

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



MONDAY, MARCH 8, 2010

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, March 8, 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
 - Tomball Development Guide

- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of February 8 2010.
- 5.0 New Business:
- 5.1 Receive Presentation of Planning & Zoning Commission 2009 Annual Report
- 5.2 Consideration and Possible Action Regarding six month extension request by Emil Haddad of EIC Surveying on behalf of CMH Homes, Inc. for the **TOMBALL R 135 FINAL PLAT**.
- 5.3 Consideration and Possible Action Regarding **PRELIMINARY PLAT KLEIN ISD ELEMENTARY SCHOOL NO 28**: Being a Replat of Lots 485, 486 & Part of Lot 484 of the Five Acre Tracts Tomball Townsite Vol. 2, Pg. 65 H.C.M.R. A Subdivision of 19.0042 Acres out of the J. Pruitt Survey, Abstract No. 629, Harris County, Texas, 1 Block and 1 Reserve.
- 5.4 Consideration and Possible Action Regarding**PRELIMINARY PLAT OF MAPLE GROUP, LTD**: Being a Subdivision of 111.4942 Acres of land out of the Claude N. Pillot Survey, Abstract 632, and the Jesse Pruitt Survey, Abstract 629, City of Tomball, Harris County, Texas, 8 Lots, 4 Blocks, and 2 Reserves.
- 5.5 Consideration and Possible Action Regarding**REPLAT OF REVISED MAP OF TOMBALL**: Being a Subdivision of 0.3214 Acres or 14,000 Square Feet of land, being situated in Revised Map of Tomball, an addition in Harris County, Texas and Being a Replat of Lots 21, 22, 23, 24, in Block 31 of Revised Map of Tomball in Harris County, Texas as recorded in Volume 4, Page 25 of the Map Records of Harris County, Texas, 1 Lot and 1 Block.
- 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 4th day of March 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
Data Sheet

Meeting Date: March 8, 2010

Topic:

Background:

Origination:

Recommendation:

Funding:

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

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

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: March 8, 2010

Topic:

- Tomball Development Guide

Background:

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Recommendation:

Funding:

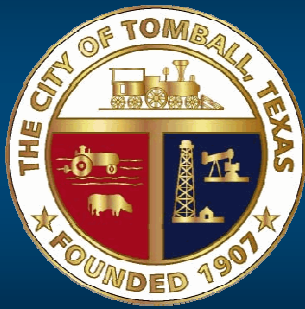
Party(ies) responsible for placing this item on agenda:

Engineering and Planning Department

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

ATTACHMENTS:

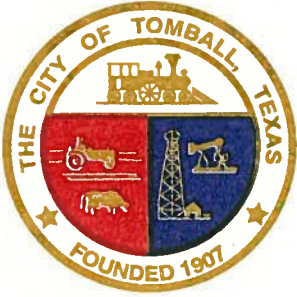
Tomball Development Guide



Development Guide

A Guide to Development and Building
in the
City of Tomball





City of Tomball

GRETCHEN FAGAN
MAYOR

January 25, 2010

The Engineering and Planning Department has produced the *Tomball Development Guide: A Guide to Development and Building in the City of Tomball* to assist local landowners, architects, engineers, developers, and other interested parties understand the significant phases of the development and building process in the City of Tomball and its extraterritorial jurisdiction (ETJ). With the numerous codes, policies, regulations, and procedures involved in securing development approval, this guide has been prepared to provide a basic understanding of the major City requirements when seeking to develop property within the City of Tomball and its ETJ.

The *Tomball Development Guide* is broken into six sections: Introduction, Pre-Development / DRC Meetings, Zoning, Platting, Site Plans, Permitting, Contacts, and Applicable Standards. Each section explains in detail how to navigate the development process in Tomball and addresses the necessary steps in obtaining City permits.

This guide, along with City staff, is available to assist you in whatever way possible during the planning and construction of your project. If at any time we can assist you, please let us know.

