

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



MONDAY, JANUARY 10, 2011

6:00 P.M.

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

5.0 New Business:

5.1 Receive Presentation of Planning & 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.

5.3 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*

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

6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 6th day of January 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: January 10, 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: January 10, 2011

Data Sheet

Topic:

- 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.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

2nd Annual Boards & Commissions Reception Flyer

ALL ABOARD!

FREE REGISTRATION & FOOD

Please join us for our 2nd Annual Boards and Commissions Sign-Up Reception. Come meet and greet current Board members and register to be a potential member of a Tomball Board!

Date: Tuesday, January 25, 2011

Time: 5:30—7:30 P.M.

*Location: Tomball Community Center
221 Market St.*

Be sure not to miss your opportunity to “Get on a Board” or Commission and serve on your community “train”!



ONE TICKET PER PASSENGER

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 10, 2011

Data Sheet

Topic:

Consideration 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.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

P&Z Regular Meeting Minutes 12.13.10

Special Joint City Council / P&Z Meeting Minutes 12.13.10

Special Joint City Council / P&Z Meeting Minutes 12.20.10

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

MONDAY, DECEMBER 13, 2010



6:00 P.M.

1.0 Call to Order

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

Commissioner Crofoot
Commissioner Tague
Commissioner Harvey
Commissioner Mottershaw

Others present:

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

draft

2.0 No Public Comments were received.

3.0 Reports and Announcements:

- Kelly Violette announced 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.

4.0 Motion was made by Commissioner Tague to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 8, 2010; second by Commissioner Harvey.

Motion carried unanimously.

5.0 New Business:

- 5.1 Consideration and possible action regarding six month plat extension request by Trigg Lupher of American Lupher Land Surveyors, Inc. on behalf of Klein ISD for the KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL SEC. 3 FINAL PLAT.**

Mark McClure, Director of Engineering and Planning presented background and recommendation.

Commissioner Harvey made a motion to Approve the six month plat extension request for **KLEIN ISD BERNSHAUSEN ELEMENTARY SCHOOL SEC. 3 FINAL PLAT**; second by Commissioner Tague.

Motion carried unanimously.

- 5.2 Consideration and possible action regarding **STAR TOMBALL REPLAT NO. 1**: A subdivision of 0.6503 acre of land, being a Replat of restricted reserve "A" of Star Tomball, as recorded in Volume 345, Page 114, Harris County Map Records, located in the Joseph House Survey, Abstract Number 34, City of Tomball, Harris County, Texas.

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

Commissioner Tague made a motion to Approve **STAR TOMBALL REPLAT NO. 1**; with contingencies, second by Commissioner Harvey.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned at 6:05 p.m.

PASSED AND APPROVED this _____ day of _____ 2011.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chairman

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

MONDAY, DECEMBER 13, 2010



6:15 P.M.

1.0 Call to Order

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

Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson

Councilmembers absent:

Councilman Quinn

Planning and Zoning Commission members present:

Chair – Lori Wallace
Vice Chair – Tom Crofoot
Commissioner – Mary Harvey
Commissioner – John Mottershaw (left at 7:00 p.m. to catch plane)
Commissioner – Barbara Tague

Others present:

City Manager – George Shackelford
City Secretary – Doris Speer
City Attorney – Scott Bounds
Finance Director – Glenn Windsor
Director of Engineering and Planning – Mark McClure
City Planner – Kelly Violette
Assistant City Engineer – Lori Lakatos
Assistant City Planner - Rodney Schmidt
E&P Senior Administrative Assistant – Brandy Pate
Director of Public Works – David Kauffman
Building Official – David Allen
Code Enforcement Officer – Daniel Toombs

Draft

Fire Marshal – Doug Sanguedolce
Fire Inspector – Tommy Nicholson

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 Commission 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 Presentations:

- Meg Belmontes, of the Brick Industry Association, provided a presentation regarding masonry planning policies.

4.0 Workshop Session:

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

A. Discussion of the Development Review Process and current codes

Mark McClure and Kelly Violette provided information regarding the City's development personnel, current development review processes, land-use regulations, current codes, and permitting and inspection processes.

Discussion was held regarding building across property lines, building set backs, boundary line adjustments, survey requirements, and associated costs to replat land. Council requested recommendations from the City Attorney and City staff regarding options to streamline the platting process, to provide a minor replatting process that will facilitate development of property. Kelly Violette advised Council that a revised platting process for the Downtown Tomball area will be included in the scope of work for the Downtown Specific Plan proposal.

Mayor Fagan called a recess at 7:40 p.m.; upon reconvening into regular session at 7:49 p.m., the following workshop continued:

Discussion was held regarding factors that determine when a plat or replat is required for development of property, master plans and platting requirements for larger, more complicated developments, drainage concerns, application and submittal processes for platting and zoning, approval of plats by the Planning and Zoning Commission versus City Council, recording and/or documenting meetings between City staff and developers, City staff's goals of assisting developers in meeting the code requirements, and the permitting processes.

The time being 8:45 p.m., no discussion was held regarding the Building Inspector and Fire Marshal departments processes and procedures; these reports will be presented to Council at a future date.

- B. No discussion was held regarding the review of Roles and Responsibilities of the Development Review Committee; this item will be considered at a future joint workshop.
- C. No discussion was held regarding the Zoning Ordinance (Ordinance 2008-01); this item will be considered at a future joint workshop:

- 1. Discussion of possible changes to the Zoning Ordinance
- 2. Discussion of Downtown Specific Plan Proposal

The Downtown Specific Plan proposal will be considered at a Special Joint Meeting of the City Council and the Planning and Zoning Commission on Monday, December 20, 2010, at 5:00 p.m.

