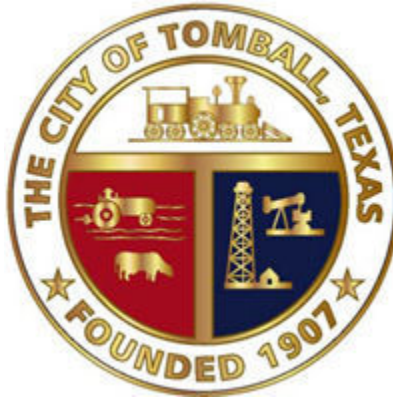


**NOTICE OF REGULAR PLANNING AND ZONING COMMISSION
MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, MAY 9, 2011

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, May 9, 2011 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 April 11, 2011.
- 5.0 New Business:

- 5.1 Consideration and possible action regarding **WAUKESHA PEARCE PRELIMINARY PLAT**; A subdivision of 5.7864 Acres; located in the Joseph House Survey, Abstract No. 34, City of Tomball, Harris County, TX.

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 **5th** day of **May 2011** by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer_____

Doris Speer

City Secretary, TRMC

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

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: May 9, 2011

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: May 9, 2011

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: May 9, 2011

Data Sheet

Topic:

Consideration to Approve the Minutes of the regular Planning and Zoning Commission Meeting of April 11, 2011.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

04.11.11 P&Z Minutes

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

MONDAY, APRIL 11, 2011



6:00 P.M.

1.0 Call to Order

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

Commissioner Hudgens
Commissioner Tague
Commissioner Mottershaw

Commissioner Wallace – Excused Absence

Others present:

Assistant City Planner – Rodney Schmidt
Assistant City Engineer – Lori Lakatos
Engineering & Planning Senior Administrative Assistant – Brandy Pate
City Attorney – Loren Smith

2.0 No Public Comments were received.

3.0 Reports and Announcements:

Rodney Schmidt announced the Joint City Council / Planning and Zoning Commission / Downtown Tomball Advisory Committee Meeting, Monday, April 11, 2011, from 7 – 9 pm, Community Center.

4.0 Motion was made by Commissioner Hudgens to Approve the Minutes of the regular Planning & Zoning Commission meeting of March 14, 2011, with corrections; second by Commissioner Mottershaw.

Motion carried unanimously.

5.0 New Business:

5.1 Consideration and possible action regarding TOMBALL R 135 FINAL PLAT; Being a subdivision of 2.5721 acre tract, 112,042.65 Square Feet, Situated in the C.N. Pillot, Survey A-632 and Sam Lewis, Survey A-1704, Harris County, Texas.

Draft

Lori Lakatos, Assistant City Engineer presented comment recommendations.

Commissioner Tague made a motion to Approve **TOMBALL R 135 FINAL PLAT**; with contingencies; second by Commissioner Hudgens.

Motion carried unanimously.

- 5.2 Consideration and possible action regarding **ZONING CASE P10-289**: Request by Jeff Williams III of Professional Welding Supply for a Conditional Use Permit to allow the installation/operation of a 1,000 gallon above-ground propane tank for the purpose of propane sales/filling. The property is an approximately .5019 acre site, legally described as Lot 1, Block 1 of the Williams Number One Replat, generally located southerly of Main Street between Howard Street and Willow Street at 503 East Main Street, Tomball, Texas. The site is located in the GR-General Retail District.

The Public Hearing was opened by Vice Chairman Crofoot at 6:05 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

Applicant, Jeff Williams spoke on behalf of the request.

No comments were received and the Public Hearing was closed at 6:15 p.m.

Commissioner Mottershaw made a motion to recommend Approval of **ZONING CASE P10-289**; with conditions as recommended by staff, except CMU wall; second by Commissioner Crofoot.

Vote was as follows:

Commissioner Tague	<u>Nay</u>
Commissioner Crofoot	<u>Aye</u>
Commissioner Hudgens	<u>Nay</u>
Commissioner Mottershaw	<u>Aye</u>
Commissioner Wallace	<u>Absent</u>

Motion tied 2-2.

Commissioner Hudgens made a motion to recommend Approval of **ZONING CASE P10-289**; with conditions as recommended by staff; second by Commissioner Tague.

Vote was as follows:

Commissioner Tague	<u>Nay</u>
Commissioner Crofoot	<u>Aye</u>
Commissioner Hudgens	<u>Aye</u>
Commissioner Mottershaw	<u>Aye</u>

Commissioner Wallace Absent

Motion carried 3-1.