Thank you,

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

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1.0 INTRODUCTION

This guide has been developed to assist local landowners, architects, engineers, developers, and other interested parties understand the significant phases of the development review process in the corporate limits and extraterritorial jurisdiction (ETJ) of the City of Tomball. With the numerous codes, policies, regulations, and procedures involved in securing development approval, this guide has been prepared to provide a basic understanding of the major City requirements when seeking to develop property within the City of Tomball and its ETJ.

Development in Tomball is regulated in order to promote public health and safety, and protect public and private property. Regulations and procedures have been developed to establish rules and implementation for development. This guide is intended to help applicants through the development process.

The development process can be broken down into four basic steps. Zoning, the first step, identifies permitted uses and development regulations for the property. The second step, Platting, submission and approval, identifies the subdivision of land and any proposed public dedications such as right-of-way or easements. The third step, the Site Plan process, involves the review and approval of the actual plans for construction of public infrastructure contained within the public dedication areas and improvements on the site. Construction plans indicate exact locations of connections to City infrastructure and include site details that address existing and proposed paving, grading, drainage and utility improvements. The fourth step, the Permitting process, addresses the review and approval of building plans for conformance with minimum building standards to ensure the safety of future property owners and occupants.

Project Elements

Every project must be:

1. ZONED for the intended use;
2. Located on a Recorded PLATTED lot or legally subdivided lot;
3. Approved through the SITE PLAN APPROVAL and/or a BUILDING PERMIT process;
4. INSPECTED during and upon completion of construction; and
5. Issued CERTIFICATE OF OCCUPANCY (if applicable).

Each of these elements has a specific process. Summary details of each process are provided in this guide.

The reader is advised that additional permitting requirements may apply to specific projects. All construction projects should be carefully reviewed for any additional federal, state, or county requirements.

2.0 Pre-Development / DRC Meetings

The path that each development will need to follow will depend on how many project elements are already in place. In order to determine the correct path, the City strongly recommends that applicants schedule a **PRE-DEVELOPMENT MEETING** with the Engineering & Planning Department. This meeting should occur prior to the submittal of any development plans to the City. The purpose of this meeting is to determine the necessary steps for each project and to provide the necessary information to successfully complete each step. Pre-Development Meetings are held weekly on a first come first serve basis. To schedule a Pre-Development Meeting, contact the Engineering & Planning Department at (281) 290-1405.

The City also offers **DEVELOPMENT REVIEW COMMITTEE (DRC)** meetings every Wednesday afternoon to discuss specific questions pertaining to codes and regulations applicable to larger or more complex developments. More complicated development projects are often affected by multiple City ordinances, codes, and requirements of various Departments within the City. The City of Tomball's DRC is comprised of representatives from the City Manager's Office, Engineering & Planning Department, Fire Marshal's Office, Building Permits & Inspections Department, Public Works Department, and other City officials, as applicable. Topics traditionally covered in a DRC meeting include zoning, platting, utility availability, right-of-way and easement dedications, drainage requirements, building code compliance, and fire code compliance. The applicant is encouraged to bring any relevant site development data such as a site plan, plat, or other documents to the meeting. It is also strongly recommended that the property owner or their representative bring the project engineer, architect, and/or surveyor to the DRC meeting to help facilitate the technical dialogue that must take place when considering pursuing a project and avoid potential confusion when plans are submitted.

To schedule a DRC meeting, download the [DRC Meeting Request Form](#) online and return it via email to Brandy Pate, bpate@ci.tomball.tx.us, or fax it to (281) 351-4735. For questions about the DRC meetings, contact the Engineering & Planning Department at (281) 290-1405.

3.0 ZONING – DETERMINING LAND USE

3.1 Zoning Overview

Importance of Zoning

Zoning is an important land use and development tool for many municipal governments. Authorized by state law, zoning allows the City to develop distinct districts for the purpose of regulating the use and development of land. Through the zoning process, the City attempts to ensure compatible land use patterns, minimize conflicts between land uses, protect public and private property, and enhance the natural and built environments.