5.0 Motion was made by Councilman Dodson, 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 SPECIAL CITY COUNCIL AND
TOMBALL PLANNING AND ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, DECEMBER 20, 2010



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
Commissioner – John Mottershaw
Commissioner – Barbara Tague

Planning and Zoning Commission members absent:

Vice Chair – Tom Crofoot – excused absence

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
Director of Engineering and Planning – Mark McClure
City Planner – Kelly Violette
Assistant City Planner - Rodney Schmidt
E&P Senior Administrative Assistant – Brandy Pate

Draft

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 Commission 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 Workshop Session:

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

- Discussion of the Downtown Specific Plan Proposal.

Kelly Violette presented an introduction to the Tomball Downtown Specific Plan, providing information regarding the purpose and objectives of a zoning ordinance and plan designed for and applicable to the downtown area, specifically.

Kelly Violette presented the proposed Tomball Downtown Specific Plan, advising Council that the original proposal received from Partnerships for Strategic Action had been reviewed by Engineering and Planning, reduced in scope, and revised by Partnerships for Strategic Action for presentation to Council.

The proposed budget for the Tomball Downtown Specific Plan is estimated to be \$177,400. An advisory committee for the TDSP will be appointed by City Council; focus groups would also provide input to the City. Upon completion of the study for the TDSP, a zoning ordinance for the downtown area will be prepared for Council consideration and adoption. Upon adoption of a zoning ordinance specific to the Tomball Downtown Specific Plan, the City will begin implementing the zoning requirements to the downtown area.

3.0 Motion was made by Councilman Stoll, second by Councilman Dodson 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: January 10, 2011

Data Sheet

Topic:

Receive Presentation of Planning & Zoning Commission 2010 Annual Report

Background:**Origination:**

Engineering and Planning

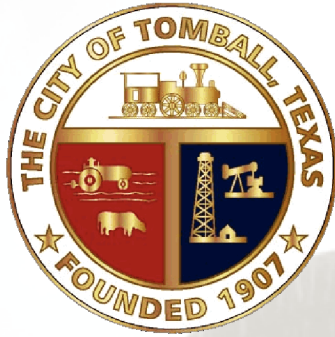
Recommendation:**Funding:****Party(ies) responsible for placing this item on agenda:**

Engineering and Planning

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

ATTACHMENTS:

P&Z 2010 Annual Report



Planning & Zoning Commission

2010 Annual Report

January 1, 2010—December 31 2010

Introduction

This annual report was prepared by the Engineering & Planning Department to provide an overview of the Planning & Zoning (P&Z) Commission's actions during the 2010 calendar year. The report details the development review activities in the following categories: rezonings, zoning ordinance text amendments, and preliminary and final plats. The summary of each activity offers a review of development applications received and the actions taken by the Planning & Zoning Commission on each request to show the trends of zoning, subdivision, and land use in the City. Additionally, the report details training and workshops during this time span.

Planning & Zoning Commission Overview

The Planning & Zoning Commission consists of 5 members appointed by the Tomball City Council. Each member serves for a term of office of three 3 years. Members may be reappointed, at the discretion of the City Council, with no limitation on the number of terms a member may serve. Meetings are held on the second Monday of each month.

2010 Commissioners:

Lori Wallace (Chairman)
Tom Crofoot (Vice Chairman)
John Mottershaw
Barbara Tague
Vincent O'Donnell (Resigned June 2010)
Preston Dodson (Resigned September 2010)
Mary Harvey (Resigned December 2010)
Field Hudgens (Appointed December 2010)

In 2010, the Planning & Zoning Commission conducted a total of 14 meetings, of which 12 were regular meetings and two were Special Joint Workshops with City Council conducted on December 13, 2010 and December 20, 2010. Below is a summary of commissioner attendance for the 14 called meetings during the 2010 calendar year.

Commissioner	Meetings Attended	Meetings Held	Attendance Percentage
O'Donnell	6	6	100.0%
Wallace	14	14	100.0%
Mottershaw	10	14	71.4%
Dodson	9	9	100.0%
Crofoot	13	14	92.9%
Tague	8	8	100.0%
Harvey	4	4	100.0%
Field Hudgens	N/A	N/A	N/A

Cases Heard

During its 12 regular meetings since January 1, 2010, the Planning & Zoning Commission reviewed 24 plats, 5 rezoning cases, and 1 text amendment request.

Rezoning

According to Section 8 of the Zoning Ordinance, one of the Planning & Zoning Commission's primary duties is to make recommendations to the City Council regarding zoning changes and zoning ordinance amendments. The zoning process provides for amendments to the zoning ordinance and map based on the following criteria: to correct any error in the regulations of the Zoning Ordinance or zoning map; to recognize changed or changing conditions or circumstances in a particular locality; to recognize changes in technology, the style of living, or manner of conducting business; or to change the use of the property in accordance with the City's adopted *Comprehensive Plan*.

In making a determination regarding a requested zoning change, the Planning and Zoning Commission and City Council shall consider the following:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and to the City as a whole;
2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;
3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City and any special circumstances which may make a substantial part of such vacant land unavailable for development;
4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;
5. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved;
6. Any other factors that will substantially affect the public health, safety, morals, or general welfare; and
7. Whether the request is consistent with the *Comprehensive Plan*.