- 5.3 Consideration and possible action regarding **ZONING CASE P11-313**: Public hearing to consider a City-initiated text amendment to the Tomball Comprehensive Zoning Ordinance (Ordinance No. 2008-01) to amend Section 34.6.E.1 (“Additional Off-Street Parking Space Requirements”) to delete the off-street parking requirements in the OT & MU - Old Town & Mixed Use District for 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.

The Public Hearing was opened by Vice Chairman Crofoot at 6:38 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report.

No comments were received and the Public Hearing was closed at 6:50 p.m.

Commissioner Tague made a motion to recommend Approval of **ZONING CASE P11-313**; second by Commissioner Hudgens.

Vote was as follows:

Commissioner Tague	<u>Aye</u>
Commissioner Crofoot	<u>Aye</u>
Commissioner Hudgens	<u>Aye</u>
Commissioner Mottershaw	<u>Aye</u>
Commissioner Wallace	<u>Absent</u>

Motion carried 4-0.

- 6.0 Motion was made by Commissioner Hudgens to adjourn; second by Commissioner Mottershaw.

Motion carried unanimously.

Meeting adjourned at 6:50 p.m.

PASSED AND APPROVED this _____ day of _____ 2011.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: May 9, 2011

Data Sheet

Topic:

Consideration and possible action regarding **WAUKESHA PEARCE PRELIMINARY PLAT**; A subdivision of 5.7864 Acres; located in the Joseph House Survey, Abstract No. 34, City of Tomball, Harris County, TX.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

Waukesha Pearce Preliminary Plat

THE STATE OF TEXAS
COUNTY OF HARRIS

WE, WAUKESHA PEARCE INDUSTRIES, INC., acting by and through, LOUIS M. PEARCE, III, PRESIDENT and RICHARD E. BEAN, SECRETARY, being officers of WAUKESHA PEARCE INDUSTRIES, INC., hereinafter referred to as owners of the 5.7864 acre Tract described in the above and foregoing plat of WAUKESHA PEARCE TOMBALL, do hereby make and establish said subdivision of said property according to all laws, 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 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 shall be restricted to provide that drainage structures under private driveways shall have a net opening area of sufficient size to permit the free flow of water without backwater and in no instance have 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.

IN TESTIMONY WHEREOF, WAUKESHA PEARCE INDUSTRIES, INC., has caused these presents to be signed by LOUIS M. PEARCE, III, its PRESIDENT, thereunto authorized, attested by its SECRETARY, RICHARD E. BEAN, and its common seal hereunto affixed this _____ day of _____, 20____.

WAUKESHA PEARCE INDUSTRIES, INC.

By: _____ By: _____
LOUIS M. PEARCE, III RICHARD E. BEAN

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared LOUIS M. PEARCE, III and RICHARD E. BEAN, PRESIDENT and SECRETARY respectively of WAUKESHA PEARCE INDUSTRIES, INC., known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

