am **FOR** the requested rezoning as explained on the attached public notice for **Zoning Case P13-006**. (Please state reasons below)

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Public Comment Form

(Please type or use black ink)

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

Please return to:

City of Tomball
Attn: Rodney Schmidt
501 James Street
Tomball, TX 77375



Name: E. Wheeler Coe, Jr

(please print)

Address: P.O. Box 340

Tomball TX 77371

Signature: _____

Date: _____

☒

I am **FOR** the requested rezoning as explained on the attached public notice for **Zoning Case P13-006**. (Please state reasons below)

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