During the 2010 calendar year, the Planning & Zoning Commission reviewed 5 rezoning cases (Table 1), down from 16 in 2009. Of the 5 rezoning cases, 4 were recommended for approval (80% approval rate) and 1 was recommended for denial (20% denial rate). In summary, of the 5 rezoning cases forwarded to City Council, 4 were approved and 1 was denied.

Zoning Ordinance Text Amendments

A zoning text amendment is a revision of language in the Zoning Ordinance. Commonly, zoning text amendments are requested in order to change specific development standards within one or more zoning districts. Text amendments affect all properties within which the change is made, not just a specific site. Like rezoning cases, all Zoning Ordinance text amendment requests are first scheduled for a public hearing before the Planning and Zoning Commission for review and formal recommendation and then forwarded to City Council for final consideration.

During the 2010 calendar year, the Planning & Zoning Commission reviewed 1 Zoning Ordinance text amendment request (Table 2), down from 2 in 2009. Zoning Case P10-218 was a request by Russ Brown, on behalf of PCOT Investments, Inc., to amend Section 38 (“Use Regulations”) to establish a “Model Home” and “Temporary Real Estate Sales Office” use in all zoning districts that permit residential use either by right or conditionally, to amend Section 43 (“Supplemental Regulations”) to add standards for development related to model home and temporary real estate sales office use, and to amend Section 45 (“Definitions”) to amend and add the definitions related thereto. The Planning & Zoning Commission recommended approval of the request and City Council approved the ordinance changes on May 3, 2010.

Plats

“Platting” is the process required by the Texas Local Government Code to obtain an approval of a subdivision of real property. By definition, a “Plat” is the written depiction of the lots, blocks, and reserves created by the subdivision of real property, which must be recorded in the Official Public Records of Real Property of Harris or Montgomery County, after it has received the requisite approvals. The Planning & Zoning Commission reviews both preliminary and final plats.

The preliminary plat provides the general layout of a proposed subdivision with existing and proposed features. In addition to the plat drawing, a preliminary plat submittal must include topographic information, a preliminary water and sewer layout, and a preliminary drainage analysis. During the 2010 calendar year, the Planning & Zoning Commission reviewed 6 preliminary plats (Table 3), up from 5 in 2009. Of the 6 preliminary plats, all were approved; however one preliminary plat was reviewed and denied by the Planning & Zoning Commission three times prior to its approval due to contingencies that had not been addressed.

A final plat is the last step in the creation of a subdivision. It creates the official documents that are approved by the City and submitted for recording with the County Clerk. The final plat shows surveyed lot lines, street rights-of-way, easements, monuments, distances, angles, and bearings pertaining to the exact dimensions of all parcels, street lines, and so forth. Final plats may include replats, abbreviated plats, amending plats, or vacating plats. During the 2010 calendar year, the Planning & Zoning Commission voted on 14 final plats (Table 4), down from 16 in 2009. Of the 14 final

plats, 10 were approval, 2 were denied, and 2 were issued time extensions and are pending resubmittal.

Training/Workshops/Presentations

The Planning & Zoning Commission has taken part in a number of training sessions, workshops, and presentations in 2010. At the March 8, 2010 P&Z regular meeting, City staff presented the Commission's first Annual Report outlining the activities of the Commission from February 2008 to December 2009.

At its July 12, 2010 meeting, City staff presented the Capital Improvement Projects (CIP) report outlining the proposed capital projects for fiscal years 2011-2015 and provided an update on the current status of on-going capital projects. Following the presentation, P&Z voted unanimously to accept the Engineering & Planning Department's proposed five year CIP list which was forwarded to the City Manager for consideration.

On September 13, 2010, City staff presented an update on the number of residential and non-residential building permits issued by the City of Tomball since 1996. On October 11, 2010, City staff provided an overview of the roles and responsibilities of the Planning & Zoning Commission as a review and introduction for the newly appointed Commissioners. Additionally, staff provided materials from the American Planning Association describing the powers and duties of a planning commission, planning ethics, and decision recordation as well as the City of Tomball's rules of meeting conduct established under Ordinance No. 95-03.

On December 13, 2010, P&Z and City Council entered into a joint workshop and received a presentation from Meg Belmontes of the Brick Industry Association regarding the community benefits of masonry planning policies particularly with respect to community fiscal health and quality of life. Additionally, at this meeting, the Engineering & Planning Department provided an overview of the development review process and current codes administered by the Engineering & Planning Department.

On December 20, 2010, P&Z and City Council entered into a joint workshop and received a presentation from the Engineering & Planning Department regarding the Downtown Specific Plan proposal, the purpose and objectives of a specific plan, and the intent to create a zoning district and development standards tailored to downtown Tomball based on community input and participation.

The goal of these workshops, training opportunities, and presentations was to ensure that the P&Z understood its role in the City's planning process and to discuss trends in development and land use policy. The Engineering & Planning Department will continue to pursue additional training opportunities, workshops, training videos, and reading materials for presentation to the Planning & Zoning Commission in 2011.

Legal Descriptions of P&Z Cases

ZONING CASE P10-206: Request by Brian Matthews, on behalf of Crescent Directional Drilling, to amend the City's Comprehensive Zoning Ordinance to rezone approximately 5.006 acres of land, legally described as Tract 281 Tomball Outlots, within the City of Tomball, Harris County, Texas, generally located on the westerly side of South Persimmon Street, northerly of Agg Road from the SF-20-E Single-Family Estate Residential-20 District to the LI - Light Industrial District.

