

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



MONDAY, FEBRUARY 14, 2011

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, February 14, 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
 - Special Joint Tomball City Council / Planning and Zoning Commission Meeting: Monday, February 21, 2011 at 4:30 p.m.
- 4.0 Consideration to Approve the Minutes of the following Meetings:

- Regular Planning and Zoning Commission Meeting of January 10, 2011;
- Special Joint Tomball City Council / Planning and Zoning Commission Meeting of January 17, 2011, and
- Special Joint Tomball City Council / Planning and Zoning Commission Meeting of February 7, 2011.

5.0 New Business:

- 5.1 Receive Presentation of Comprehensive Plan 2010 Annual Report.
- 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 2,000 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 applicant has requested a continuance of this case to the March 14, 2011 P&Z Meeting***
- Conduct a Public Hearing on **ZONING CASE P10-289**
- 5.3 Consideration and possible action regarding **CORRIENTE COMMERCIAL PRELIMINARY PLAT**: Being a subdivision of 4.8595 acres of land situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, as described in deed recorded in Clerk's File Number U311750 of the Real Property Records of Harris County, Texas.
- 5.4 Consideration and possible action regarding **PARTIAL REPLAT OF TOMBALL MARKETPLACE**: A 28.5984 acre (1,245,748 Square Foot) subdivision; Being lots 2, 3 & 4, 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.
- 5.5 Consideration and possible action regarding **RESERVE AT TOMBALL FINAL PLAT**: A 56.530 acre tract of land being a partial Replat of Tomball Townsite Recorded in Volume 2, Page 65, H.C.M.R., and Tomball East Gate Center recorded under Film Code No. 542107, H.C.M.R., Being all of a called 55.6484 acre tract recorded under Harris County Clerk's File No. 20100211861, and the residue of unrestricted Reserve "B", Tomball East Gate Center, in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas.
- 5.6 Consideration and possible action regarding **STRIPES – FM 2920**: A subdivision of 1.2707 acres or 55,352 square feet of land, Being a partial Replat of unrestricted Reserve "B" of Tomball East Gate Center, recorded under F.C. No. 542107, H.C.M.R., and Outlots 313 and 314 of Tomball Townsite, Vol. 2, Pg. 65, H.C.M.R., situated in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas.

6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 10th day of February 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

Meeting Date: February 14, 2011

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: February 14, 2011

Data Sheet

Topic:

- Special Joint Tomball City Council / Planning and Zoning Commission Meeting: Monday, February 21, 2011 at 4:30 p.m.

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: February 14, 2011

Data Sheet

Topic:

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- Regular Planning and Zoning Commission Meeting of January 10, 2011;
- Special Joint Tomball City Council / Planning and Zoning Commission Meeting of January 17, 2011, and
- Special Joint Tomball City Council / Planning and Zoning Commission Meeting of February 7, 2011.

Background:

Origination:

Engineering and Planning Department

Recommendation:

Funding:

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

Engineering and Planning Department

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

ATTACHMENTS:

P&Z Regular Meeting Minutes 01.10.11

Special Joint CC / P&Z Meeting Minutes 01.17.11

Special Joint CC / P&Z Meeting Minutes 02.07.11

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

MONDAY, JANUARY 10, 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 Tague
Commissioner Hudgens
Commissioner Mottershaw

Commissioner Wallace – Excused Absence

Others present:

Director of Engineering and Planning – Mark McClure
City Planner / Community Development Coordinator – Kelly Violette
Assistant City Planner – Rodney Schmidt
Engineering & Planning Senior Administrative Assistant – Brandy Pate

draft

2.0 No Public Comments were received.

3.0 Reports and Announcements:

Kelly Violette announced the following upcoming meetings:

- 2nd Annual Boards and Commissions Reception: Tuesday, January 25, 2011 from 5:30 – 7:30 p.m., Tomball Community Center, 221 Market Street, Tomball, Texas 77375.
- Special Joint Tomball City Council / Planning & Zoning Commission Meeting: Monday, January 17, 2011 at 5:00 p.m., Council Chambers of City Hall.

4.0 Motion was made by Commissioner Tague to Approve the Minutes of the following Meetings:

- Regular Planning and Zoning Commission Meeting of December 13, 2010;
- Special Joint Tomball City Council / Planning and Zoning Commission Meeting of December 13, 2010, and
- Special Joint Tomball City Council / Planning and Zoning Commission Meeting of December 20, 2010;

second by Commissioner Mottershaw.

Motion carried unanimously.

5.0 New Business:

5.1 City Planner, Kelly Violette presented presentation of the Planning and Zoning Commission 2010 Annual Report.

5.2 Consideration and possible action regarding **PRELIMINARY PLAT TOMBALL 2920**: Being a 59.8577 acre tract of land being all of a called 13.97 acre tract recorded in Harris County Clerk's File No. Y284790, a called 37.024 acre tract recorded in Harris County Clerk's File No. Y199045, a called 8.383 acre tract recorded in Harris County Clerk's File No. X939568, and a called 0.528 acre tract recorded in Harris County Clerk's File No. Y731248 in the Joseph House Survey, Abstract No. 34, City of Tomball, Harris County, Texas.

Mark McClure, Director of Engineering and Planning presented comment recommendations.

Commissioner Mottershaw made a motion to Approve **PRELIMINARY PLAT TOMBALL 2920**; with contingencies; second by Commissioner Tague.

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 2,000 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 applicant has requested a continuance of this case to the February 14, 2011 P&Z Meeting***

The Public Hearing was opened by Vice Chairman Crofoot at 6:17 p.m.

No comments were received and the Public Hearing was closed at 6:18 p.m.

Vice Chairman Crofoot announced that this Public Hearing would be recessed until the next Regular P&Z Meeting of February 14, 2011. Additional notifications would not be sent, however; anyone wishing to speak would be given the opportunity to address the Commission at that meeting.

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

Motion carried unanimously.

Meeting adjourned at 6:19 p.m.

PASSED AND APPROVED this _____ day of _____ 2011.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chairman

**MINUTES OF THE SPECIAL CITY COUNCIL AND
TOMBALL PLANNING AND ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, JANUARY 17, 2011



5:00 P.M.

1.0 Call to Order

The meeting was called to order by Mayor Gretchen Fagan. Other members present were:

Councilman Quinn
Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson

Planning and Zoning Commission members present:

Chair – Lori Wallace
Vice Chair – Tom Crofoot
Commissioner – Field Hudgens
Commissioner – John Mottershaw
Commissioner – Barbara Tague

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Klierwer
City Secretary – Doris Speer
City Attorney – Scott Bounds
Assistant to the City Manager – Shawn Cox
Director of Engineering and Planning – Mark McClure
City Planner – Kelly Violette
Assistant City Engineer – Lori Lakatos
Assistant City Planner - Rodney Schmidt
Building Official – David Allen
Fire Marshal – Doug Sanguedolce
Fire Inspector – Tommy Nicholson
E&P Senior Administrative Assistant – Brandy Pate

draft

2.0 No public comments were received.

3.0 Workshop Session:

3.1 The Tomball City Council and the Tomball Planning and Zoning Commission members entered into a Workshop session for the following purposes:

Mark McClure provided a recap of the December 13, 2010 Special Tomball City Council and Planning and Zoning Commission meeting; workshop continued.

A. Discussion of the Development Review Process and Current Codes

Presentations were given by David Allen, Building Official, and Doug Sanguedolce, Fire Marshall, regarding current review processes and codes in the Building and Fire Departments.

B. Review of Roles and Responsibilities of the Development Review Committee

Mayor Fagan called a recess at 6:04 p.m.; upon reconvening at 6:12 p.m., the workshop continued:

C. Discussion of Development Review Process Improvement Recommendations

Kelly Violette presented information regarding City staff recommendations to improve the current development review process.

George Shackelford advised that City staff will compile Council's requests and recommendations from the December 13, 2010 and January 17, 2011 special meetings and present them at a future workshop.

3.2 Consensus of the Council was unanimous to set February 7, 2011 as the next date for a Joint City Council and Planning and Zoning Commission Workshop to discuss Possible Changes to the Zoning Ordinance

4.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this ____ day of _____ 2011.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chairman

**MINUTES OF THE SPECIAL CITY COUNCIL AND TOMBALL
PLANNING AND ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, FEBRUARY 7, 2011

5:00 P.M.

1.0 Call to Order

The Council meeting was called to order by Mayor Gretchen Fagan. Other members present were:

Councilman Quinn
Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson

draft

The Planning and Zoning Commission meeting was called to order by Vice Chair Tom Crofoot. Other members present were:

Vice Chair – Tom Crofoot
Commissioner – Field Hudgens
Commissioner – Barbara Tague

Members absent:

Chair – Lori Wallace – Excused Absence
Commissioner – John Mottershaw

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Kliever
City Secretary – Doris Speer
City Attorney – Scott Bounds
Assistant to the City Manager – Shawn Cox
City Planner – Kelly Violette

Assistant City Engineer – Lori Lakatos
Assistant City Planner - Rodney Schmidt
Building Official – David Allen
Fire Marshal – Doug Sanguedolce
Fire Inspector – Tommy Nicholson
E&P Senior Administrative Assistant – Brandy Pate

2.0 No public comments were received.

3.0 Workshop Session:

3.1 The Tomball City Council and the Tomball Planning and Zoning Commission members entered into a Workshop session for the following purposes:

A. Discussion of Possible Changes to the Zoning Ordinance

Kelly Violette presented City-staff proposed revisions to the zoning ordinance.

Council requested information regarding the major thoroughfare plan with regard to masonry façade requirements along the major thoroughfares, information regarding proposed façade standards for multi-family and residential homes, minimum material requirements for construction, possible site plans and screening requirements for dumpsters and multi-family complexes, retention and detention ponds, landscaping requirements, outbuildings, accessory structures, and tree preservation sections of the current ordinance.

City staff will incorporate suggested revisions and present an update to the City Council and the Planning and Zoning Commission at a special meeting on February 21, 2011 at 4:30 p.m.

4.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to adjourn.

Motion carried unanimously.

Meeting adjourned.

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: February 14, 2011

Data Sheet

Topic:

Receive Presentation of Comprehensive Plan 2010 Annual Report.

Background:**Origination:**

Engineering and Planning Department

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

Engineering and Planning Department

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

ATTACHMENTS:

2010 Comprehensive Plan Annual Report

Introduction

A comprehensive plan is a long-range planning document designed to guide the future growth and development of a city based on the defined goals and objectives of the community. The Tomball *Comprehensive Plan* (“*Plan*”) outlines the general policies that the city should consider when making development and land use decisions. The *Comprehensive Plan* provides policy-makers, staff, landowners, and residents a clear understanding of the community’s desired future condition while outlining a realistic and financially responsible approach to ensure that development aligns with the community’s vision. The *Plan* is the result of extensive research and countless hours of dialogue with citizens, stakeholders, business owners, elected/appointed officials, consultants, and City staff over a 12-month period beginning in late 2008. The Tomball *Comprehensive Plan* was unanimously approved by City Council on December 7, 2009.

This *Progress Report* addresses development trends, demographic information, accomplishments, implementation, and recommended *Plan* changes based on the development activities that have occurred over the past year.

Development Trends

From January 1, 2010 to December 31, 2010 the City of Tomball issued 29 new construction building permits which was a 45% increase from 2009. These numbers constitute new building construction only and do not include permits issued for build-outs, remodels, additions, or site construction activity.

Of the 29 building permits issued, 13 (44.8%) were for the construction of new single-family and duplex dwellings which was a 225% increase from the 4 permits issued during 2009. The remaining 16 (55.2%) building permits issued were for commercial developments, which represents no change from the 16 issued in 2009. Exhibit A highlights the number of new construction building permits issued for single-family/duplex and commercial structures since 2000.

