

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



MONDAY, DECEMBER 13, 2010

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, December 13, 2010 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.
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 8, 2010.

5.0 New Business:

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

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 9th day of December 2010 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: December 13, 2010

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: December 13, 2010

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.

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: December 13, 2010

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 8, 2010.

Background:

Origination:

Recommendation:

Funding:

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

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

ATTACHMENTS:

11.08.10 P&Z Minutes

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

MONDAY, NOVEMBER 8, 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
Engineering & Planning Administrative Assistant – Brandy Pate

draft

2.0 No Public Comments were received.

3.0 Reports and Announcements:

- Kelly Violette announced a potential upcoming Joint City Council and Planning and Zoning Commission meeting.

4.0 Motion was made by Commissioner Tague to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of October 11, 2010; second by Commissioner Harvey.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned at 6:04 p.m.

PASSED AND APPROVED this _____ day of _____ 2010.

Brandy Pate
P&Z Commission Secretary

Lori Wallace
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: December 13, 2010

Data Sheet

Topic:

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.**

Background:

The Klein ISD Bernshausen Elementary School Sec. 3 Preliminary Plat was approved with contingencies by the Planning and Zoning Commission on June 14, 2010. Trigg Lupher of American Lupher Land Surveyors, Inc. is now requesting a six month extension of the final plat on behalf of Klein ISD.

Origination:

Trigg Lupher of American Lupher Land Surveyors, Inc. on behalf of Klein ISD.

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:

Klein ISD Bernshausen Elementary School Sec. 3 Plat Extension Request

Brandy Pate

From: Trigg Lupher [tlupher@american-lupher.com]
Sent: Tuesday, November 16, 2010 5:44 PM
To: Mark McClure
Cc: Brandy Pate; Kelly Violette; llupher@american-lupher.com; 'Glenn W. McDowell'; 'Jim A. Eggleton'; 'William Park'; 'Ed Shackelford'; 'Jenna Blinn'; 'Robertson, Robert 1'; 'Blue, Don'; 'Rodnicki, Jr., Nicholas (Facilities - CO)'
Subject: Klein ISD Bernshausen Elementary School Sec 3 Plat Extension Request

Mark,

From my recollection, the subject plat approval is set to expire in December. While we are close to having all of the plats ready to submit for your approval and subsequent recording, we are still not ready. We hope to have KISD Board signatures at the coming December Board Meeting. We would then be able to submit to you. With the Thanksgiving Day holiday weekend approaching, I decided that it might be wise to send this extension request early and not risk getting lost in the shuffle at the end of the month. We also need to finish coordination with the County about their concerns regarding Weirich Lane widening/access/paving. If you need anything further from me to advance this extension to the agenda, please advise.

Trigg

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: December 13, 2010

Data Sheet

Topic:

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.

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:

Star Tomball Replat No. 1

P:\PROJECTS\2300-0741\4402-FM 2920\2300-0741-S\Draw\2300-0741-S-Tomball-Plat.dwg

RESTRICTED RESERVE "A"
TOMBALL TOWN CENTER
F.C. NO. 571084 H.C.M.R.