ZONING CASE P10-208: Request by Tomball Independent School District to amend the Comprehensive Zoning Ordinance to rezone approximately 2.456 acres of land, legally described as all of Block 16, Tomball Townsite, from the SF-6 Single-Family Residential-6 and OT&MU Old Town and Mixed Use Districts to the OT&MU Old Town and Mixed Use District and Lots 25 through 36, Block 23, Tomball Townsite, from the SF-6 Single-Family Residential-6 District to the OT&MU Old Town and Mixed Use District within the City of Tomball, Harris County, Texas, both tracts of property being generally located on the westerly side of South Cherry Street, southerly of Fannin Street.

ZONING CASE P10-218: Request by Russ Brown, on behalf of PCOT Investments, Inc., to amend Section 38 (Use Regulations) of the City's Comprehensive Zoning Ordinance to establish a Model Home and Temporary Real Estate Sales Office use in all zoning districts that permit Residential Use either by right or conditionally, to amend Section 43 (Supplemental Regulations) to add standards for development related to model home and temporary real estate sales office use, and to amend Section 45 (Definitions) to amend and add the definitions related thereto.

ZONING CASE P10-225: Request by Pete Terpstra to amend the City's Comprehensive Zoning Ordinance to rezone approximately 6.3637 acres of land, legally described as Tracts 2B, 2Y-1, and 2Z out of the C.N. Pillot Survey, Abstract Number 632, within the City of Tomball, Harris County, Texas, generally located on the westerly side of State Highway 249, northerly of Holderrieth Road, from the AG-Agricultural District to the C-Commercial District.

ZONING CASE P10-226: Request by Pete Terpstra to amend the City's Comprehensive Zoning Ordinance to rezone approximately 5.3584 acres of land, legally described as Tract 2 out of the Sam Lewis Survey, Abstract Number 1704, within the City of Tomball, Harris County, Texas, generally located on the westerly side of State Highway 249, southerly of Alice Road, from the AG-Agricultural District to the C-Commercial District.

ZONING CASE P10-273: Request by WDL Lumber, on behalf of William and Jean Adams, to amend the City's Comprehensive Zoning Ordinance to rezone approximately 0.3436 acres of land, legally described as Tracts 16D-1 and 16D-2 out of the Joseph House Survey, Abstract 34, within the City of Tomball, Harris County, Texas, generally located on the westerly side of Quinn Road, northerly of Zion Road, from the O-Office District to the SF-20-E Single-Family Estate Residential-20 District.

Table 1: Rezoning Cases

Case #	Zoned From	Zoned To	P&Z Meeting	P&Z Recommendation	Final CC Action
P10-206	SF-20-E	LI	4/12/2010	Denial	Denied
P10-208	SF-6/OTMU	OTMU	4/12/2010	Approval	Approved
P10-225	AG	C	5/10/2010	Approval	Approved
P10-226	AG	C	5/10/2010	Approval	Approved
P10-273	O	SF-20-E	10/11/2010	Approval	Approved

Table 2: Text Amendment

Case #	Amendment	P&Z Meeting	P&Z Recommendation	Final CC Action
P10-218	Portions of Sections 38, 43, 45	4/12/2010	Approval	Approved

Table 3: Preliminary Plats

Plat Description	1st P&Z Meeting	1st P&Z Action	2nd P&Z Meeting	2nd P&Z Action	3rd P&Z Meeting	3rd P&Z Action	4th P&Z Meeting	4th P&Z Action
Maple Group Preliminary Plat	9/14/2009	Denied	3/8/2010	Denied	4/12/2010	Denied	7/12/2010	Approved
Shepherd's Property Preliminary Plat	1/11/2010	Approved	N/A	N/A	N/A	N/A	N/A	N/A
Reserve @ Spring Lake Section One	1/11/2010	Approved	N/A	N/A	N/A	N/A	N/A	N/A
Klein ISD Elementary School Section 1 (Formerly "No. 28") Preliminary Plat	3/8/2010	Approved	N/A	N/A	N/A	N/A	N/A	N/A
Tomball Medical Plaza Preliminary Plat	4/12/2010	Approved	N/A	N/A	N/A	N/A	N/A	N/A
Klein ISD Bernshausen Elementary School Section 3 Preliminary Plat	6/14/2010	Approved	N/A	N/A	N/A	N/A	N/A	N/A

Table 4: Final Plats

Plat Description	1st P&Z Meeting	1st P&Z Action	2nd P&Z Meeting	2nd P&Z Action
Shepherd's Property Final Plat	2/8/2010	Approved	N/A	N/A
Tomball R 135 Final Plat	3/8/2010	Extension Provided	6/14/2010	Denied
Replat of Revised Map of Tomball (Monica Armendariz Plat)	3/8/2010	Approved	N/A	N/A
Parkway Oasis Partial Replat No. 1	4/12/2010	Approved	N/A	N/A
Tomball Medical Plaza Final Plat	5/10/2010	Approved	N/A	N/A
Tomball Center III - B2 - Replat No. 2	5/10/2010	Approved	N/A	N/A
Tomball ISD Maintenance Facility Replat	6/14/2010	Approved	N/A	N/A
Daniel's Business Park Replat	7/12/2010	Denied	Pending	Pending
Klein ISD Elementary School Section 1 Final Plat	9/13/2010	Extension Provided	Pending	Pending
D'Andrea Subdivision Replat	10/11/2010	Approved	N/A	N/A
Four Corners Subdivision Replat	10/11/2010	Approved	N/A	N/A
Tomball Regional Hospital No. 1 Partial Replat	10/11/2010	Approved	N/A	N/A
Klein ISD Bernshausen Elementary School Section 3 Final Plat	12/13/2010	Extension Provided	Pending	Pending
Star Tomball Replat No. 1	12/13/2010	Approved	N/A	N/A

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 10, 2011

Data Sheet

Topic:

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.