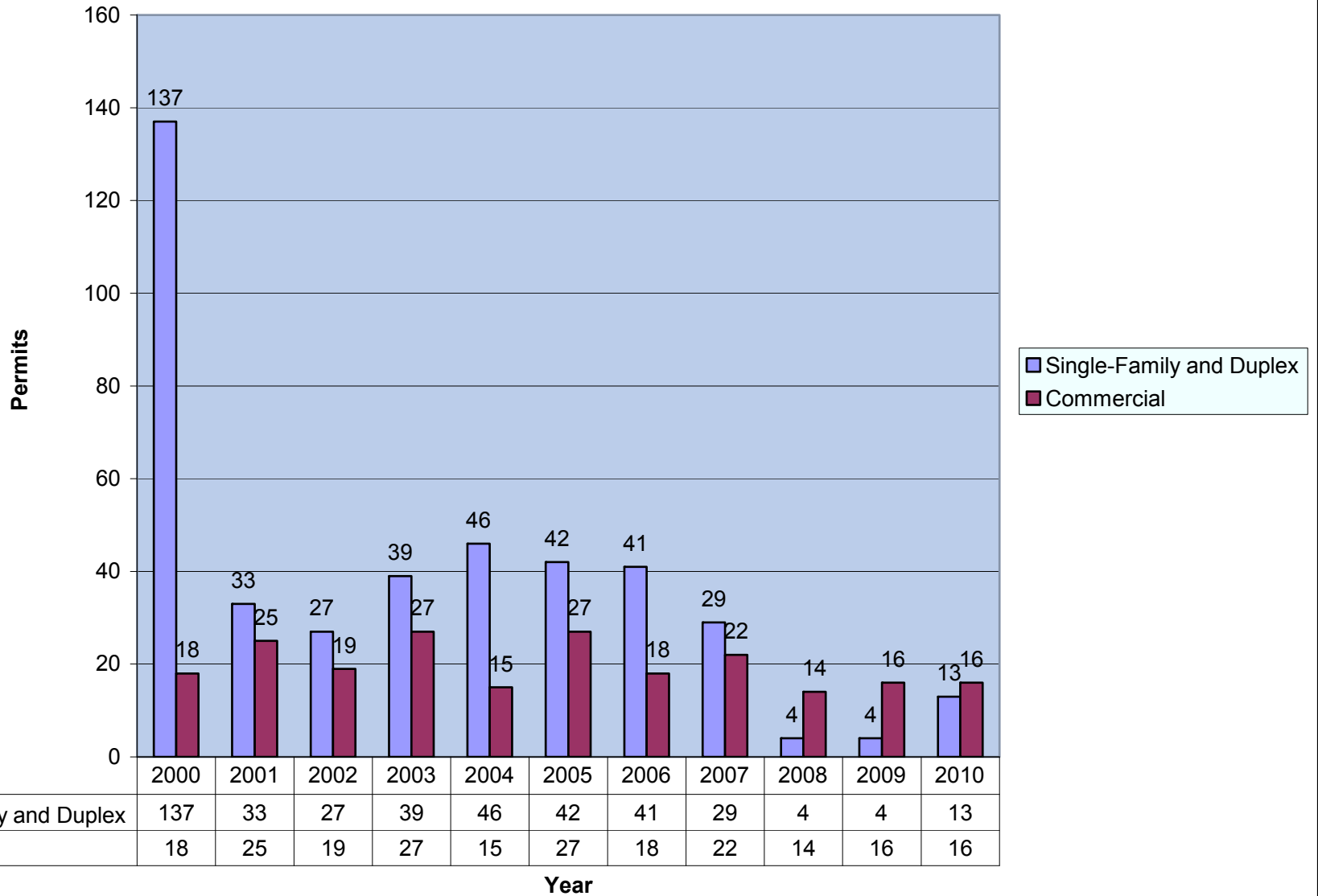
Based on the increase in residential building permits it appears that Tomball is weathering the economy fairly well. However, the residential construction sector in Tomball, like the rest of the United States, will likely remain slow as the market continues to sell off surplus homes that have remained on the market since the beginning of the economic downturn in 2008. However, given the number of shovel ready residential lots in the Pine Country and Pine Meadows subdivisions, as well as other residential neighborhoods, Tomball is in a good position to take advantage of any upturns in the residential construction market.

According to the Greater Houston Partnership, there are definite signs of economic recovery in the Houston region based on job growth, a decrease in unemployment rates, an increase in new vehicle sales, as well as other factors, however the 8.6 percent unemployment rate, decline in single family home sales, and decrease in natural gas prices show that the regional economy is still struggling. Most notably, the Greater

Houston Partnership reports that construction contracts were down nearly a third in 2010, with nonresidential contracts down 51 percent and residential contracts down 14 percent from November 2009. Although, these numbers are preliminary based on the McGraw Hill Construction reports and are subject to change once the final numbers are reported, it is an indication that the development trends in Tomball are accurately reflective of the overall climate in commercial activity in the region.

New Single-Family/Duplex vs. Commercial Building Permits

Exhibit A



Demographic Information

The demographic information contained in the *Comprehensive Plan* is still current. However, according to the U.S. Census Bureau, the 2010 census figures “will be released on a flow basis from April 2011 through September 2013.” If the Census Bureau provides updated demographic information for Tomball in 2011, next year’s Progress Report will contain the updated information.

Accomplishments

The *Comprehensive Plan* was awarded the 2010 Comprehensive Planning Award by the Texas Chapter of the American Planning Association (APA). Each year, Texas APA recognizes individuals, organizations and communities for outstanding contributions to planning in Texas. The Comprehensive Planning Award is given to an outstanding plan that addresses the development of an area, town, city, county or region in Texas. The award was formally presented to the City at the 2010 APA Texas Chapter Annual Conference on October 8, 2010 in San Antonio.



Implementation Tools Matrix

Chapter 9 (“Implementation”) of the *Comprehensive Plan* provides an implementation matrix which outlines the action items to be completed in order to realize the *Plan*. Exhibit B provides an update on the status of each implementation strategy provided by the responsible department.

Exhibit B

Implementation Strategy	Lead Department(s)	Expected Completion Date	Progress
Growth Impact Analysis Tool	CM	12/09 to 12/12	Included in 2010-2012 Strategic Plan
Update Zoning Ordinance	E&P	12/09 to 12/12	The E & P Department is continuing to develop a draft list of proposed changes to be incorporated in the future update of the Zoning Ordinance to be presented to P & Z and City Council. Joint workshops will be conducted in early 2011 to discuss possible changes to the Zoning ordinance based upon direction from P & Z and Council. The FY 10 budget included an entire rewrite of the Zoning Ordinance as a supplement. The rewrite has been postponed until the Downtown Specific Plan (DSP) and Zone is completed. The rewrite will include an elimination of the OT/MU District and the creation of new zoning districts.
Develop Energy Conservation Policies	Building	12/09 to 12/12	The Building Dept. is currently and will continue to enforce energy codes that are mandated by State law. The State is currently on the 2000 International Energy Code. The State will mandate a change in January 2012 to the 2009 International Energy Code.
Develop Landscape Standards	E&P	12/09 to 12/12	Proposed changes to the Zoning Ordinance will include recommendations regarding Section 40 (Landscaping), including adoption of an approved plant list. Additionally, the DSP will include changes to landscaping standards applicable to properties within the downtown area.
Develop Design Standards	E&P and Building	12/09 to 12/12	Revised design standards for the Old Town Area will be included in the DSP by the end of 2011. A presentation was made to P&Z and City Council regarding masonry planning policies on December 13, 2010. Additional discussion during future workshop sessions will need to occur regarding the incorporation of design standards and guidelines.
Create a Downtown Property Improvement Program	TEDC, CM, and E&P	12/09 to 12/12	TEDC has created a citywide Business Improvement Grant (BIG) program. Representative of the City's Engineering & Planning Department meet regularly with the BIG Committee to discuss and review grant applications. The DSP to be completed in 2011 will include additional recommendations for downtown property improvements that will be utilized as a program guide for grant funding.

Implement an Adopt-A-Street or Adopt-A-Block Program	PW	12/09 to 12/12	City of Tomball is currently in a partnership with the Beautify Tomball Program. PW provides support by supplying garbage bags, traffic control signage, and disposing of collected litter. St Anne's Catholic Church has submitted an application to Harris County for the Adopt-A-County Mile Program, which is currently under review. PW has worked and will continue to work with TxDOT to provide consistent maintenance and litter abatement along State rights-of-way within the City. Given the limited number of cycles provided by TxDOT maintenance, PW has worked with local businesses and TxDOT to identify options for improving litter control for this area, and is currently working with TxDOT to develop a program for planting wildflowers within areas currently requiring mowing cycles. The addition of wildflowers will help minimize mowing frequencies, and will be more esthetically appealing than tall turf vegetation.
Develop Old Town Specific Area Plan	E&P	12/09 to 12/12	The Downtown Specific Plan (DSP) proposal was approved by City Council on 12-20-10. Project to be completed November 2011.
Develop Railroad Corridor Specific Area Plan	TEDC and E&P	12/09 to 12/12	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Develop Medical Campus Specific Area Plan	TEDC and E&P	12/09 to 12/12	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Develop a Wayfinding Sign Package	E&P, PW, and Building	12/09 to 12/12	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Prioritize Projects to Implement the Livable Centers Downtown Plan	E&P	12/09 to 12/12	Projects prioritized under FY 2011-2015 CIP based on priority level.
Appoint Tomball Heritage Commission	CM	12/09 to 12/12	Under Review
Annually Review Major Thoroughfare Plan and Coordinate with Neighboring Jurisdictions	E&P	12/09 to 12/12	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Update Development Statistics Annually	CM and Building	12/09 to 12/12	Completed by E&P for 2010 Comp Plan Progress Report and provided to P&Z in September 2010 as part of building permit update.
Develop Corridor Timing Strategy for Major Thoroughfares	PW and TxDOT	12/09 to 12/12	The City of Tomball does not currently have jurisdiction/responsibility of any traffic control lighting within the corporate city limits. Public Works is currently working with TxDOT signal maintenance and timing division to look at existing and potential mobility problem areas, and to develop a signal timing plan. While existing traffic signal systems currently operate independently using video detection, TxDOT has developed plans for installing fiber optic communications and implementing a signal timing program within the next 2 – 3 years.

Develop Traffic Control Lighting Policies	PW and Police	12/09 to 12/12	The Police Department and Public Works staff work together on a daily basis to improve mobility throughout the City of Tomball by focusing on traffic engineering issues such as traffic control lighting. Information is collected and recommendations/requests are forwarded to Harris County Precinct Four, and/or the Texas Department of Transportation, depending based on roadway responsibility. Public Works and the Police Department are nearing the completion stages of a comprehensive school zone lighting project that is expected to be completed by the end of the 2010-2011 school year. The City of Tomball does not currently have jurisdiction/responsibility of any traffic control lighting within the corporate city limits.
Maintain Portfolio of Potential Business Incentives	TEDC and Finance	12/09 to 12/12	TEDC currently maintains a portfolio of potential business incentives.
Tie Drainage Master Plan to Comprehensive Plan	E&P	12/09 to 12/12	Drainage Master Plan approved under FY 2011-2015 CIP. Project to be completed in FY 2011.
Pursue additional funding mechanisms available to fund City services for hazard mitigation, response, and recovery	Police and Fire	12/09 to 12/12	During FY 2009-2010 an award of \$16,919 dollars was received from the Department of Justice, Byrne Grant Program. This funding was used toward the development of a Public Safety Mobile Command Post (CP) and will be used to acquire a more robust interoperability multi-band width radio patching system to allow for better communications on large scale incidents and events. The City of Tomball has been accepted into the Department of Justice, Law Enforcement Aviation Technology program for FY 2010-2011. The program will utilize, evaluate, and test low cost and safe alternatives for airborne aviation assets. The Tomball Fire Department has applied for a DHS SAFER Grant to fund two additional full-time firefighter positions. Both Departments continue to develop additional volunteer resources through federal programs such as Volunteers in Police Service (VIPS), Community Emergency Response Teams (CERT) and Fire Corps programs. The expected completion date of these efforts should be modified from 12/12 to Ongoing as efforts to accomplish this Strategy will never cease.
Establish a Citizen Leadership Academy	CM	12/09 to 12/12	Included in 2010-2012 Strategic Plan
Develop a Drainage Master Plan	E&P	12/09 to 12/12	Drainage Master Plan approved under FY 2011-2015 CIP. Project to be completed in FY 2011.
Development Fee Review and Update	E&P and Building	12/12 to 12/15	None
Establish an Umbrella Homeowners Association Organization	CM	12/12 to 12/15	Master list of existing HOA's updated. Topic meetings to be held with various interested associations in 2011.
Develop Four Corners Specific Area Plan	TEDC and E&P	12/12 to 12/15	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Develop Access Management Program	E&P	12/12 to 12/15	None
Develop FM 2920 Truck Bypass Study	E&P	12/12 to 12/15	None