The City of Tomball's [Zoning Ordinance](#) defines the geographic area, regulates the allowable land uses, and defines standards of development for each zoning district.

Uses Allowed in the Current Zoning

When considering the use of a property, the first step will be to review the City of Tomball's [Zoning Map](#), locate the subject property, determine what zoning district the property is located within, and review the *Use Regulations* contained in Section 38 of the Zoning Ordinance, to determine whether the proposed use, of the property, is allowed within that district.

3.2 Zoning Verification Request

In order to determine that Tomball's Zoning Ordinance permits a proposed project on a property, the applicant may request a zoning verification letter. The purpose of the zoning verification letter is to obtain written confirmation from the City of Tomball regarding the zoning district(s), permitted uses, and other information requested regarding the zoning of a property. It is important to remember that the City's Zoning Ordinance is only enforceable in the corporate city limits. All properties located in the ETJ are exempt from the City's Zoning Ordinance, but may be subject to other City codes and regulations (i.e. platting, signage, etc.).

The [Application for Zoning Verification](#) can be downloaded from the City of Tomball's website.

3.3 Zoning Changes

Options to Change Current Zoning

If the applicant determines that the proposed use conflicts with the allowable uses within the existing zoning district, the applicant/owner may request to change the designated zoning of the site to one that will accommodate the proposed use. This request may entail:

- Expansion of existing adjacent zoning boundaries;
- Change of the existing district to another standard zoning district;

- Establishment of a Planned Development District (Planned Development districts are unique zoning districts designed to allow creative site design, flexibility in use, or additional regulation not provided for within the standard zoning districts); or
- Conditional Use Permit (in specified zoning districts, certain uses are allowed only with specific conditions and restrictions. Requests to utilize land for one of these uses requires a Conditional Use Permit to be approved by City Council).

Application for a Zoning Change

The City recognizes that a viable Zoning Ordinance can not be static; it must change with the changing needs of the public, the demands of changes in technology, or the manner of doing business. The staff of the Engineering & Planning Department oversees this continual change process.

- The first step in the zoning change process (which establishes an actual amendment to the Zoning Ordinance) will be to contact the Engineering & Planning Department to discuss the nature of the zoning request. The Engineering & Planning Department will answer any questions pertaining to the zoning process and will help explore the feasibility of a request. Each request will be reviewed for its compatibility with the existing land uses, zoning patterns, and [Tomball Comprehensive Plan](#).
- The second step will be the submission of a [Rezoning](#), [Planned Development](#), or [Conditional Use Permit Application](#). Each application provides a comprehensive checklist of the submittal requirements. Based upon the [Submittal Schedule](#) the case will be assigned a zoning case number and will be scheduled for public hearings before the Planning & Zoning Commission (P&Z) and City Council.