Background:

Origination:

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

Preliminary Plat Tomball 2920

STATE OF TEXAS §
COUNTY OF HARRIS §

We, PAR REAL ESTATE HOLDINGS, LLC, owners, hereinafter referred to as owners of the 59.712 acre tract described in the above and foregoing plat of TOMBALL 2920, do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions and rotations 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 purpose 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 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 PAR REAL ESTATE HOLDINGS, LLC 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.

PAR REAL ESTATE HOLDINGS, LLC

BY: _____
NAME: _____
TITLE: _____

ATTEST:
BY: _____
NAME: _____
TITLE: _____

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 purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said PAR REAL ESTATE HOLDINGS, LLC.

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 TOMBALL 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.

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 TOMBALL 2920 is in conformance with the City of Tomball ordinances.

George Shackelford City Manager Mark A. McClure, PE 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 Mayor Doris Spear City Secretary

PROPERTY DESCRIPTION

Being a Tract of land containing 59.858 acres and consisting of a called 13.97 acre tract of land described under Harris County Clerk File (H.C.C.F.) No. Y284790, a called 37.024 acre tract of land described under H.C.C.F. No. Y199045, a called 8.383 acre tract of land described under H.C.C.F. No. X939568, and a called 0.528 acre tract of land described under H.C.C.F. No. Y731248 all as recorded in the Official Public Records of Real Property of Harris County (O.P.R.R.P.H.C.), Texas and being situated in the Joseph House Survey, Abstract No. 34 of Harris County, Texas. Said 59.858 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a found 12-inch iron rod in the north right-of-way line of FM 2920 also known as Waller-Tomball Road, based on 120 foot wide right-of-way, having coordinates X=3,029,587.329, Y=13,959,658.389, Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983 (N.A.D. 83), and being the southwest corner of said 13.97 acre tract, and the southeast corner of a called 40.0 acre tract of land described under H.C.C.F. No. D982741 of the O.P.R.R.P.H.C., Texas for the southwest corner and the POINT OF BEGINNING of the herein described tract of land;

THENCE, North 2° 11' 24" West, a distance of 1841.48 feet with the east line of the said 40.0 acre tract of land and the west line of the said 13.97 acre tract of land to a found 5/8-inch iron rod for the most westerly northwest corner of the herein described tract, also being the northwest corner of said 13.97 acre tract of land and the southwest corner of Reserve "A" of Spring Creek Estates Subdivision Replat, as recorded under Harris County Film Code No. 520106 of the Map Records of Harris County (M.R.H.C.), Texas;

THENCE, North 87° 03' 40" East, a distance of 337.92 feet with the north line of said 13.97 acre tract of land and the south line of said Reserve "A" to a found 5/8-inch iron rod in the west line of a called 2.8051 acre tract of land described under H.C.C.F. No. X939568 of the O.P.R.R.P.H.C., Texas for a corner of the herein described tract and the southeast corner of said Reserve "A";

THENCE, South 1° 56' 15" East, a distance of 223.60 feet with the west line of the said 2.8051 acre tract of land, the east line of the said 13.97 acre tract of land to a found 5/8-inch iron rod for a corner of the herein described tract, and being the southwest corner of the said 2.8051 acre tract of land, and the northwest corner of a called 3.8630 acre tract of land described under H.C.C.F. No. X939568 of the O.P.R.R.P.H.C., Texas;

THENCE, South 2° 03' 44" East, a distance of 500.89 feet with the east line of the said 13.97 acre tract of land and the west line of the said 3.8630 acre tract of land to a found 5/8-inch iron rod for a corner of the herein described tract, and being the southwest corner of the said 3.8630 acre tract of land, and the northwest corner of the said 8.383 acre tract of land;

THENCE, North 87° 30' 24" East, a distance of 335.83 feet with the north line of the said 8.383 acre tract of land and the south line of the said 3.8630 acre tract of land to a found 5/8-inch iron rod in the west line of the said 37.024 acre tract of land for a corner of the herein described tract, being the southeast corner of the said 3.8630 acre tract of land and the northeast corner of the said 8.383 acre tract of land;

THENCE, North 02° 02' 31" West, a distance of 1109.75 feet with the east line of the said 3.8630 acre tract of land, the east line of the said 2.8051 acre tract of land, and the east line of a called 1.790 acre tract of land described under H.C.C.F. No. Y811765 of the O.P.R.R.P.H.C., Texas and the west line of the said 37.024 acre tract of land to a found 5/8-inch iron rod with a plastic cap for an angle point in the west line of the said 37.024 acre tract of land, for a corner of the said Spring Creek Estates Subdivision Replat, and northeast corner of the said 1.790 acre tract of land;

THENCE, North 02° 14' 25" West, a distance of 2710.84 feet with the east line of the said Spring Creek Estates Subdivision and the west line of the said 37.024 acre tract of land to a found 5/8-inch iron rod in a curve to the right, in the south right-of-way line of Brown Road, based on 60' width, for a corner in the herein described tract, the northeast corner of the said Spring Creek Estates Subdivision and the northwest corner of the said 37.024 acre tract of land;