Develop Medical Complex Drive Corridor Plan	E&P	12/12 to 12/15	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Draft Context Sensitive Solutions Policy	E&P	12/12 to 12/15	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Develop Sidewalk/Pathway Plan	E&P	12/12 to 12/15	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Develop Downtown Plaza Area Plan	E&P	12/12 to 12/15	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Develop Downtown Public Art and Cultural Amenities Plan	CM	12/12 to 12/15	None
Develop Parks and Trails Master Plan	E&P	12/12 to 12/15	Proposed under FY 2011-2015 CIP. No funding allocated for project.
Tie Update of CIP to Comprehensive Plan	E&P	12/12 to 12/15	FY 2011-2015 CIP Report presented to P&Z and City Council in July 2010
Develop Annexation Plan	CM	12/12 to 12/15	None
Develop a Heritage Buildings and Special Places Inventory	CM	12/12 to 12/15	None
Develop a Tomball Heritage Preservation Plan	CM	12/12 to 12/15	None
Develop Tomball Heritage Guidelines and/or Regulations	CM	12/12 to 12/15	None
Develop and maintain a safe and secure, technologically advanced Emergency Operations Center	Police and Fire	12/12 to 12/15	The Tomball Police and Fire Departments and Northwest EMS, an additional participants, have held preliminary discussions regarding means by which our current EOC (the police department), and secondary EOCs (Fire and NEMS) can be improved, as well as cursory discussions regarding a future needs assessment and cost benefit analysis for a new center. A new center will require significant capital resources. With the recent microwave/fiber link of the Police Department and NWEMS dispatch centers, we currently maintain two safe, secure, and technologically advanced facilities capable of being stood up as EOCs during a critical incident.
Develop Transit Circulator	CM	12/15 to 12/19	None

Rezoning Case Consistency with Comp Plan

One of the most important aspects of the *Comprehensive Plan* is that it provides a Future Land Use Map from which rezoning requests can be evaluated by City staff, the Planning & Zoning Commission, and City Council for consistency with the City's long-range vision. From January 1 to December 31, 2010 the Planning & Zoning Commission and City Council reviewed five rezoning requests. As the table below shows, P&Z and City Council approved all four rezoning requests that were consistent with the *Comprehensive Plan's* land use designation and denied the request that was not consistent with the future land use designation.

Planning Case #	Zoned From	Zoned To	Comp Plan Designation	Consistent w/Comp Plan	P&Z Recommendation	CC Final Action
P10-206	SF-20-E	LI	Low Density Residential	No	Denial	Denied
P10-208	SF-6/OTMU	OTMU	Old Town	Yes	Approval	Approved
P10-225	AG	C	Commercial	Yes	Approval	Approved
P10-226	AG	C	Commercial	Yes	Approval	Approved
P10-273	O	SF-20-E	Rural Residential	Yes	Approval	Approved

Recommended Plan Changes

As the section above illustrates, there was only one rezoning request in 2010 presented to the P&Z and City Council that was inconsistent with the *Comprehensive Plan* and it was denied by the City. However, as the economy recovers, City staff anticipates a greater number of inconsistent land use requests to be made to P&Z and City Council.

Inconsistent land use requests present a number of issues for the City in implementing the vision outlined in the *Comprehensive Plan*. For example, imagine a property is zoned AG-Agricultural District with a future land use designation of Rural Residential but the property owner is requesting a rezoning to the GR-General Retail District in order to develop a much needed gas station that is supported by the citizens of Tomball as well as the P&Z and City Council.

Is it the applicant's responsibility to request an amendment to the *Comprehensive Plan* designation before or concurrent with the rezoning request? If so, should the Comprehensive Plan Amendments occur on an as requested basis or once a year as a part

of the *Comprehensive Plan Annual Progress Report*? Should the City be the party responsible for making any changes to the *Comprehensive Plan* and merely keep a record of which properties are rezoned inconsistent with the *Comprehensive Plan* and propose those as amendments during future updates of the *Plan*?

City staff recommends the P&Z discuss this issue and provide direction to staff so that staff can prepare a policy regarding Comprehensive Plan amendments.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 14, 2011

Data Sheet

Topic:

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 2,000 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 applicant has requested a continuance of this case to the March 14, 2011 P&Z Meeting*

- Conduct a Public Hearing on **ZONING CASE P10-289**

Background:

Origination:

Engineering and Planning Department

Recommendation:

Funding:

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

Engineering and Planning Department

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

ATTACHMENTS:

Continuance Request Letter

From: [Rodney Schmidt](#)
To: [Kelly Violette](#); [Brandy Pate](#);
Subject: FW: Professional Welding Supply
Date: Thursday, February 10, 2011 4:28:30 PM

FYI.

Rodney D. Schmidt
Assistant City Planner
Office: (281) 290-1410
Fax: (281) 351-4735
501 James Street
Tomball, Texas 77375
rschmidt@ci.tomball.tx.us

-----Original Message-----

From: Kelly Violette
Sent: Tuesday, February 01, 2011 8:49 AM
To: Jeff Williams, III
Cc: Rodney Schmidt; Brandy Pate
Subject: RE: Professional Welding Supply

Jeff,

Thank you for the update. I will record your request for a continuance of the public hearing on case P10-289 to the March 14, 2011 P & Z Meeting and notify the Commission.

Sincerely,

Kelly Violette
City Planner/Community Development Coordinator
City of Tomball
501 James Street | Tomball, TX 77375
Phone (281) 290-1491 | Fax - (281) 351-4735
kviolette@ci.tomball.tx.us

-----Original Message-----

From: Jeff Williams, III [<mailto:jeffwiii@profwldgsply.com>]
Sent: Monday, January 31, 2011 3:45 PM
To: Kelly Violette
Subject: Professional Welding Supply

Hi Kelly,

Please request a continuance for the P&Z meeting. I am trying to get 1 site plan approved that will cover the propane and the dock/outside cylinder storage. I have some estimates for some of the work and I am waiting on others. If you have any questions or comments please let me know.

Thank you,

Jeff Williams, III
Professional Welding Supply, Inc.
713.690.6888 office
832.435.3337 cell
713.690.2363 fax

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 14, 2011

Data Sheet

Topic:

Consideration and possible action regarding **CORRIENTE COMMERCIAL PRELIMINARY PLAT:**
Being a subdivision of 4.8595 acres of land situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, as described in deed recorded in Clerk's File Number U311750 of the Real Property Records of Harris County, Texas.

Background:

Origination:

Engineering and Planning Department

Recommendation:

Funding:

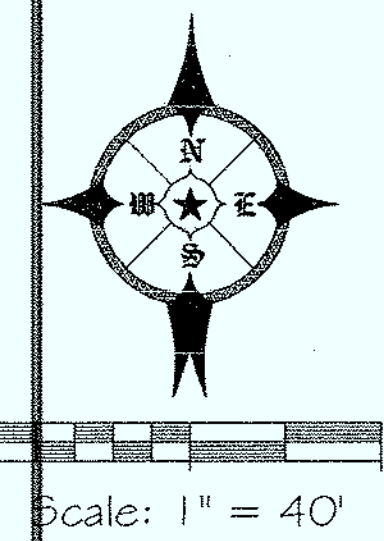
Party(ies) responsible for placing this item on agenda:

Engineering and Planning Department

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

ATTACHMENTS:

Corriente Commercial Preliminary Plat



Legend

- POWER POLE
- GUY WIRE
- PIPELINE MARKER
- ATT/SOUTHWESTERN BELL PHONE PEDESTAL
- ATT/SOUTHWESTERN BELL MARKER
- GAS VALVE
- WATER BOX
- FIRE HYDRANT
- LIGHT POLE
- ELECTRIC LINE

LINE	BEARING	DISTANCE
L1	S 85°40'50" W	38.47'
L2	N 04°22'28" W	130.84'
L3	S 85°46'34" W	131.82'
L4	S 85°43'59" W	83.06'
L5	N 88°57'00" E	100.56'
L6	N 88°57'00" E	103.06'

PRELIMINARY PLAT OF
CORRIENTE COMMERCIAL

Being a subdivision of 4.8595 acres of land situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, as described in deed recorded in Clerk's File Number U311750 of the Real Property Records of Harris County, Texas.

3 LOTS, 1 BLOCK

LOT	ACREAGE	SQ. FEET
1	0.4140	18,035.09
2	0.4049	17,636.44
3	3.9194	170,729.06
ROW	0.1212	5,279.47
TOTAL	4.8595	211,680.06

EARLENT T. STALLONES
RESIDUAL OF A
CALLED 50.00 ACRES
VOL. 3070, PG. 672
D.R.H.C.T.

NNN PARK AT SPRING
CREEK 27, LLC
CALLED 5.8037 ACRES
CF NO. Y582883
R.P.R.H.C.T.

NNN PARK AT SPRING
CREEK 27, LLC
CALLED 4.446 ACRES
CF NO. Y582883
R.P.R.H.C.T.

CITY OF TOMBALL
12" WATERLINE

ROW LINE

BROWN ROAD

60' R.O.W.
Vol. 3194, Pg. 388 D.R.H.C.T.

Found 5/8" Iron Rod
w/ Survey Cap
stamped "Cope"

537.12'

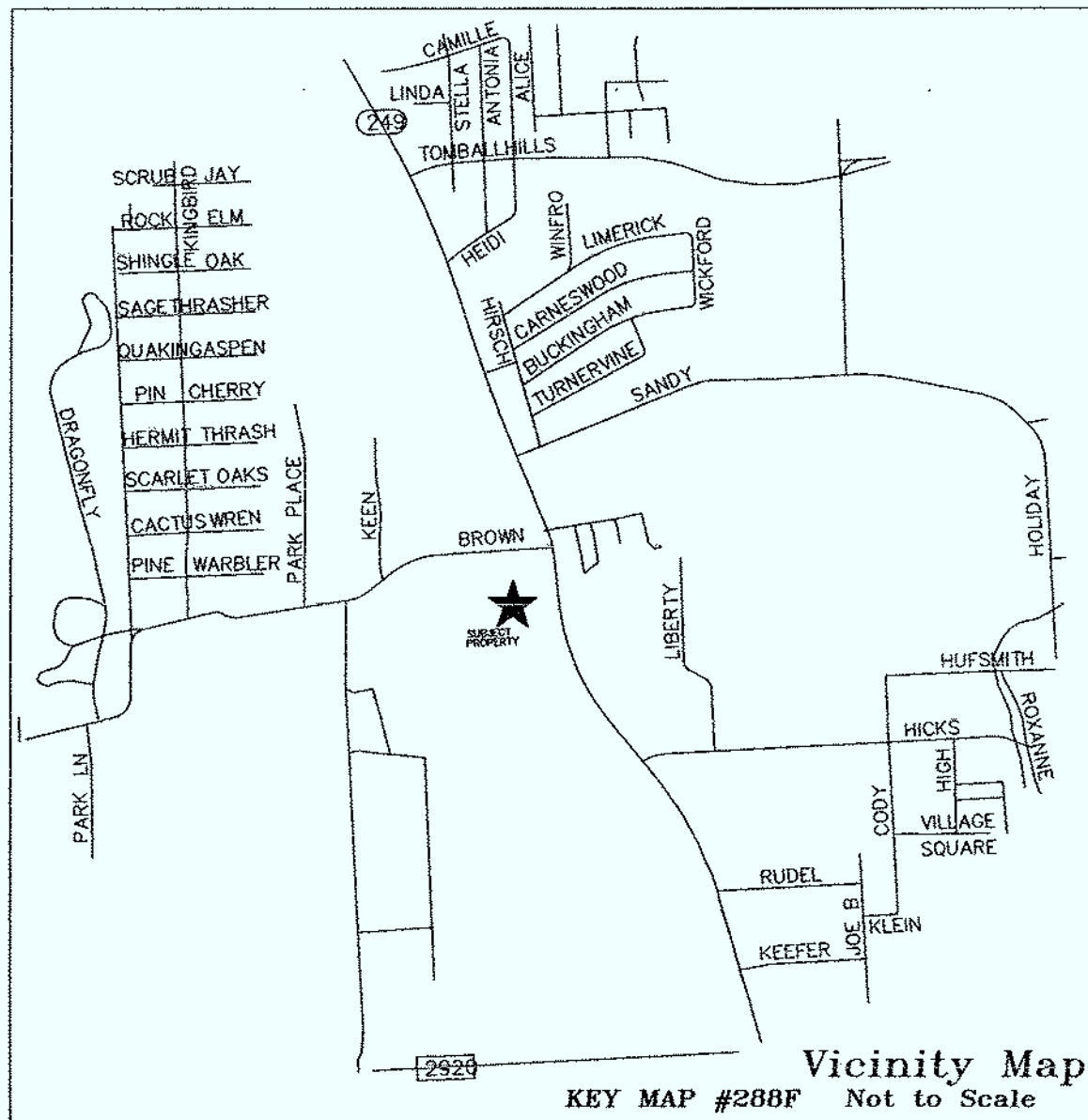
0.1212 ACRE
5,282.12 SQ. FT.
20' RIGHT-OF-WAY
TO BE DEDICATED TO THE
CITY OF TOMBALL

Found 5/8" Iron Rod
w/ Survey Cap
stamped "Swonke"

LOT 1
0.4140 ACRE
18,035.09 Sq. Feet

LOT 2
0.4049 ACRE
17,636.44 Sq. Feet

STATE
HIGHWAY
249
NEW EXISTING
R.O.W.