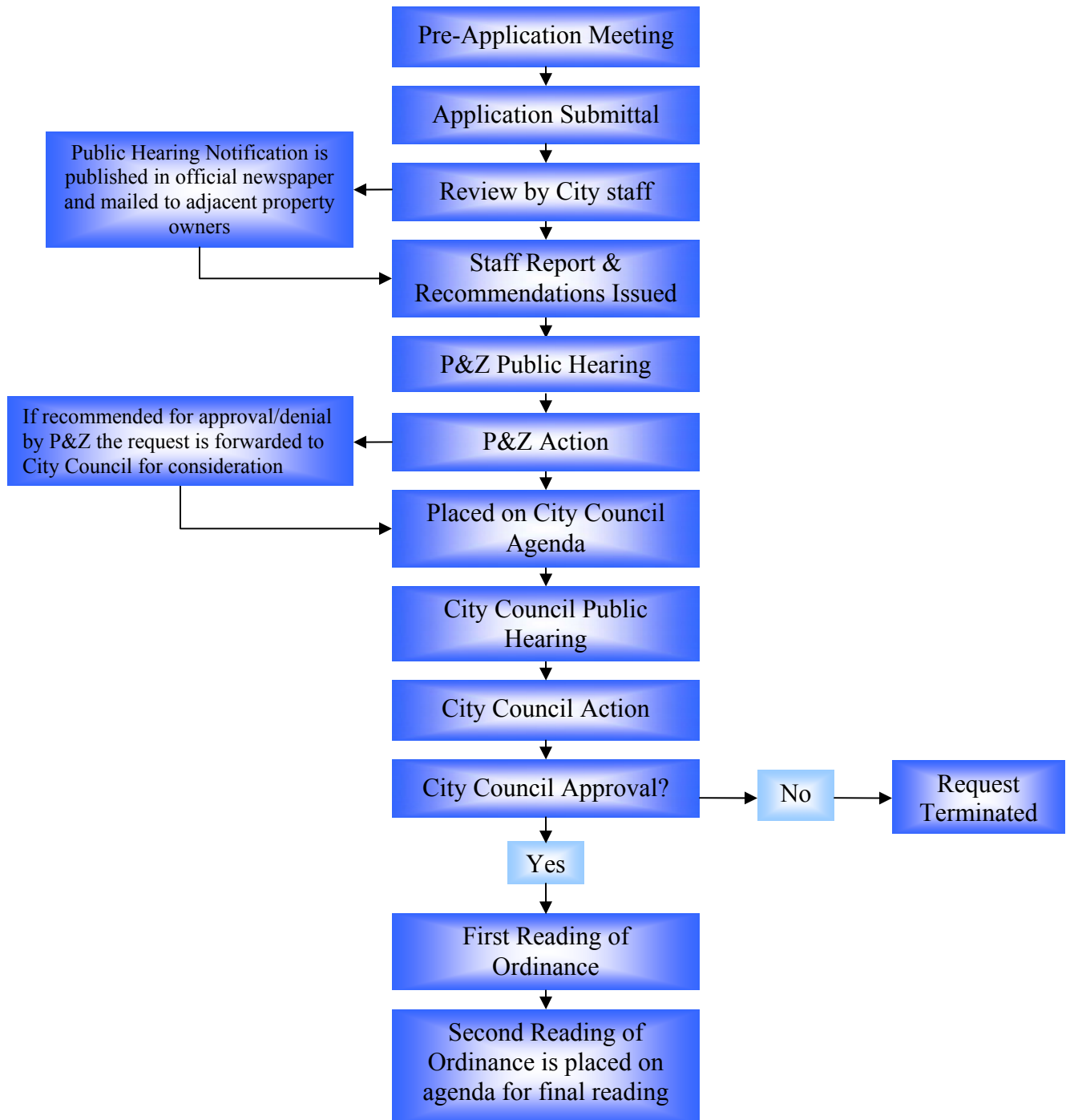
3.4 Public Hearings

Public hearings will be held before the City's Planning & Zoning Commission and City Council, respectively. Each body will hear the request and receive public input before reaching a decision on the matter. The Planning & Zoning Commission will make a formal recommendation to City Council regarding approval or denial of the request. City Council will decide the final disposition of the case and if approved will conduct two readings of the rezoning ordinance before the change is final.

The Planning & Zoning Commission meets on the second Monday of every month at 6:00 p.m. and City Council meets on the first and third Mondays of each month at 7:00 p.m., unless otherwise stated. The meetings are held at Tomball City Hall, 401 Market Street, Tomball, Texas 77375.