JOSEPH HOUSE SURVEY, A-34

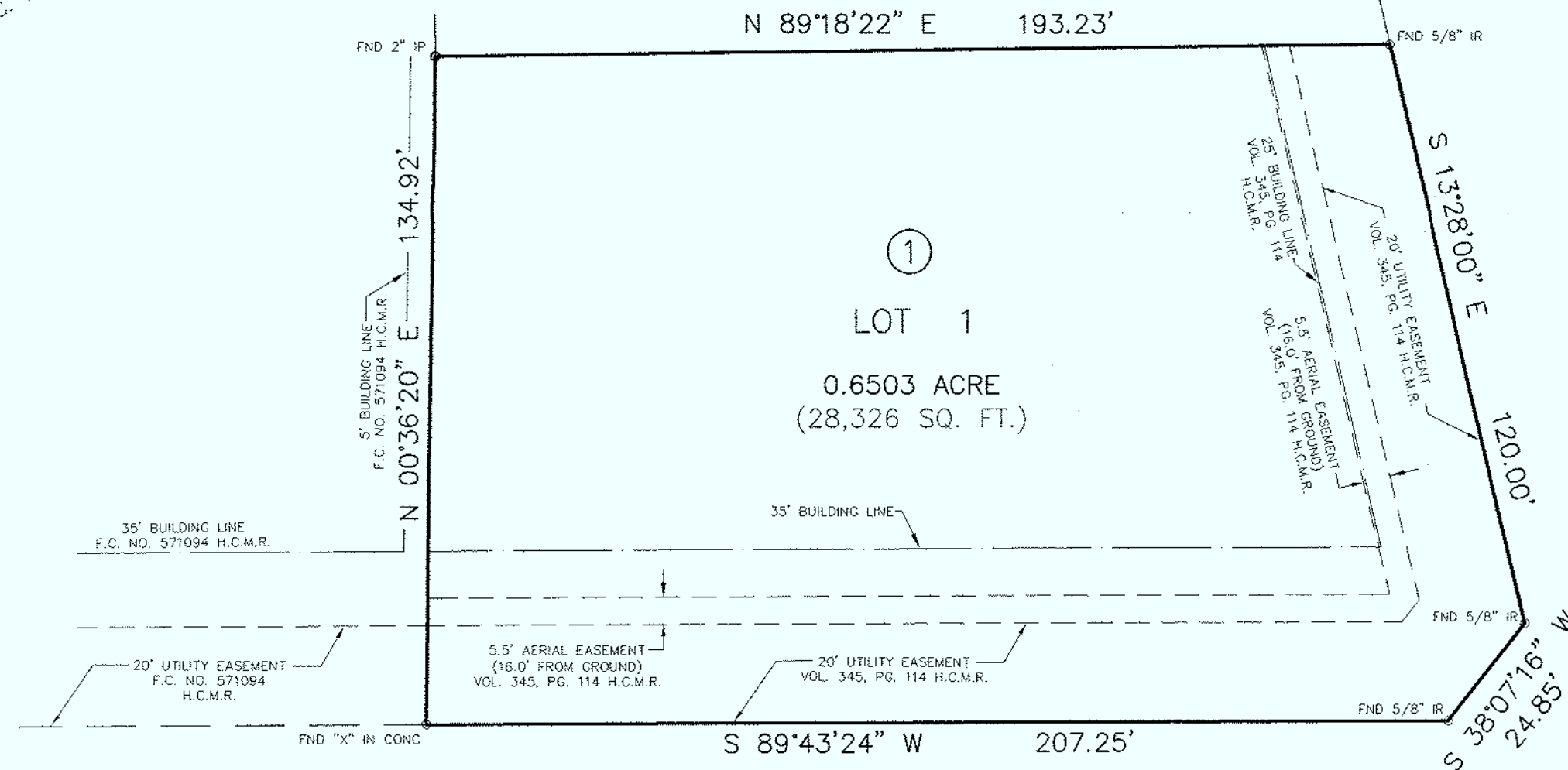
CALLED 0.6984 ACRES
FISCHER HI-LO STORE PROPERTIES
JOINT VENTURE
H.C.C.F. NO. M396112

TRACT "A"
CORNERSTONE LUBY'S
F.C. NO. 383097 H.C.M.R.

McDONALDS TOMBALL
H.C.C.F. NO. N706099

SHELL OIL COMPANY
H.C.C.F. NO. H827154

STATE HIGHWAY 249
(120' R.O.W.)
(VOL. 850, PG. 215 H.C.D.R. & H.C.C.F. NO. B518783)



F.M. 2920 (120' R.O.W.)
(VOL. 1420, PG. 64 H.C.D.R.)

RESTRICTED RESERVE "A"
FINAL PLAT OF TOMBALL PLAZA
SUBDIVISION
F.C. NO. 562208 H.C.M.R.

NOTES:

- 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 other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- According to FEMA Firm Panel No. 48201C0210 L, dated June 18, 2007, this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, 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 amend or remove any valid covenants or restrictions.
- 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.

THE STATE OF TEXAS
COUNTY OF HARRIS

We, Tomball Main, Ltd., a Texas limited partnership, acting by and through Avi Ron, President of AR2010 GP, Inc., a Texas corporation, its general partner, Owners, hereinafter referred to as owners of the 0.6503 acre tract described in the above and foregoing plat of STAR TOMBALL replat no 1, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, oil 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 easements five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

IN TESTIMONY WHEREOF, Tomball Main, Ltd., a Texas limited partnership, has caused these presents to be signed by Avi Ron, President of AR2010 GP, Inc., a Texas corporation, its general partner, this ____ day of _____ 2011.

TOMBALL MAIN, LTD.

By: AR2010 GP, Inc., a Texas corporation, its general partner

By: _____
Avi Ron, President

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Avi Ron, President of AR2010 GP, Inc., a Texas corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said limited partnership.

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

Notary Public in and for the State of Texas

My Commission expires: _____

We, _____ owner and holder of a lien against the property described in the plat known as STAR TOMBALL replat no 1, said lien being evidenced by instrument of record in the Clerk's File No. _____ of the O.P.R.O.R.P. of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and we hereby confirm that we are the present owners of said lien and have not assigned the same nor any part thereof.

By: _____
print name:
print title:

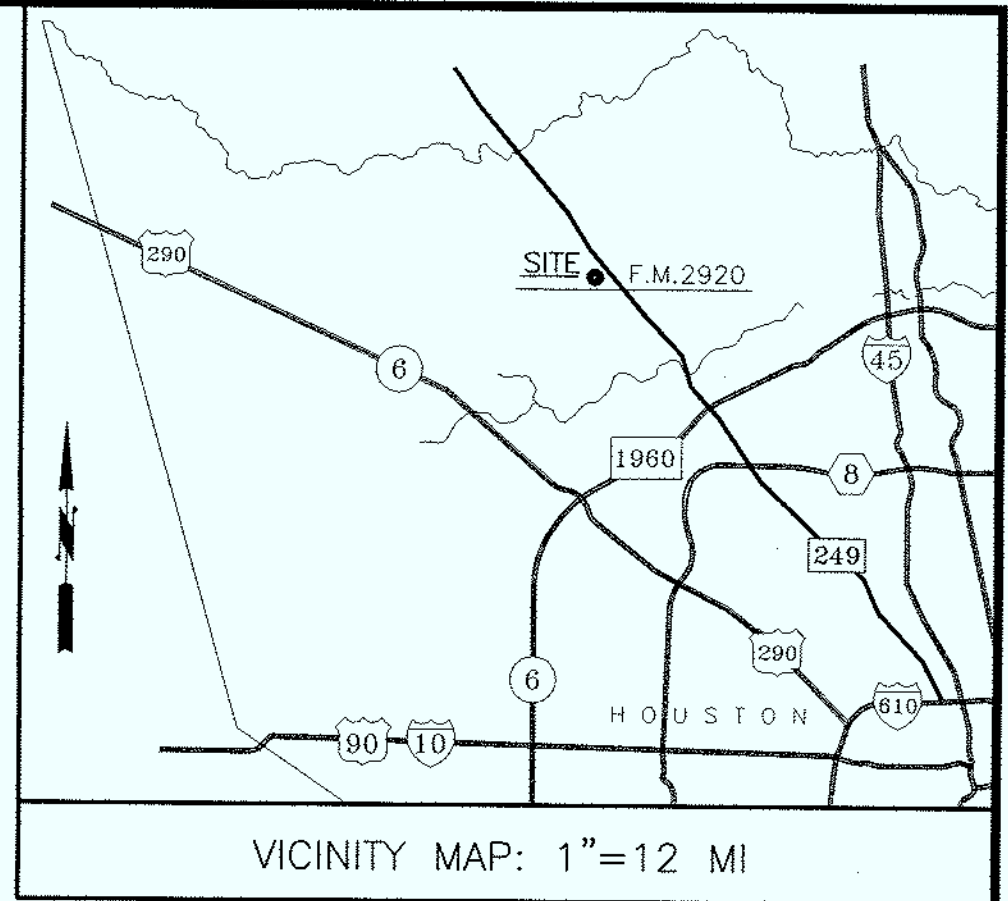
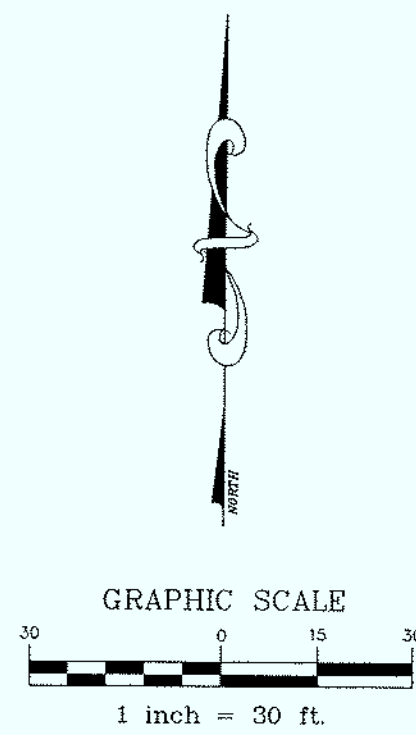
THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

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

Notary Public in and for the State of Texas

My Commission expires: _____



I, George Collison, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference have been marked with iron pipes or rods having an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the nearest survey corner.

George Collison
Registered Professional Land Surveyor
Texas Registration No. 4461

This is to certify that the Planning Commission of the City of Tomball, Texas, has approved this plat and subdivision of STAR TOMBALL replat no 1 in conformance with the laws of the State of Texas and the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this ____ day of _____ 2011.

By: _____
Tam Crofoot
Chairman

By: _____
Lori Wallace
Vice Chairman

We, the City Manager and the Director of Engineering and Planning for the City of Tomball, do hereby certify that this plat complies with the City of Tomball ordinance.

By: _____
George Shackelford
City Manager

By: _____
Mark A. McClure
Director of Engineering
& Planning

This is to certify that the City accepts the Planning Commission's authorized approval and acceptance of all dedicated public easements in conformance with the laws of the State of Texas ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this ____ day of _____ 2011.

By: _____
Gretchen Fagan
Mayor

By: _____
Doris Speer
City Secretary

I, Beverly B. Kaufman, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2011, at _____ o'clock ____m., and 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 Harris County, Texas, the day and date last above written.

Beverly B. Kaufman
County Clerk of
Harris County, Texas

By: _____
Deputy

REASON FOR REPLAT: TO CREATE A SINGLE LOT

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

1 ~ LOT 1 ~ BLOCK

OWNERS:

TOMBALL MAIN, Ltd.
4808 GIBSON
HOUSTON, TEXAS 77007
(713) 457-1923

SURVEYOR:

TERRA SURVEYING COMPANY, INC.
3000 WILCREST DRIVE, SUITE 210
HOUSTON, TEXAS 77042
(713) 993-0327

PROJ. NO.: 2300-0741 S SCALE: 1" = 30' DATE: DECEMBER, 2010