Vicinity Map
KEY MAP #288F Not to Scale

10' HL&P Easement
CF No. D391161
R.P.R.H.C.T.

PAR REAL ESTATE
HOLDINGS, LLC
CALLED 37.024 ACRES
CF NO. 20090504626
R.P.R.H.C.T.

LOT 3
3.9194 ACRES
170,729.06 Sq. Feet

I, Steven L. Crews, do hereby certify that all existing encumbrances, such as easements, rights of way, and other interests, have been shown and described in this plat, and that the same are correct and true to the best of my knowledge and belief.

Steven L. Crews R.P.L.S. 4141



Notes:
Flood Information:
According to FEMA Form Panel No. 48201C0210-L
(Effective Date June 18, 2007), this property is in Zone
"X" and is not in the 0.2% Annual Chance Flood Plain.

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

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

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

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

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

Note #6:
The Basis of Bearings for this plat is the Recorded Deed

Note #7:
The elevations shown are assumed.

Note #8:
Subject to zoning ordinances of the City of Tomball now
in effect.

Note #9:
Subject to an unlocated pipeline right-of-way
easement granted to Humble Oil & Refining Company
as described in Vol. 1047, Pg. 617 D.R.H.C.T., there
is no evidence of a pipeline crossing the
property.

Note #10:
Subject to a 10 foot building line along the sides
of all lots.

M.R.H.C.T. = MAP RECORDS OF HARRIS COUNTY TEXAS
R.P.R.H.C.T. = REAL PROPERTY RECORDS OF HARRIS
COUNTY TEXAS
CF NO. = CLERK'S FILE NUMBER
B.L. = BUILDING LINE
C.O.U.E. = UTILITY EASEMENT DEDICATED TO THE CITY
OF TOMBALL
W.L.E. = WATER LINE EASEMENT
S.S.E. = SANITARY SEWER EASEMENT
A.E. = ACCESS EASEMENT TO THE CITY OF TOMBALL
VOL. = VOLUME
PG. = PAGE

**UNRESTRICTED
RESERVE "B"**

PAR REAL ESTATE
HOLDINGS, LLC
CF NO. 2009460101
R.P.R.H.C.T.
TOMBALL CENTER III
VOL. 551, PG. 80
M.R.H.C.T.

JOSEPH HOUSE
SURVEY, A-34

S 87°52'32" W
2214 +/-
JOHN M. HOOPER
SURVEY, A-375

BROWN ROAD TIMBER
RESOURCES, LLC
CALLED 44.787 ACRES
CF NO. 20080043179
R.P.R.H.C.T.

Surveyor:

C & C SURVEYING INC.

7424 FM 1488, Suite A Magnolia, Texas 77354

Office: 281-356-5172 Fax: 281-356-1935

Owner:
**CORRIENTE
PROPERTIES, LLC**
8203 Willow Place South, Suite 390
Houston, Texas 77070
281-890-8800

February 2011
Sheet 1 of 1

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 14, 2011

Data Sheet

Topic:

Consideration and possible action regarding **PARTIAL REPLAT OF TOMBALL MARKETPLACE**: A 28.5984 acre (1,245,748 Square Foot) subdivision; Being lots 2, 3 & 4, 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:

Engineering and Planning Department

Recommendation:

Funding:

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

Engineering and Planning Department

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

ATTACHMENTS:

Partial Replat of Tomball Marketplace 1 of 2

Partial Replat of Tomball Marketplace 2 of 2

PROPERTY DESCRIPTION

A 28.5986 acre (1,245,748 square foot) tract of land being all of Lot 2, Lot 3 and Lot 4, Tomball Marketplace, as recorded under Film Code Number 605157, of the Harris County Map Records, in the John M. Hooper Survey, Abstract Number 375, Tomball, Harris County, Texas, said 28.5986 acre tract being more particularly described as follows (bearings based on the Texas State Plane Coordinate System, South Central Zone (NAD83) as determined by GPS observations):

BEGINNING at 5/8-inch iron rod with "CLR" cap found in the south line of Reserve "A", Replat of Woodforest Bank, as recorded under Film Code Number 551084, of the Harris County Map Records, for the westerly northwest corner of Lot 5, Tomball Marketplace, the northeast corner of said Lot 2, and the most northerly northeast corner hereof;

THENCE, with the west line of Lot 5, South 02 degrees 42 minutes 28 seconds East, 233.20 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, along the arc of a 195.00 foot radius non-tangent curve to the left, having a central angle of 11 degrees 26 minutes 30 seconds, an arc length of 38.94 feet and a chord which bears North 55 degrees 29 minutes 08 seconds East, a distance of 38.88 feet to a 5/8-inch iron rod with "CLR" cap found for a point of reverse curve;

THENCE, along the arc of a 235.00 foot radius reverse curve to the right, having a central angle of 37 degrees 51 minutes 41 seconds, an arc length of 155.29 feet and a chord which bears North 68 degrees 41 minutes 44 seconds East, a distance of 152.48 feet to a 5/8-inch iron rod with "CLR" cap 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 H.C.C.F. Y083145, for the easterly northeast corner hereof;

THENCE, with the west right-of-way line of State Highway 249, along the arc of a 2098.48 foot radius non-tangent curve to the left, having a central angle of 01 degrees 05 minutes 43 seconds, an arc length of 40.11 feet and a chord which bears South 01 degrees 31 minutes 23 seconds West, a distance of 40.11 feet to a 5/8-inch iron rod with "CLR" cap found for the northeast corner of Lot 6, Tomball Marketplace;

THENCE, leaving the west right-of-way line of State Highway 249, along the arc of a 195.00 foot radius non-tangent curve to the left, having a central angle of 37 degrees 03 minutes 38 seconds, an arc length of 126.13 feet and a chord which bears South 68 degrees 17 minutes 42 seconds West, a distance of 123.94 feet to a 5/8-inch iron rod with "CLR" cap found for a point of reverse curve;

THENCE, along the arc of a 235.00 foot radius reverse curve to the right, having a central angle of 17 degrees 36 minutes 35 seconds, an arc length of 72.23 feet and a chord which bears South 58 degrees 34 minutes 11 seconds West, a distance of 71.94 feet to a 5/8-inch iron rod with "CLR" cap found for the northeast corner of Lot 6, and an interior corner hereof;

THENCE, with the west line of Lot 6, South 02 degrees 42 minutes 28 seconds East, 196.94 feet to a 5/8-inch iron rod with "CLR" cap found for the northeast 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, and for the most easterly southeast corner hereof;

THENCE, South 87 degrees 17 minutes 32 seconds West, 405.00 feet to a cut "X" in concrete found for the northwest corner of said called 6.970 acre tract, and an interior corner hereof;

THENCE, with the westerly lines of said called 6.970 acre tract and the southerly east lines of Lot 2, as follows:

South 02 degrees 42 minutes 28 seconds East, 351.00 feet to a cut "X" in concrete found for corner;

North 87 degrees 17 minutes 32 seconds East, 64.15 feet to a cut "X" in concrete found for corner;

South 02 degrees 42 minutes 28 seconds East, 28.86 feet to a cut "X" in concrete found for corner;

North 87 degrees 17 minutes 32 seconds East, 4.50 feet to cut "X" in concrete found for corner;

South 02 degrees 42 minutes 28 seconds East, 357.00 feet to a 5/8-inch iron rod with "CLR" cap found in the north line of a called 3.201 acre tract of land described in a deed from Troy M. Stallone, et ux to Houston Lighting & Power Company, as recorded under Harris County Clerk's File Number D462827, for the southwest corner of said called 6.970 acre tract, and the southerly southeast corner hereof;

THENCE, South 87 degrees 17 minutes 32 seconds West, 289.84 feet to a 5/8-inch iron rod found for corner in the southerly line hereof;

THENCE, South 87 degrees 45 minutes 42 seconds West, 16.74 feet to a 5/8-inch iron rod with "HUGH CLARKSON" cap found the northeast corner of Lot 9, Tomball Marketplace, for corner in the southerly line hereof;

THENCE, with the north line of Lot 9, South 87 degrees 17 minutes 32 seconds West, 730.92 feet to a 5/8-inch iron rod with "CLR" cap found in the east line of Reserve "B", Tomball Marketplace, for the northwest corner of Lot 9, the southwest corner of Lot 3, Tomball Marketplace, and the southwest corner hereof;

THENCE, with the east line of Reserve "B", North 02 degrees 51 minutes 39 seconds West, 566.25 feet to a 5/8-inch iron rod with "CLR" cap found for the northeast corner of Reserve "B", and an interior corner hereof;

THENCE, South 65 degrees 00 minutes 18 seconds West, 33.19 feet to a 5/8-inch iron rod with "CLR" cap found for the southeast corner of a called 3.9913 acre tract of land described in a deed from Tomball Bowling Center, Inc. to The Jarvis Adventure, Inc., as recorded under Harris County Clerk's File Number X349161, for corner hereof;

THENCE, with the east line of said called 3.9913 acre tract, North 02 degrees 19 minutes 55 seconds West, 378.64 feet to a 5/8-inch iron rod with "CLR" cap found for the southwest corner of a the residue of a called 5,0100 acre tract of land described in a deed from Sterling Bank to Duane E. Mann, et ux, as recorded under Harris County Clerk's File Number T523129, for the northwest corner hereof;

THENCE, North 87 degrees 21 minutes 43 seconds East, 138.46 feet to a 5/8-inch iron rod with "CLR" cap found for the southeast corner of said called 5.0100 acre tract, the southwest corner of Reserve "A", Tomball Marketplace, and for a corner in the north line hereof;

THENCE, North 68 degrees 24 minutes 52 seconds East, 73.51 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, North 02 degrees 21 minutes 58 seconds West, 58.93 feet to a 5/8-inch iron rod with "CLR" cap found for a point of curve;

THENCE, along the arc of a 25.00 foot radius curve to the right, having a central angle of 90 degrees 00 minutes 00 seconds, an arc length of 39.27 feet and a chord which bears North 42 degrees 38 minutes 02 seconds East, a distance of 35.36 feet to a 5/8-inch iron rod with "CLR" cap found for corner in the north line hereof;

THENCE, North 87 degrees 38 minutes 02 seconds East, at a distance of 45.51 feet pass a 5/8-inch iron rod with "FRONTIER" cap found for the southwest corner Reserve "B", Parr Center Replat Final, as recorded under Film Code 563192, of the Harris County Map Records, for a total distance of 213.99 feet to a 5/8-inch iron rod with "CLR" cap found in the west right-of-way line of Parr Court (60 feet wide), as recorded under Film Code 583192, of the Harris County Map Records, for the southeast corner of Reserve "B", Parr Center Replat Final, and for corner in the north line hereof;