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

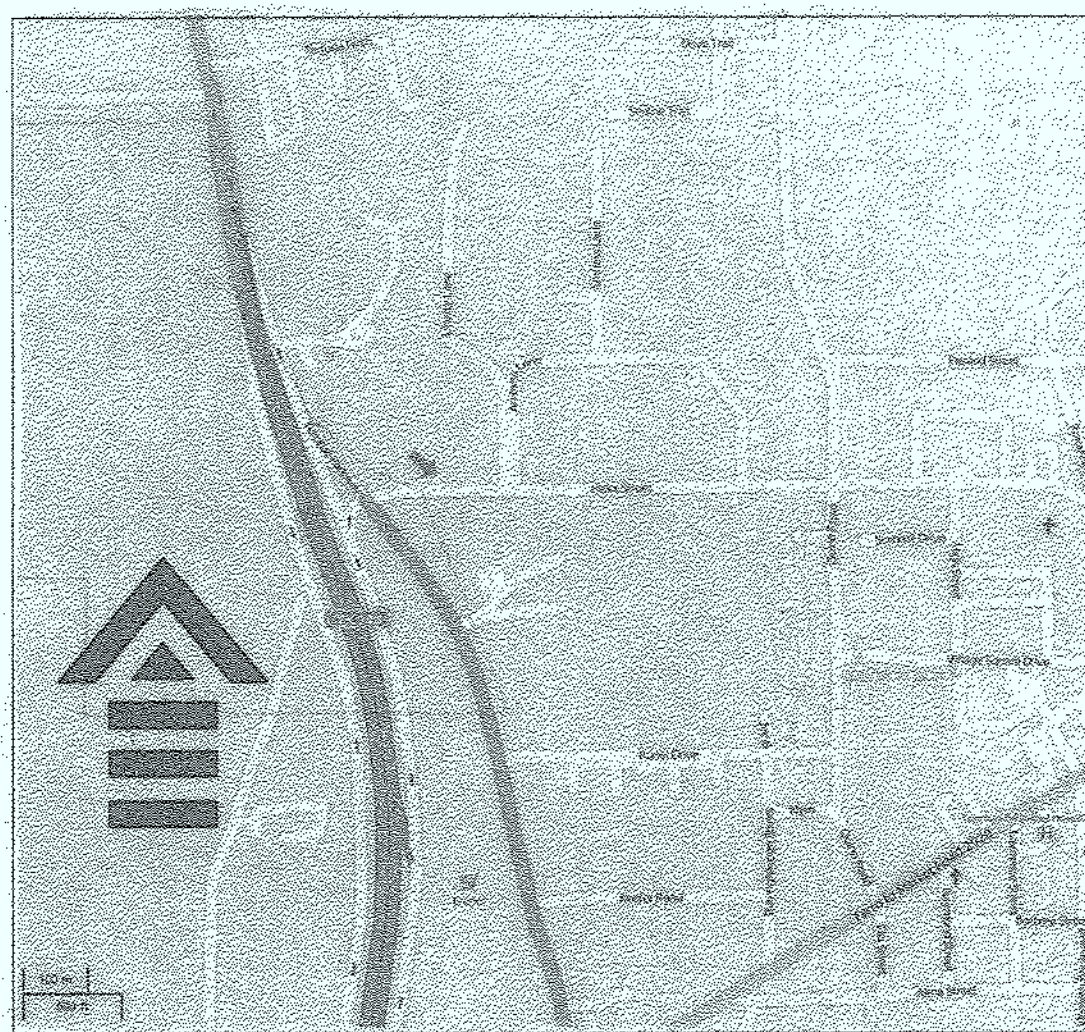
BENCH MARK: RM100370

Floodplain Reference Mark Number 100370 is a BRASS DISK Stamped 100370 on concrete headwall at intersection of Roxanne and Inwood located on downstream concrete headwall, north of intersection, south of stream centerline in KeyMap 2886 in the Spring Watershed near stream J131-00-00 ELEV. 181.93 Feet NAVD 1988, 2001 Adjusted.

TBM:

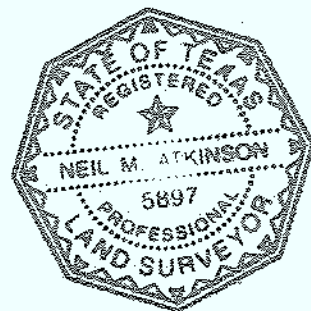
An "X" cut in concrete approximately 66 feet south of the southeast corner of building to be expanded. ELEV 182.58.

WAUKESHA PEARCE
TOMBALL SUBDIVISION



VICINITY MAP
KEY MAP 288F

I, Neil M. Atkinson, 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 rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three (3) feet, except where corners were found; and that the plat boundary corners have been tied to the nearest survey corner.



Neil M. Atkinson
Registered Professional Land Surveyor
Texas Registration No. 5897

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of WAUKESHA PEARCE TOMBALL 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 _____, 20____.

By: _____ By: _____
Lori Wallace Tom Crofoot
Chair Vice Chairman

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

By: _____ By: _____
George Shackelford Lori Lakatos P.E.
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 dedicated public easements in conformance with the laws of the State of Texas and the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 20____.

By: _____ By: _____
Gretchen Fagan Doris Spear
Mayor City Secretary

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 _____, 20____ at _____ o'clock _____ M., and duly recorded on _____, 20____ at _____ o'clock _____ M., and in Film Code Number No. _____ of the Map Records of Harris County for said county.

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

Stan Stanart
County Clerk
of Harris County, Texas

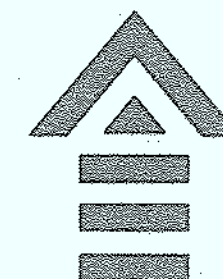
By: _____
Deputy

I, Neil M. Atkinson, do hereby certify that all existing encumbrances, such as various types of easements both public and private, fee strips, and all significant topographical features which would affect the physical development of the property illustrated on this plat are accurately identified and located and further certify that this plat represents all of the contiguous land which the owner owns or has a legal interest in.