3.5 City of Tomball

Zoning Process Flowchart



4.0 PLATTING – THE SUBDIVISION OF LAND

4.1 Platting Overview

“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. By definition, “Subdivision” is the division of land without regard to the transfer of ownership. The City has further codified the platting process and requirements in [Chapter 70](#), titled “Plats and the Subdivision of Land”. The City has specifically defined “Subdivision” to mean the division of any lot, tract or parcel of land by plat, map or description into two or more parts, lots or sites for the purpose, whether immediate or future, of sale, rental or lease, or division of ownership. Any dedication and the laying out or realignment of new streets, or other public or private access ways, with or without lotting, shall constitute a subdivision. Subdivision shall also include the resubdivision and replatting of land or lots that are part of a previously recorded subdivision. An "addition" is a subdivision as defined herein. The term "subdivision" shall also include the division of land whether by plat or by metes and bounds description and when appropriate to the context, shall relate to the process of subdividing or to the land subdivided. Furthermore, Section 70-3(a) states that:

It shall be unlawful for any person to subdivide any tract, lot, or parcel of land within the city or within the extraterritorial jurisdiction of the city, unless and until a preliminary and final plat of such subdivision has been approved in accordance with the terms of this chapter.

Unless and until a preliminary and final plat, plan or replat of a subdivision shall have been first approved in the manner provided herein by the commission, it shall be unlawful for any person to construct or cause to be constructed any street, utility facility, building, structure, or other improvement on any lot, tract, or parcel of land within such subdivision, except as specifically permitted herein.

In addition, it shall be unlawful for any official of the city to issue any permit for such improvements, or any aspect thereof, or to serve or connect said land, or any part thereof, with any public utility which may be owned, controlled, or distributed by the city.

Provided further, it shall be unlawful for any person to serve or connect any lot, tract, or parcel of land within any such subdivision with any utility service or facility unless and until a final plat of such subdivision has been approved in accordance herewith.

In general terms, a plat is a map of a parcel of land identifying the location and boundaries of street rights-of-way, individual lots or parcels, and other site information. The plat shows features such as lot lines, utility easements, setback lines, land dedicated for public use (e.g. streets and parks), ownership, and metes and bounds (boundary dimensions). A plat also establishes the lot, block, and subdivision name (legal description) used in real estate transactions. A plat is a legal document complete with a drawing of the property boundaries, metes and bounds, an owner's statement dedicating streets to the public, an owner's certification statement, a title block, approval statements, and a location map. A plat is not the property survey required by a mortgage company when closing the sale of a property. Plats are reviewed and approved by City Council and filed with the County Clerk of Harris or Montgomery County. The platting overview is provided as a quick overview of the requirements. Detailed requirements are outlined in Chapter 70. Questions or clarifications should be directed to the City Engineer.

Importance of Platting

The manner in which land is subdivided, how streets are designed, and how the lots are laid out have a lasting effect on the physical character of the City. Tomball's subdivision ordinance ([Chapter 70](#)) regulates all subdivisions of land within the City and its ETJ to ensure that the public health and safety, and public and private property are protected. Street, water, sanitary and storm drainage systems must be adequately sized, designed, and constructed to meet the public's needs. Future property owners must be guaranteed a parcel with access to public right-of-way and utilities suited for the intended use.

When to Plat

There are several situations that require the platting of property. Generally, a plat is required if:

- The property has never been platted;
- An existing platted lot is subdivided;
- It is necessary to make changes to a previously recorded plat due to an error or omission; and/or
- The owner desires to relocate, add, or remove lot/building lines between adjacent lots.

It is unlawful for any person or entity to subdivide any tract, lot, or parcel of land within the City or within Tomball's ETJ, unless and until a preliminary and final plat have been approved by Tomball City Council. Additionally, City permits may not be issued on land that has not been legally subdivided.

All plats must be prepared by a Registered Public Land Surveyor (RPLS) licensed by the State of Texas.