THENCE, South 02 degrees 10 minutes 32 seconds East, 290.61 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, South 87 degrees 17 minutes 31 seconds West, 30.00 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, South 02 degrees 10 minutes 32 seconds East, 24.00 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, North 87 degrees 17 minutes 31 seconds East, 120.00 feet to a cut "X" in concrete found for an interior corner hereof;

THENCE, North 02 degrees 10 minutes 32 seconds West, 24.00 feet to a cut "X" in concrete found for an interior corner hereof;

THENCE, South 87 degrees 17 minutes 31 seconds West, 20.00 feet to a cut "X" in concrete found for an interior corner hereof;

THENCE, North 02 degrees 10 minutes 32 seconds West, 17.94 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, South 65 degrees 00 minutes 18 seconds West, 10.85 feet to a 5/8-inch iron rod found for an interior corner hereof;

THENCE, North 02 degrees 10 minutes 32 seconds West, 276.41 feet to a 5/8-inch iron rod with "CLR" cap found in the east right-of-way line of said Parr Court, for the southwest corner of Reserve "A", Parr Center Replat Final, and for a corner in the northerly line hereof;

THENCE, North 87 degrees 38 minutes 02 seconds East, 171.01 feet to a 5/8-inch iron rod with "CLR" cap found for the southeast corner of Reserve "A", Parr Center Replat Final, and for an interior corner hereof;

THENCE, North 02 degrees 20 minutes 07 seconds West, 180.65 feet to a 5/8-inch iron rod found for the southwest corner of Discount Tire-Tomball, as recorded under Film Code Number 517122, of the Harris County Map Records, for the most northerly northwest corner hereof;

THENCE, North 87 degrees 31 minutes 31 seconds East, 135.25 feet to a 5/8-inch iron rod with "CLR" cap found for and angle point in the northerly line hereof;

THENCE, North 87 degrees 39 minutes 40 seconds East, 135.25 feet to a 5/8-inch iron rod with "CLR" cap found in the west right-of-way line of Woodforest Boulevard (100 feet wide), as recorded in Film Code Number 551084, of the Harris County Map Records, for the southeast corner of Discount Tire-Tomball, and an angle point in the northerly line hereof;

THENCE, North 87 degrees 42 minutes 03 seconds East, 18.90 feet to a cut "X" in concrete found for corner in the northerly line hereof;

THENCE, South 02 degrees 42 minutes 28 seconds East, 234.42 feet to a 5/8-inch iron rod with "CLR" cap found for a point of curve;

THENCE, along the arc of a 28.00 foot radius curve to the right, having a central angle of 90 degrees 00 minutes 01 seconds, an arc length of 43.98 feet and a chord which bears South 42 degrees 17 minutes 32 seconds West, a distance of 39.60 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, South 87 degrees 17 minutes 33 seconds West, 2.00 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, South 02 degrees 42 minutes 28 seconds East, 30.00 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, North 87 degrees 17 minutes 33 seconds East, 120.00 feet to a cut "X" in concrete found for an interior corner hereof;

THENCE, North 02 degrees 42 minutes 28 seconds West, 30.00 feet to a cut "X" in concrete found for an interior corner hereof;

THENCE, South 87 degrees 17 minutes 33 seconds West, 2.00 feet to a cut "X" in concrete found for an a point of curve;

THENCE, along the arc of a 28.00 foot radius curve to the right, having a central angle of 89 degrees 59 minutes 59 seconds, an arc length of 43.98 feet and a chord which bears North 47 degrees 42 minutes 28 seconds West, a distance of 39.60 feet to a 5/8-inch iron rod with "CLR" cap found for an interior corner hereof;

THENCE, North 02 degrees 42 minutes 28 seconds West, 234.00 feet to a cut "X" in concrete found for corner in the northerly line hereof;

THENCE, North 87 degrees 42 minutes 03 seconds East, at a distance of 21.09 feet pass a 5/8-inch iron rod with "CLR" cap found in the east right-of-way line of Woodforest Boulevard, marking the southwest corner of Reserve "A", Replat of Woodforest Bank, as recorded under Film Code No. 551084, of the Harris County Map Records, for a total distance of 56.12 feet to a 5/8-inch iron rod with "CLR" cap found for an angle point in the south line of Reserve "A", Replat of Woodforest Bank, and for an angle point in the northerly line hereof;

THENCE, North 87 degrees 49 minutes 41 seconds East, 135.45 feet to a 5/8-inch iron rod found for an angle point in the south line of Reserve "A", Replat of Woodforest Bank, and an angle point in the northerly line hereof;

THENCE, North 87 degrees 41 minutes 47 seconds East, 188.65 feet to the **POINT OF BEGINNING** and containing a computed area of 28.5986 acres (1,245,748 square feet) of land.

STATE OF TEXAS §
COUNTY OF HARRIS §

We, Weingarten/Investments, Inc., hereinafter referred to as owners of the 28.60 acre tract described in the above and foregoing plat of **PARTIAL REPLAT 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 purposed 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 _____, 2011.

WEINGARTEN/INVESTMENTS, INC.

By: _____

NAME: M. Candace DuFour

TITLE: SVP/Secretary

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 _____

and

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 purposed 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 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 _____, 2011.

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

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

George Shackelford Mark A. McClure, PE
City Manager Director of Engineering and Planning

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 _____, 2011.

Gretchen Fagan Doris Speer
Mayor City Secretary

NOTES:

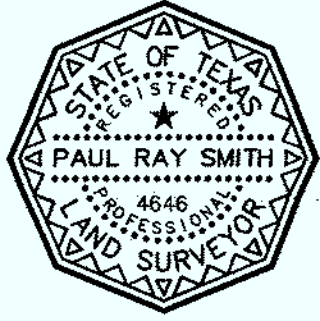
Flood Information:
According to FEMA Firm Panel No. 48201C0230L (effective date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.

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 of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any 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 Ventas Title Partners, L.P., as agent for Fidelity National Title Insurance Company, G.F. No. 11002740, effective date of February 6, 2011, issued February 10, 2011, 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 0.9999447814.
- All property corners are found 5/8-inch iron rods with "CLR" caps unless otherwise noted.
- 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 = 150.10 (NAVD 88, 2001 adj.)

I, Paul Ray Smith, 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 three-fourths (3/4) 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.



Paul Ray Smith, RPLS
Registered Professional Land Surveyor No. 4646

STATE OF TEXAS §
COUNTY OF HARRIS §

I, Beverly B. Kaufman, 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 _____, 2011 at _____ o'clock _____ M. and at Film Code _____ of the Map Records of Harris County for said county and duly recorded on _____, 2011, at _____ o'clock _____ M.

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

Beverly B. Kaufman
County Clerk
Harris County, Texas

By: _____
Deputy

PARTIAL REPLAT OF
TOMBALL MARKETPLACE

A 28.5984 ACRE (1,245,748.00 SQUARE FOOT) SUBDIVISION
BEING LOTS 2, 3 & 4, TOMBALL MARKETPLECE,
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

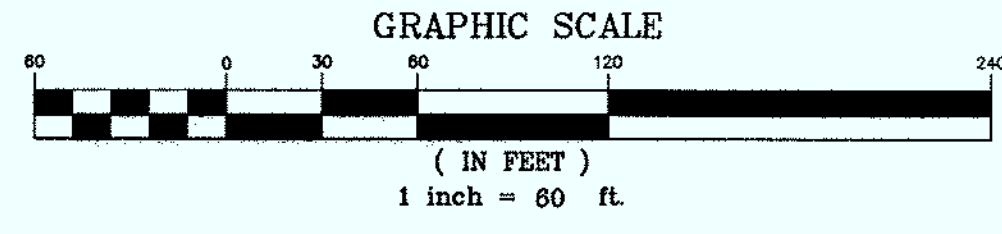
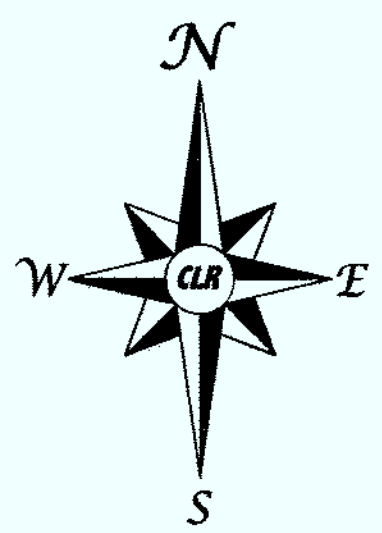
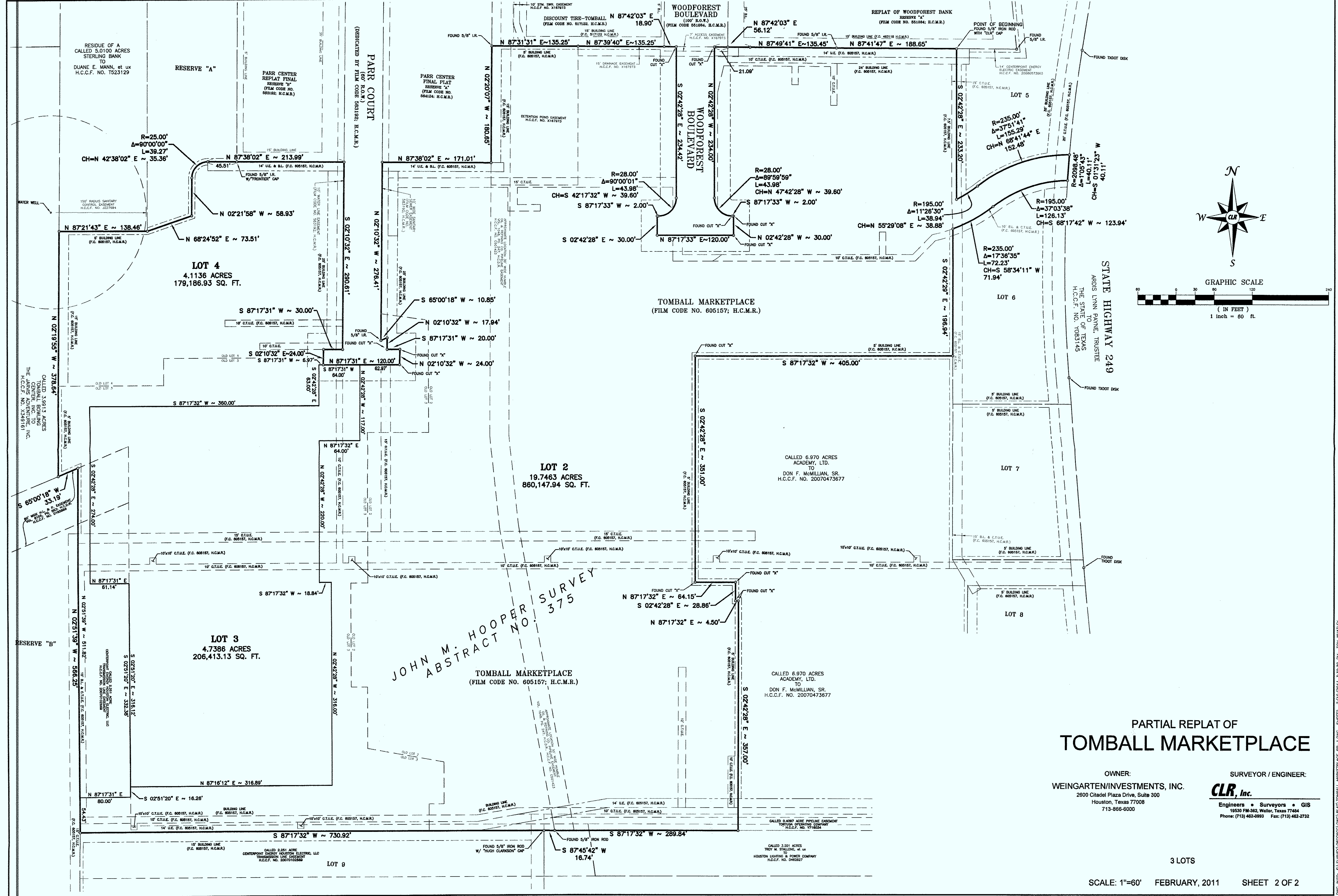
OWNER:
WEINGARTEN/INVESTMENTS, INC.
2800 Citadel Plaza Drive, Suite 300
Houston, Texas 77008
713-866-8000

SURVEYOR / ENGINEER:

CLR, Inc.