THENCE, along the south right-of-way line of Brown Road, a distance of 341.47 feet along the arc of a curve to the right and having a radius of 1115.92 feet, an central angle of 17° 31' 57", a chord bearing of North 77° 29' 41" East, a chord distance of 340.14 feet to a found 5/8-inch iron rod with cap for the northeast corner of the herein described tract, the northeast corner of the said 37.024 acre tract of land and the northwest corner of a called 4.858 acre tract of land described under H.C.C.F. No. 20090584081 of the O.P.R.R.P.H.C., Texas;

THENCE, South 02° 05' 04" East, a distance of 790.39 feet with the east line of the said 37.024 acre tract of land and the west line of the said 4.858 acre tract of land to a found 5/8-inch iron rod for an angle point in the said east line of the said 37.024 acre tract of land, the southwest corner of the said 4.858 acre tract of land and the northwest corner of a called 24.615 acre tract of land described under H.C.C.F. No. 20090584079 of the O.P.R.R.P.H.C., Texas;

THENCE, South 02° 08' 19" East, a distance of 4212.15 feet along the west line of said called 24.615 acre tract of land and the east line of said 37.024 acre tract of land same being the west line of an the Unrestricted Reserve "B" of Tomball Center III subdivision as recorded under Film Code No. 551080 of the M.R.H.C. and as amended by Tomball Center III-B-2 Replat No. 2 recorded under Film Code 655099 H.C.M.R. and Reserve "A-1" of Tomball Center III-A recorded under Film Code No. 586253 H.C.M.R., to the southwest corner of said 24.615 acre tract, the southeast corner of said 37.024 acre tract of land, the southwest corner of said Reserve "A-1" to a point in a power pole in the north right-of-way line of said F.M. 2920 for the southeast corner of the herein described tract;

THENCE, South 87° 41' 32" West, a distance of 214.51 feet with the north right-of-way line of said F.M. 2920 to found 5/8-inch iron rod for a corner of the herein described tract and the southeast corner of a called 0.8556 acre tract of land described under H.C.C.F. No. 2417949 of the O.P.R.R.P.H.C., Texas;

THENCE, North 02° 05' 27" West, a distance of 363.67 feet with the east line of the said 0.8556 acre tract of land to a found 5/8-inch iron rod with cap for a corner of the herein described tract and the northeast corner of the said 0.8556 acre tract of land;

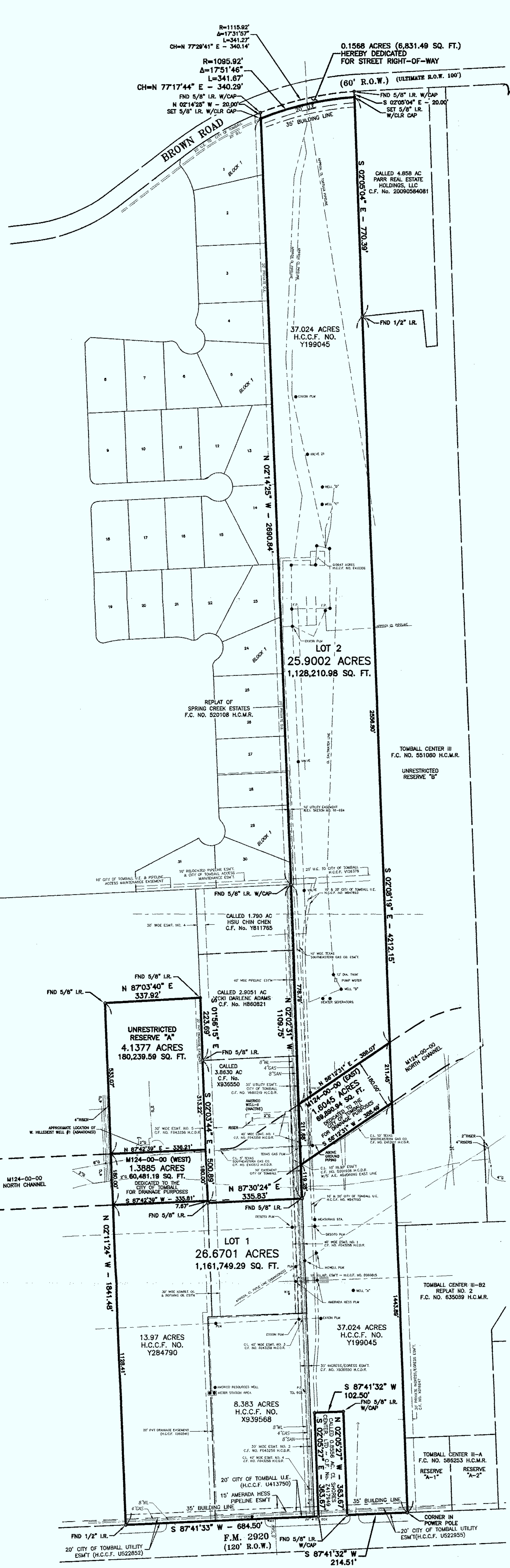
THENCE, South 87° 41' 32" West, a distance of 102.50 feet with the north line of the said 0.8556 acre tract of land to a point for corner of the herein described tract and being the northwest corner of the said 0.8556 acre tract of land;

THENCE, South 02° 05' 27" East, a distance of 363.67 feet with the west line of the said 0.8556 acre tract of land to a found 5/8-inch iron rod with cap in the north right-of-way line of said F.M. 2920 for a corner of the herein described tract and being the southwest corner of the said 0.8556 acre tract of land;

THENCE, North 87° 41' 32" West, along the north right-of-way line of said F.M. 2920 a distance of 15.17 feet pass a found 5/8-inch iron rod with cap and being the southeast corner of the said 0.528 acre tract of land and continuing another 30.02 feet pass a found 5/8-inch iron rod and being the southwest corner of the said 0.528 acre tract of land and continuing another 316.64 feet pass a found 5/8-inch iron rod and being the southeast corner of said 8.383 acre tract of land and continuing another 319.77 feet for a total of 684.50 feet to the southwest corner of the said 13.97 acre tract of land, same being the southeast corner of said 40.00 acre tract of land for the southwest corner and the POINT OF BEGINNING of the herein described tract and containing 59.858 acres of land.