GENERAL NOTES

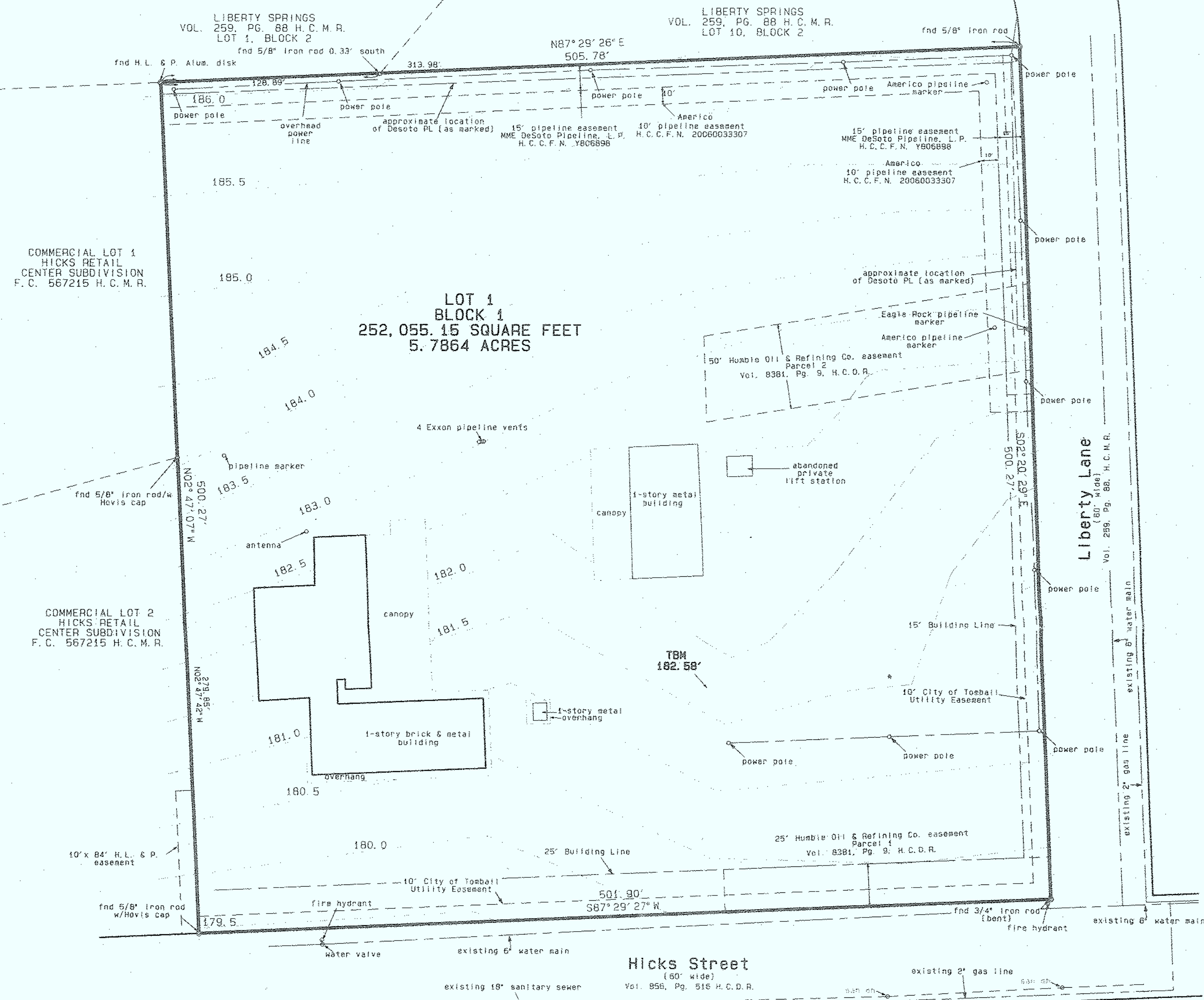
1. H.C.C.F.N. Indicates Harris County Clerk's File Number.
2. H.C.M.R. Indicates Harris County Map Records.
3. H.C.D.R. Indicates Harris County Deed Records.
4. Vol. & Pg. Indicates Volume and Page.



NOTE: ALL BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH OF THE U.S. STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE, NAD 1983 DATUM

0 10 20 30 40 50 100 150 200 250

SCALE:
1" = 50'



PRELIMINARY PLAT WAUKESHA PEARCE TOMBALL

A SUBDIVISION OF 5.7864 ACRES; LOCATED
IN THE JOSEPH HOUSE SURVEY, ABSTRACT NO.
34, CITY OF TOMBALL, HARRIS COUNTY, TX.

1 LOT 1 BLOCK

OWNER:
WAUKESHA PEARCE INDUSTRIES, INC.
P.O. BOX 35068, HOUSTON, TX, 77235-5068
713-551-0380

DATE:
MAY 2011

ENGINEER:
ATKINSON
ENGINEERS
T.B.P.E. F-10587
15425 NORTH FREWAY
SUITE 140
HOUSTON, TX 77090
281-872-7600
DWG. NO. 41150PLT