Engineers • Surveyors • GIS
18530 FM 362, Waller, Texas 77484
Phone: (713) 462-4993 Fax: (713) 462-2732

3 LOTS



PARTIAL REPLAT OF
TOMBALL MARKETPLACE

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) 462-0950 Fax: (713) 462-3732

3 LOTS

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 14, 2011

Data Sheet

Topic:

Consideration and possible action regarding **RESERVE AT TOMBALL FINAL PLAT**: A 56.530 acre tract of land being a partial Replat of Tomball Townsite Recorded in Volume 2, Page 65, H.C.M.R., and Tomball East Gate Center recorded under Film Code No. 542107, H.C.M.R., Being all of a called 55.6484 acre tract recorded under Harris County Clerk's File No. 20100211861, and the residue of unrestricted Reserve "B", Tomball East Gate Center, in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas.

Background:

Origination:

Engineering and Planning Department

Recommendation:

Funding:

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

Engineering and Planning Department

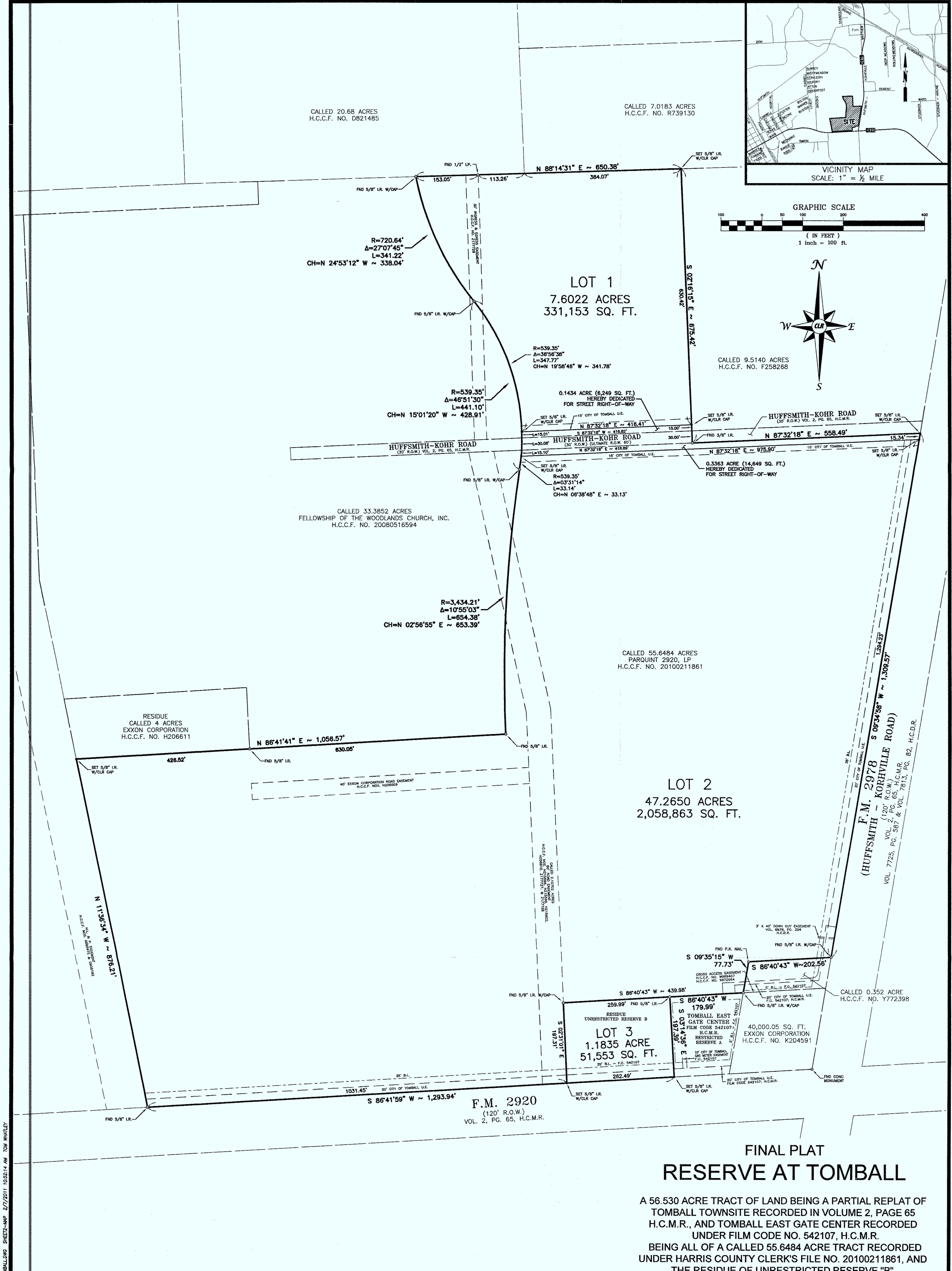
ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Reserve at Tomball Final Plat 1 of 2

Reserve at Tomball Final Plat 2 of 2

DWG INFO: F:\SURVEY\120100.DWG PLAT MASTER RESERVE AT TOMBALL.DWG SHEET2-MAP 2/7/2011 10:52:14 AM TOM WHALEY



AREA SUMMARY		
DESCRIPTION	SQ. FT.	ACRES
LOT 1	331,153	7.60223
LOT 2	2,058,863	47.26499
LOT 3	51,553	1.18350
NORTH R.O.W. DEDICATION	6,249	0.14345
SOUTH R.O.W. DEDICATION	14,649	0.33630
EXISTING HUFFSMITH-KOHR ROW	12,531	0.28768
GROSS ACREAGE	2,474,998	56.81814
NET ACREAGE (*)	2,462,467	56.53046

* - THE NET ACREAGE PLUS THE ACREAGE CONTAINED WITHIN THE PUBLIC ROAD RIGHT-OF-WAY OF HUFFSMITH-KOHR ROAD (30 FEET WIDE) EQUALS THE GROSS ACREAGE (TOTAL ACREAGE) WITHIN THE PLAT BOUNDARY.

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

**FINAL PLAT
RESERVE AT TOMBALL**

A 56.530 ACRE TRACT OF LAND BEING A PARTIAL REPLAT OF TOMBALL TOWNSITE RECORDED IN VOLUME 2, PAGE 65 H.C.M.R., AND TOMBALL EAST GATE CENTER RECORDED UNDER FILM CODE NO. 542107, H.C.M.R. BEING ALL OF A CALLED 55.6484 ACRE TRACT RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. 20100211861, AND THE RESIDUE OF UNRESTRICTED RESERVE "B", TOMBALL EAST GATE CENTER IN THE JESSE PRUITT SURVEY, ABSTRACT NO. 629 CITY OF TOMBALL, HARRIS COUNTY, TEXAS

OWNER:
PARQUINT 2920, L.P.,
1330 Lake Robbins Dr., Suite 100
The Woodlands, TX 77380
832-375-2520

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

3 LOTS 1 RESERVE
SCALE: 1"=100' FEBRUARY, 2011

PROPERTY DESCRIPTION

Being a 56.530 acre (2,462,467 square feet) tract of land in the Jesse Pruitt Survey, A-629 in Harris County, Texas, said 56.530 acre tract of land being comprised of a called 55.6484 acre tract of land conveyed to PARQUINT 2920, L.P. by deed dated May 21, 2010 as recorded under Harris County Clerk's File No. 20100211861 (H.C.C.F.), the residue of Unrestricted Reserve "B", Block 1, Tomball East Gate Center a subdivision recorded under Film Code No. 542107 of the Harris County Map Records (H.C.M.R.), and a 1.1835 acre tract conveyed to Woodforest National Bank, said 56.530 acre tract being more particularly described by metes and bounds as follows (bearings based on the Texas State Plane Coordinate System, South Central Zone (NAD83) as determined by GPS observations):

BEGINNING at a 5/8" iron rod with "CLR" cap set at the southwest corner of Restricted Reserve "A", Block 1, said Tomball East Gate Center, the southeast corner of said Unrestricted Reserve "B", Block 1, Tomball East Gate Center, the southeast corner of said called 1.1835 acre tract, the most southeasterly corner of the herein described tract, and lying in the south right-of-way line of FM 2920 (120 feet wide);

THENCE South 86 degrees 41 minutes, 59 seconds West, along the south line said called 1.1835 acre tract, the south line of said Unrestricted Reserve "B", Tomball East Gate Center, and the north right-of-way line of said FM 2920 (120 feet wide) a distance of 262.49 feet to a 5/8-inch iron rod with "CLR" cap set at the southwest corner of said Unrestricted Reserve "B", Tomball East Gate Center, the southwest corner of said called 1.1835 acre tract, the most southeasterly corner of said called 55.6484 acre tract, a southerly corner of the herein described tract, and lying in the north right-of-way line of said FM 2920 (120 feet wide);

THENCE South 86 degrees 41 minutes, 59 seconds West, along the south line of said called 55.6484 acre tract, and the north right-of-way line of said FM 2920 (120 feet wide) a distance of 1,031.45 feet to a 5/8-inch iron rod found at the southwest corner of said called 55.6484 acre tract, the southeast corner of a 5.1420 acre tract conveyed to Houston Lighting & Power Company by deed dated March 2, 1981, as recorded under H.C.C.F. No. G885475, and by deed dated March 23, 1981, as recorded in H.C.C.F. No. G908192, the southwest corner of the herein described tract, and lying in the north right-of-way line of said FM 2920 (120 feet wide);

THENCE North 11 degrees 36 minutes 34 seconds West, along the west line of said called 55.6484 acre tract, and the east line of said 5.1420 acre tract a distance of 876.21 feet to a 5/8-inch iron rod with "CLR" cap set at a northwesterly corner of said called 55.6484 acre tract, the southwest corner of a 1.5041 acre tract being the residue of a called 4 acre tract conveyed tp Exxon Corporation by deed dated October 29, 1981 as recorded under H.C.C.F.No. H206811, and a northwesterly corner of the herein described tract;

THENCE North 86 degrees 41 minutes 41 seconds East along the north line of said called 55.6484 acre tract, the south line of said 1.5041 acre tract a distance of 426.52 feet to a 5/8-inch iron rod found at the southeast corner of said 1.5041 acre tract, a southwest corner of a called 33.3852 acre tract conveyed to Fellowship of The Woodlands Church, Inc. by deed dated August 28, 2008 as recorded under H.C.C.F. No. 20080516594, lying in a northerly line of said called 55.6484 acre tract, and a northerly line of the herein described tract;

THENCE North 86 degrees 41 minutes 41 seconds East along the north line of said called 55.6484 acre tract, the south line of said called 33.3852 acre tract a distance of 630.05 feet to a 5/8-inch iron rod found at the southeast corner of said called 33.3852 acre tract, an interior corner of said called 55.6484 acre tract, and an interior corner of the herein described tract;

THENCE Northerly along the east line of said called 33.3852 acre tract, the west line of said called 55.6484 acre tract, and a curve to the right through a central angle of 10 degrees 55 minutes 03 seconds to a 5/8-inch iron rod with cap found at the point of reverse curvature of a curve to the left, an easterly corner of said called 33.3852 acre tract, a westerly corner of said 55.6484 acre tract, said curve having a radius of 3,434.21 feet, an arc length of 654.38 feet, and a long chord bearing North 02 degrees 56 minutes 55 seconds East, a distance of 653.39 feet;

THENCE Northwestery along the east line of said called 33.3852 acre tract, the west line of said called 55.6484 acre tract, and a curve to the left through a central angle of 46 degrees 51 minutes 30 seconds to a 5/8-inch iron rod with cap found at the point of reverse curvature of a curve to the right, an easterly corner of said called 33.3852 acre tract, a westerly corner of said 55.6484 acre tract, said curve having a radius of 539.35 feet, an arc length of 441.10 feet, and a long chord bearing North 15 degrees 01 minutes 20 seconds West, a distance of 428.91 feet;