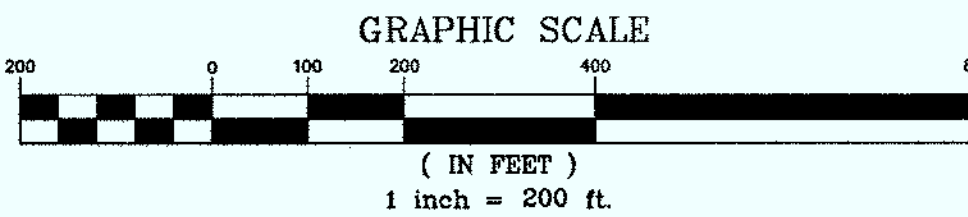
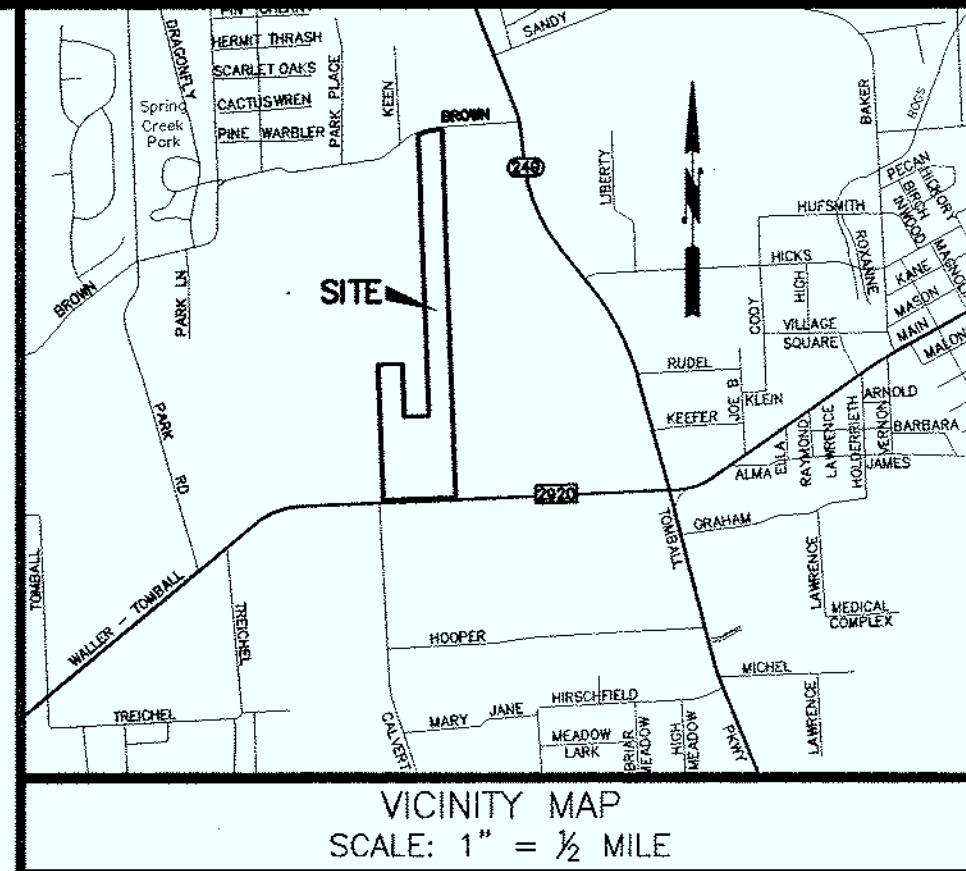
NOTE: All set iron rods with caps are stamped "JAG 5945"

All bearings are based on the Texas State Plane Coordinate System, South Central Zone, NAD 83. All distance are surface and may be converted to grid by multiplying by the factor of 0.999947.



AREA SUMMARY		
DESCRIPTION	SQ. FT.	ACRES
LOT 1	1,161,749.29	26.6701
LOT 2	1,128,210.98	25.9002
UNRESTRICTED RESERVE A	180,239.59	4.1377
ROW-EAST	69,890.94	1.6045
ROW-WEST	60,481.19	1.3885
BROWN ROAD DEDICATION	6,831.49	0.1568
TOTAL	2,607,403.47	59.8577

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



NOTES:

Flood Information: According to FEMA Firm Panel No. 48201C0210L (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 oil / gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil / gas wells with ownership (plugged and abandoned and/or active) through the subdivision have been shown.
- 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.
- Building lines shall be in accordance with the current City of Tomball Zoning Ordinance.
- Bearings shown hereon are based on record deed.
- All property corners are found 3/4-inch iron rods with "CLR" caps unless otherwise noted.
- There is hereby dedicated an unobstructed aerial easement 30 feet wide from a plane 16 feet above the ground level upward, centered on all 14-foot wide utility easements (14' U.E.) and an unobstructed aerial easement 20 feet wide from a plane 16 feet above the ground level on all 14-foot wide perimeter utility easements, shown hereon.

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

PRELIMINARY PLAT TOMBALL 2920

A 59.8577 ACRE (2,607,403.47 SQ. FT) 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

OWNER:

SURVEYOR / ENGINEER:

PAR Real Estate Holdings, LLC
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

2 LOTS 1 RESERVE

SCALE: 1"=200' JANUARY, 2011

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: January 10, 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 February 14, 2011 P&Z Meeting*

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

Background:

Origination:

Jeff Williams III of Professional Welding Supply

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

Notice of Public Hearing

Property Owner Notification Letter

Continuance Request Letter

**NOTICE OF PUBLIC HEARINGS
CITY OF TOMBALL
PLANNING & ZONING COMMISSION
JANUARY 10, 2011
&
CITY COUNCIL
JANUARY 17, 2011**



Notice is Hereby Given that a Public Hearing will be held by the Planning & Zoning Commission of the City of Tomball on **Monday, January 10, 2011, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, January 17, 2011, at 7:00 P.M.** at Regular Meetings, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such dates, the Planning & Zoning Commission and City Council will consider the following:

ZONING CASE 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.

Persons interested in these cases will be given an opportunity to be heard. Action by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Should the Planning & Zoning Commission vote to table a decision/recommendation on one or more of the above cases, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a decision/recommendation is forwarded to the City Council by the Planning and Zoning Commission. The application is available for public inspection Monday through Friday, holidays excepted, between the hours of 8:00 a.m. and 5:00 p.m. in the Engineering & Planning Department office, located at 501 James Street, Tomball, TX 77375. **Contact City Planner** Kelly Violette, (281) 290-1491, kviolette@ci.tomball.tx.us

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **6th** day of **January** 2011 by **5:00** p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Brandy Pate

Brandy Pate

Senior Administrative Assistant

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



Notice of Public Hearing

YOU ARE INVITED TO ATTEND a Public Hearing before the **PLANNING & ZONING COMMISSION** of the City of Tomball regarding the following item:

CASE NUMBER: P10-289

APPLICANT: Jeff Williams III of Professional Welding Supply

LOCATION: 503 East Main Street

PROPOSAL: 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.

* * *

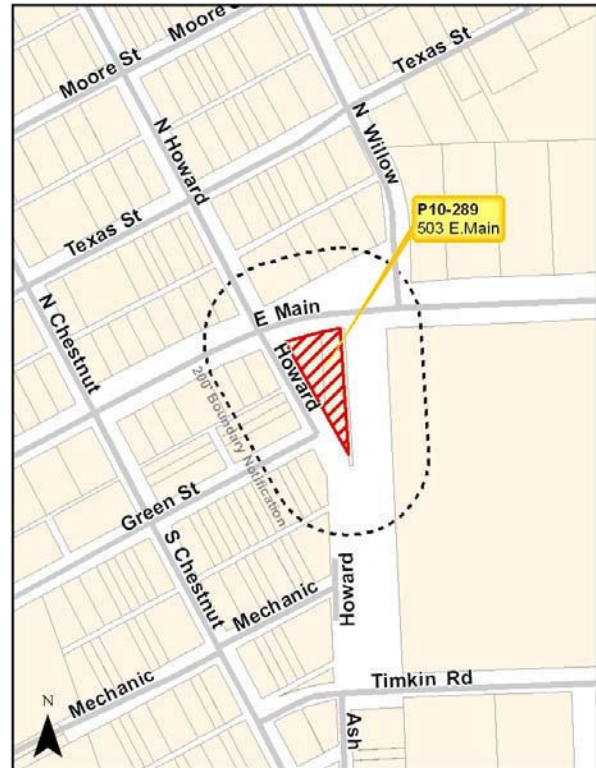
CONTACT CITY PLANNER: Kelly Violette

PHONE: (281) 290-1491

E-MAIL: kviolette@ci.tomball.tx.us

Interested parties may contact the City Planner between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public inspection Monday through Friday, holidays excepted, between the hours of 8:00 a.m. and 5:00 p.m. in the Engineering and Planning Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll. Interested parties may appear and speak on the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.



**Planning and Zoning Commission
Public Hearing:
Monday, January 10, 2011, 6:00 PM**

**City Council Public Hearing:
*Monday, January 17, 2011, 7:00 PM**

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

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

Brandy Pate

From: Kelly Violette
Sent: Thursday, January 06, 2011 8:41 AM
To: Brandy Pate
Cc: Mark McClure; Rodney Schmidt
Subject: FW: Professional Welding Supply CUP

Attachments: winmail.dat



winmail.dat (2 KB)

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

From: Jeff Williams, III [mailto:jeffwiii@profwldgsply.com]
Sent: Wednesday, January 05, 2011 5:46 PM
To: Kelly Violette
Subject: Professional Welding Supply CUP

Hi Kelly,

Based on some uncertainty on the technical issues of our proposed propane filling station I respectfully request a continuance for our presentation to Planning & Zoning scheduled for Monday January 10, 2011. Per our conversation a few minutes ago, I think that we are in agreement that it will be best if we confirm between the Tomball Fire Department & Planning and Engineering and Professional Welding Supply that this proposal is feasible before we bring it to Planning & Zoning. I will be happy to meet with yourself and any other city employees to discuss this matter further.
Have a nice evening.

Best regards,

Jeff Williams, III
Professional Welding Supply, Inc.