THENCE Northwestery along the east line of said called 33.3852 acre tract, the west line of said called 55.6484 acre tract, and a curve to the right through a central angle of 27 degrees 07 minutes 45 seconds to a 5/8-inch iron rod with cap found at the northeast corner of said called 33.3852 acre tract, the most northwesterly corner of said 55.6484 acre tract, and lying in the south line of a called 20.68 acre tract (Tract I) conveyed to Frank J. Hieden by deed dated March 7, 1973 as recorded under H.C.C.F. No. D821485, said curve having a radius of 720.64 feet, an arc length of 341.22 feet, and a long chord bearing North 24 degrees 53 minutes 12 seconds West, a distance of 338.04 feet;

THENCE North 88 degrees 14 minutes 31 seconds East along the north line of said called 55.6484 acre tract, the south line of said called 20.68 acre tract a distance of 266.31 feet to the southeast corner of said called 20.68 acre tract, the southwest corner of a called 7.0483 acre tract conveyed to Charles R. Stevens and Patricia S. Stevens by deed dated December 21, 1995 as recorded under H.C.C.F. No. R739130, and lying in the north line of said called 55.6484 acre tract, and the north line of the herein described tract;

THENCE North 88 degrees 14 minutes 31 seconds East along the north line of said called 55.6484 acre tract, the south line of said called 7.0483 acre tract a distance of 384.07 feet to a 5/8-inch iron rod with "CLR" cap set at the most northeasterly corner of said called 55.6484 acre tract, the northwest corner of a called 9.5140 acre tract conveyed to B.J. Hardin and E. Louise Hardin by deed dated July 20, 1977 as recorded in H.C.C.F. No. F258268, the most northeasterly corner of the herein described tract, and lying in the south line of said called 7.0483 acre tract;

THENCE South 02 degrees 16 minutes 15 seconds East along the east line of said called 55.6484 acre tract, the west line of said called 9.5140 acre tract, passing at a distance of 645.42 feet the southwest corner of said called 9.5140 acre tract, an easterly corner of said called 55.6484 acre tract, an easterly corner of the herein described tract, and lying in the north right-of-way line of Huffsmith-Kohr Road (30 feet wide) as shown on Tomball Townsite, a subdivision recorded under Volume 2, Page 65 of the H.C.M.R., continuing along the east line of said called 55.6484 acre tract a total distance of 675.42 feet to a 3/8-inch iron rod found at an interior corner of said called 55.6484 acre tract, an interior corner of the herein described tract, and lying in the south right-of-way line of said Huffsmith-Kohr Road (30 feet wide);

THENCE North 87 degrees 32 minutes 18 seconds East along a northerly line of said called 55.6484 acre tract, a northerly line of the herein described tract, and the south right-of-way line of said Huffsmith-Kohr Road (30 feet wide) a distance of 558.49 feet to a 5/8-inch iron rod with "CLR" cap set at the most easterly northeast corner of said called 55.6484 acre tract, the most easterly northeast corner of the herein described tract, and lying in the west right-of-way line of FM 2978 (120 feet wide) as recorded under Volume 2, Page 65 of the H.C.M.R., Volume 7725, Page 587 of the H.C.D.R., and Volume 7813, Page 82 of the H.C.D.R.;

THENCE South 09 degrees 34 minutes 58 seconds West along the east line of said called 55.6484 acre tract, the east line of the herein described tract, and the west right-of-way of said FM 2978 (120 feet wide) passing at a distance of 974.35 feet the northeast corner of said Unrestricted Reserve "B", Tomball East Gate Center, continuing along the common boundary line of said called 55.6484 acre tract, said Unrestricted Reserve "B", Tomball East Gate Center, and the east line of the herein described tract a total distance of 1,309.57 feet to a 5/8" iron rod with cap found at the northeast corner of a called 0.352 acre tract of land conveyed to Exxon Mobil Corporation by deed dated September 15, 2005 as recorded under H.C.C.F. No. Y772398, the most easterly southeast corner of said called 55.6484 acre tract of land, the most easterly southeast corner of the herein described tract, and lying in the west right-of-way line of said FM 2978 (120 feet wide);

THENCE South 86 degrees 40 minutes 43 seconds West, along the common boundary line of said called 55.6484 acre tract, said called 0.352 acre tract, and the herein described tract a distance of 202.56 feet to a P.K. nail found in asphalt at the northwest corner of said called 0.352 acre tract, an interior corner of said called 55.6484 acre tract, and an interior corner of the herein described tract;

THENCE South 09 degrees 35 minutes 15 seconds West along the common boundary line of said called 0.352 acre tract, said called 55.6484 acre tract, and the herein described tract a distance of 77.73 feet to a 5/8-inch iron with cap found at the southwest corner of said called 0.352 acre tract, a southeast corner of said called 55.6484 acre tract, a northwest corner of a called 40,000.05 square feet tract of land conveyed to Exxon Corporation by deed dated September 13, 1985 as recorded under H.C.C.F. No. K204591, the northeast corner of said Restricted Reserve "A", Block 1, Tomball East Gate Center, an interior corner of said called 55.6484 acre tract, and an interior corner of the herein described tract;

THENCE South 86 degrees 40 minutes 43 seconds West, along the common boundary line of said Restricted Reserve "A", Block 1, Tomball East Gate Center, said Unrestricted Reserve "B", Block 1, Tomball East Gate Center, said 55.6484 acre tract, and the herein described tract a distance of 179.99 feet a 5/8-inch iron rod found at the northwest corner of said Restricted Reserve "A", Block 1, Tomball East Gate Center, an interior corner of said Unrestricted Reserve "B", Block 1, Tomball East Gate Center, a southerly interior corner of said called 55.6484 acre tract, and a southerly interior corner of the herein described tract;

THENCE South 03 degrees 14 minutes 36 seconds East along the common boundary line of said Restricted Reserve "A", Block 1, Tomball East Gate Center, said Unrestricted Reserve "B", Block 1, Tomball East Gate Center, said called 55.6484 acre tract, and the herein described tract a distance of 197.39 feet to the **POINT OF BEGINNING** and containing a computed area of 56.530 acres (2,462,467 square feet) of land.

STATE OF TEXAS §
COUNTY OF HARRIS §

We, **PARQUINT 2920, L.P.**, and **WOODFOREST NATIONAL BANK**, owners, hereinafter referred to as owners of the 56.8329 acre tract described in the above and foregoing plat of **RESERVE AT TOMBALL**, 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 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 covenant and agree that all of 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, **PARQUINT 2920, L.P.** and **WOODFOREST NATIONAL BANK** has caused these presents to be signed by Michael H. Richmond, thereunto authorized,

attested by _____ and its common seal hereunto affixed
this _____ day of _____, 2011.

PARQUINT 2920, L.P.

BY: _____

NAME: Michael H. Richmond

TITLE: President

ATTEST:

BY: _____

NAME: _____

TITLE: _____

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Michael H. Richmond, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said **PARQUINT 2920, L.P.**

Notary Public in and for the State of Texas
My commission expires _____

WOODFOREST NATIONAL BANK

BY: _____

NAME: Michael H. Richmond

TITLE: Vice Chairman and CEO

ATTEST:

BY: _____

NAME: _____

TITLE: _____

STATE OF TEXAS §
COUNTY OF HARRIS §

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

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 **RESERVE AT TOMBALL** 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 _____, 2011.

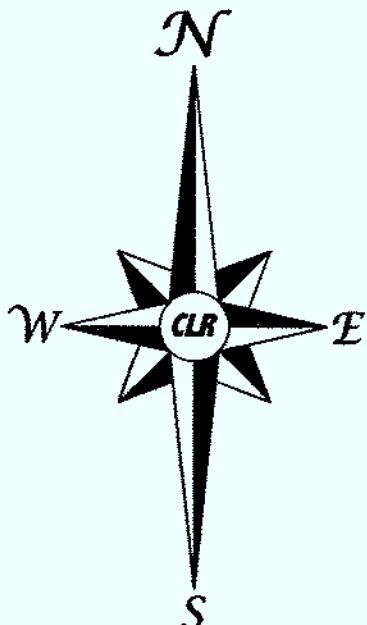
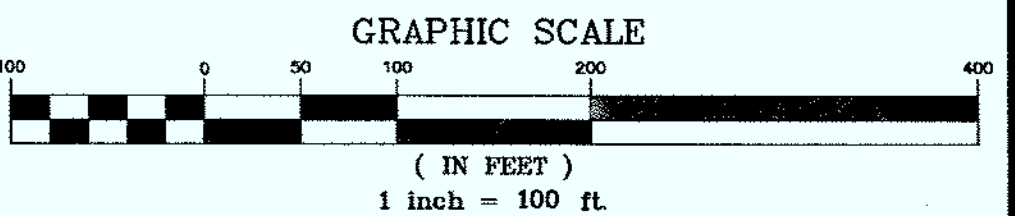
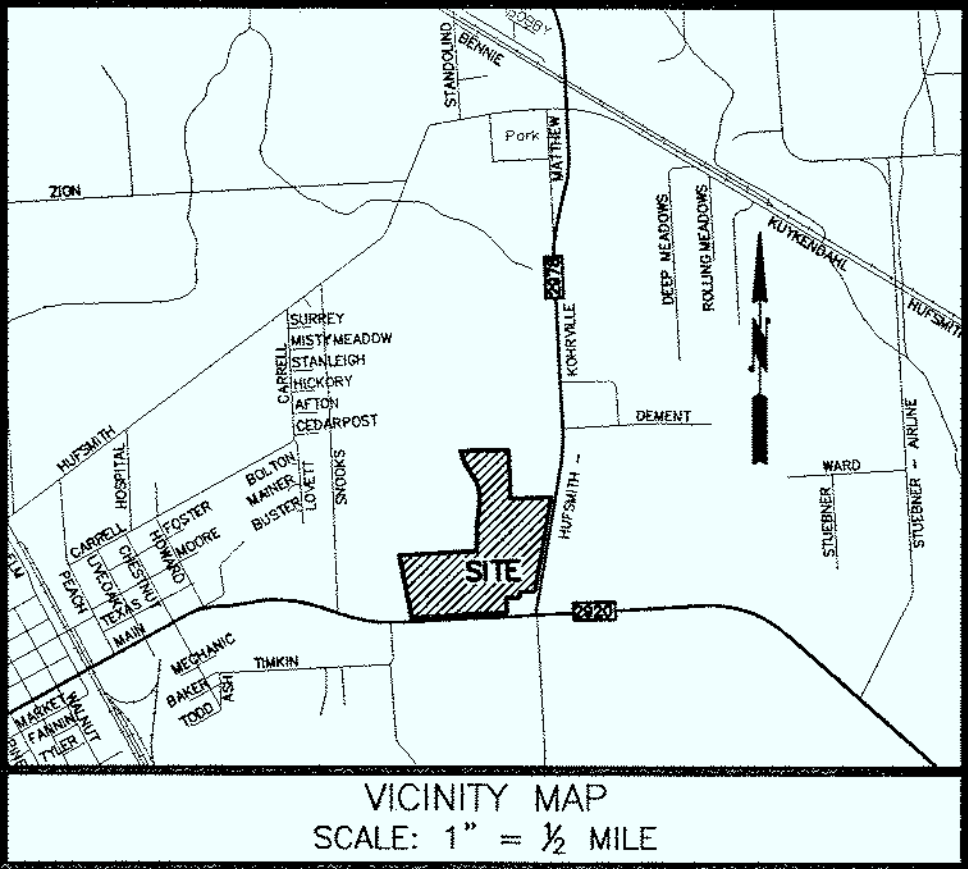
By: _____ By: _____
Lori Wallace, Chairman Tom Crofoot, Vice Chairman

We, the City Manager and Director of Engineering and Planning for the City of Tomball, Texas, do hereby certify that the plat of **RESERVE AT TOMBALL** is in conformance with the City of Tomball ordinances.

George Shackelford Mark A. McClure, PE
City Manager Director of Engineering and Planning

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 _____, 2011.

Gretchen Fagan Doris Speer
Mayor City Secretary



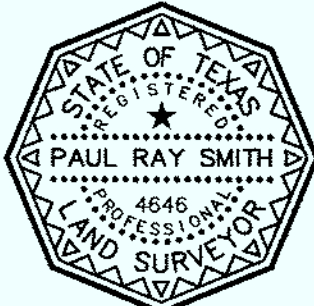
NOTES:

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 of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any 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 visible easements and easements of record as reflected on title commitment from Stewart Title of Montgomery County, File No.: 103804, issued December 02, 2010, 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 NAD 83. Bearings in metes and bounds description are based upon the called 55.6484 acre tract recorded under H.C.C.F. NO 20100211861, and can be rotated 02 degrees 45 minutes 22 seconds counterclockwise to match map.

I, Paul Ray Smith, 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 three-fourths (3/4) 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.



Paul Ray Smith, RPLS
Registered Professional Land Surveyor No. 4646

STATE OF TEXAS §
COUNTY OF HARRIS §

I, Beverly B. Kaufman, 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 _____, 2011 at _____ o'clock _____ M. and at Film Code _____ of the Map Records of Harris County for said county and duly recorded on _____, 2011, at _____ o'clock _____ M.

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

Beverly B. Kaufman
County Clerk
Harris County, Texas

By: _____
Deputy

FINAL PLAT RESERVE AT TOMBALL

A 56.530 ACRE TRACT OF LAND BEING A PARTIAL REPLAT OF
TOMBALL TOWNSITE RECORDED IN VOLUME 2, PAGE 65
H.C.M.R., AND TOMBALL EAST GATE CENTER RECORDED
UNDER FILM CODE NO. 542107, H.C.M.R.
BEING ALL OF A CALLED 55.6484 ACRE TRACT RECORDED
UNDER HARRIS COUNTY CLERK'S FILE NO. 20100211861, AND
THE RESIDUE OF UNRESTRICTED RESERVE "B",
TOMBALL EAST GATE CENTER
IN THE JESSE PRUITT SURVEY, ABSTRACT NO. 629
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

OWNER: SURVEYOR / ENGINEER:

PARQUINT 2920, L.P.,
1330 Lake Robbins Dr., Suite 100
The Woodlands, TX 77380
832-375-2520

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

3 LOTS 1 RESERVE

SCALE: 1"=100' FEBRUARY, 2011

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 14, 2011

Data Sheet

Topic:

Consideration and possible action regarding **STRIPES – FM 2920**: A subdivision of 1.2707 acres or 55,352 square feet of land, Being a partial Replat of unrestricted Reserve “B” of Tomball East Gate Center, recorded under F.C. No. 542107, H.C.M.R., and Outlots 313 and 314 of Tomball Townsite, Vol. 2, Pg. 65, H.C.M.R., situated in the Jesse Pruitt Survey, Abstract No. 629, City of Tomball, Harris County, Texas.

Background:

Origination:

Engineering and Planning Department

Recommendation:

Funding:

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

Engineering and Planning Department

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

ATTACHMENTS:

Stripes - FM 2920

STATE OF TEXAS
COUNTY OF HARRIS

We, Stripes LLC, a Texas Limited Liability Company acting by and through E. V. Bonner, Jr., Executive Vice President of Stripes LLC hereinafter referred to as owners of the 1.2707 acre tract described in the above and foregoing plat of STRIPES-FM 2920, 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 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 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 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, Stripes LLC has caused these presents to be signed by E.V. Bonner, Jr., Executive Vice President, thereunto authorized, and its common seal hereunto affixed this, this _____ day of _____, 2011.

By: Stripes LLC

E. V. Bonner, Jr.
Executive Vice President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared E.V. Bonner, Jr., Executive Vice President of Stripes LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgment to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2011.

Notary Public in and for the
State of Texas

My Commission Expires:

I, Mike Kurkowski, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the 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 have an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet, unless otherwise noted, and that the plat boundary corners have been tied to the Texas State Plane Coordinate System.



Mike Kurkowski
Registered Professional Land Surveyor
Texas Registration No. 5101

This is to certify that the Planning Commission of the City of Tomball, Texas has approved this plat and subdivision of STRIPES - FM 2920 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 _____, 2011.

Lori Wallace
Chairman

Tom Crofoot
Vice-Chairman

We, the City of Tomball and the City Engineer for the City of Tomball, do hereby certify that this plat of STRIPES - FM 2920 is in compliance with the ordinances of the City of Tomball.

George Shaleford
City Manager

Mark A. McClure, P.E.
Director of Engineering & Planning

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 _____, 2011, at _____ o'clock____m., and duly recorded on _____, 2011, 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

UNRESTRICTED RESERVE "B"
BLOCK 1
TOMBALL EAST GATE CENTER
F.C. NO. 542107, H.C.M.R.

CALLED 5.9914 ACRES
CONVEYED TO JOLLY PROPERTIES INC.,
A TEXAS CORPORATION
H.C.C.F. NO. Z177727

JESSE PRUITT SURVEY,
HABSTRACT NO. 629,
HARRIS COUNTY, TEXAS

MUTUAL ACCESS EASEMENT
CROSS ACCESS EASEMENT
H.C.C.F. NO. W889407
H.C.C.F. NO. X872664

FND CAPPED 5/8" I.R.
FOR REFERENCE
N 0309' W, 2.8'

SET MAG NAIL
IN ASPHALT

N 89°15'14" E 202.56'

FND CAPPED 5/8" I.R.

FND CAPPED 5/8" I.R.
STAMPED E.I.C. FOR
S 12°42' E, 0.46'

5' B.L.

20' WIDE CITY OF
TOMBALL U.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

20' CITY OF TOMBALL U.E.
(F.C. NO. 542107, H.C.M.R.)

5' B.L. (F.C. NO. 542107, H.C.M.R.)

15' B.L. (F.C. NO. 542107, H.C.M.R.)

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

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5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

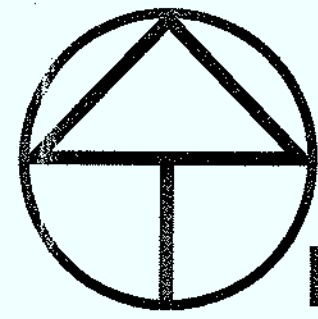
5' X 20' A.E.

5' X 20' A.E.

5' X 20' A.E.

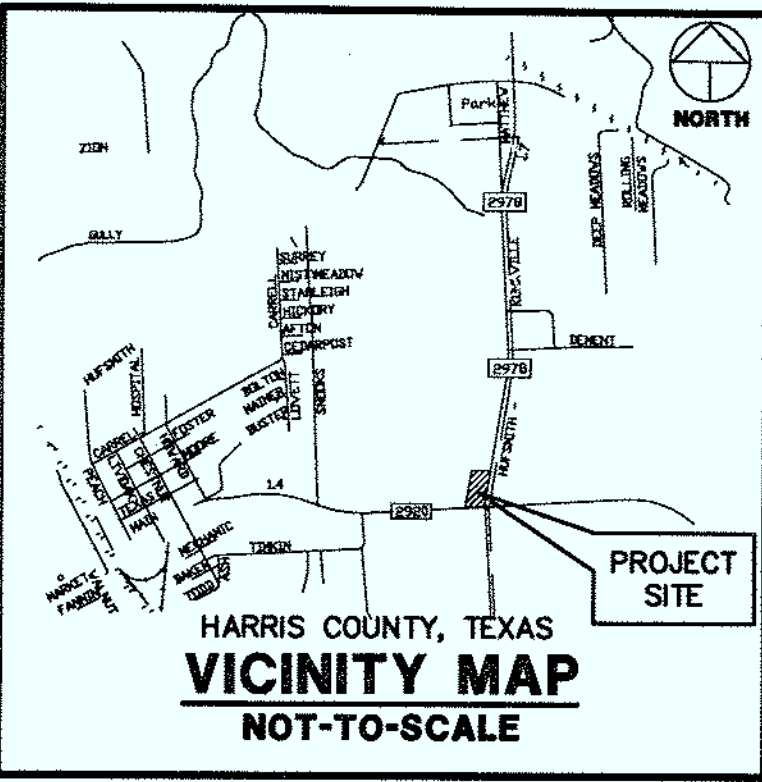
F.M. 2920
(120' R.O.W.)
VOL. 2, PG. 65, H.C.M.R.

CALLED 10.2297 ACRES
CONVEYED TO
BJ SERVICES COMPANY, U.S.A.
F.C. NO. 518-52-3643



NORTH

GRAPHIC SCALE: 1" = 30'
30 0 30 60 90 FEET



- GENERAL NOTES
- Bearings were based on the recorded plat of Tomball East Gate Center, recorded under Film Code No. 542107, H.C.M.R.
 - All elevations shown hereon are based on FEMA Floodplain Reference Mark Number 120195, being a brass disk stamped 120195 at intersection of F.M. 2920 and Humble-Kahville located 150 ft. south of intersection, on south curb of second driveway (south) to shell gas station in key map 289E in the willow watershed near stream M116-00-00. Elevation = 178.27 feet NAVD 1988 (2001 adjusted).
T.B.M. No. 1 = A set mag nail in asphalt, located approximately 46 feet Southeastly from the Southwest corner of the subject tract. Elev. = 177.67'
T.B.M. No. 2 = An 80d nail set approximately 74.4 feet Southwesterly from the Northwest corner of the subject tract and approximately 5.8 feet from the edge of a concrete driveway. Elev. = 178.23'
 - 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 procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and to keep moved all or part of an building, fence, trees, shrubs, or other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of it's respective systems on any of the easements shown on the plat. Neither the City of Tomball nor any public utility shall be responsible for any damages to the property within an easement arising out of the removal or relocation of any obstruction in the public easement.
 - According to the Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM) for Harris County, Texas, Map No. 48201C 0230L, revised/dated June 18, 2007, the subject tract appears to lie within unshaded Zone "X". This determination was done by graphic plotting and is approximate only, and has not been field verified. This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage, on rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes, this flood statement shall not create liability on the part of Windrose Land Services, Inc.
 - All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown, to the best of my knowledge.
 - All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown, to the best of my knowledge.
 - 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 of centerline of low pressure gas lines, 30 feet off centerline of high pressure gas lines.
 - This plat does not attempt to amend or remove any valid covenants or restrictions.
 - The building lines shown on this plat shall be in addition to, and shall not replace, any building lines required by the City of Tomball Code of Ordinances at the time of development of the property.

CALLED 3.1378 ACRES
CONVEYED TO
THOMAS W. BLAKE
H.C.C.F. NO. J-675238

F.M. 2978
(120' R.O.W.)
VOL. 2, PG. 65, H.C.M.R.
VOL. 783, PG. 82, H.C.D.R.
(SEE NOTE 6)

STRIPES - FM 2920

A SUBDIVISION OF
1.2707 ACRES OR 55,352 SQUARE FEET OF LAND
BEING A PARTIAL REPLAT OF
UNRESTRICTED RESERVE "B" OF TOMBALL EAST GATE CENTER
RECORDED UNDER F.C. NO. 542107, H.C.M.R. AND OUTLOTS 313
AND 314 OF TOMBALL TOWNSITE, VOL. 2, PG. 65, H.C.M.R.
SITUATED IN THE
JESSE PRUITT SURVEY, ABSTRACT NO. 629
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

1 BLOCK 1 LOT

February 07, 2011

Owner

Stripes LLC

4525 Ayers St.
Corpus Christi, TX 78469
Ph: (361) 694-2463

Surveyor

Windrose Land Services, Inc.

3628 Westchase
Houston, Texas 77042

Phone (713) 458-2282 Fax (713) 461-1151

Professional Development Consultants

Land Surveying, Platting, Project Management, GIS Services



ABBREVIATIONS

FND - FOUND
H.C.C.F. - HARRIS COUNTY CLERK FILE
H.C.D.R. - HARRIS COUNTY DEED RECORDS
H.C.M.R. - HARRIS COUNTY MAP RECORDS
IP - IRON PIPE
IR - IRON ROD
NO. - NUMBER
PG. - PAGE
R.O.W. - RIGHT-OF-WAY
SQ. FT. - SQUARE FEET
VOL. - VOLUME
B.L. - BUILDING LINE
W.L.E. - WATER LINE EASEMENT
S.S.E. - SANITARY SEWER EASEMENT
U.E. - UTILITY EASEMENT