The City requires that applicant's schedule a **PRELIMINARY PLAT MEETING** with the Engineering & Planning Department prior to submitting a plat. It is strongly recommended that the property owner, surveyor, and/or engineer attend the Preliminary Plat Meeting. This meeting is intended to provide a dialogue between City staff and the applicant regarding subdivision requirements, land use, development regulations, and the platting process.

4.2 Types of Plats

Plat approval is generally divided into three (3) distinct phases:

1. Master Plan
2. Preliminary Plat
3. Final Plat

- **Master Plan:** A Master Plan is required when large and/or complicated sites are proposed for development. The developer, engineer, and/or surveyor are required to review the Master Plan concepts with City staff for coordination purposes prior to submittal of the Master Plan. The Master Plan is generally a one-line concept plan detailing the general layout of streets, lots, open space, public facilities, utility locations, drainage plan, and other facilities, as applicable.
- **Preliminary Plat:** All unplatted property must go through the preliminary plat process. The Preliminary Plat provides a general layout of the proposed subdivision with existing and proposed features. The Preliminary Plat is mutually beneficial to both the developer and the City in that it provides an opportunity for the developer to explore the feasibility of the project while allowing the City to provide initial direction on the availability of City services. 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. If the proposed development is to be phased, this will need to be shown on the Preliminary Plat. The Preliminary Plat must address development issues on the entire parcel owned by the developer, even if the developer plans to only develop a portion of the property at this time. The Preliminary Plat (along with any staff comments) goes to the Planning & Zoning Commission for approval. If public improvements are proposed an “Agreement with Developer for Construction of Public Improvements” must be executed with the City.
- **Final Plat:** Upon completion of the Preliminary Plat process, the developer may proceed with submittal of a final plat. The Final Plat shall conform to the Preliminary Plat as approved by the Planning & Zoning Commission and incorporate any and all changes, modifications, corrections, and conditions imposed by the prior approval. The Final Plat and staff comments are reviewed by the Planning & Zoning Commission and then considered for approval by City Council. A Final Plat will not be presented to City Council for consideration until all recommended conditions of the Preliminary Plat have been incorporated. A Final Plat may include certain replats, abbreviated plats, amending plats, or vacating plats.

4.3 The Platting Process

Both the Preliminary and Final plat process consists of seven (7) general steps:

1. Mandatory Preliminary Plat Meeting with City staff.
2. Formal submission of the application, plat, development plans (if required*), and the payment of filing fees (refer to the [Plat Application and Fee Schedule](#) on the City of Tomball’s website for all submittal requirements).
3. Technical review by City staff for formal recommendations to the Planning & Zoning Commission with regard to compliance with City ordinances.
4. Consideration by the Planning & Zoning Commission.

5. Developer shall address approval contingencies prior to submittal of final plat for City Council consideration. City staff shall confirm that such contingencies have been fully addressed prior to placing the plat on a City Council agenda.
6. City Council approval of plat.
7. Recordation with the County Clerk of Harris or Montgomery County or sent to Harris or Montgomery County Commissioner's Court if located within the City's ETJ.

The Planning & Zoning Commission will either recommend approval, with or without contingencies, or denial of the plat for failure to meet specific requirements. Approvals are valid for a period of six (6) months. Once all conditions have been met and the Planning & Zoning Commission approves the Final Plat, the applicant will submit a signed and sealed mylar with signatures of all owners and lien holders, as well as current tax certificates stating that all taxes have been paid to date. City staff will then place an item on the next available City Council agenda to consider approval of the Final Plat. Once City Council approves the plat, appropriate City signatures will be obtained and the plat, along with current tax certificates, will be sent to Harris or Montgomery County for recordation. For subdivisions located within the City of Tomball's ETJ, a suitable "Guarantee of Performance" shall be provided for water, wastewater, and drainage facilities prior to the City forwarding the City-approved plat to the appropriate County Commissioner's Court. After the plat is recorded, the plat applicant or owner will be notified and provided a copy of the final recorded plat. Original plat mylars are kept on file with the City of Tomball.

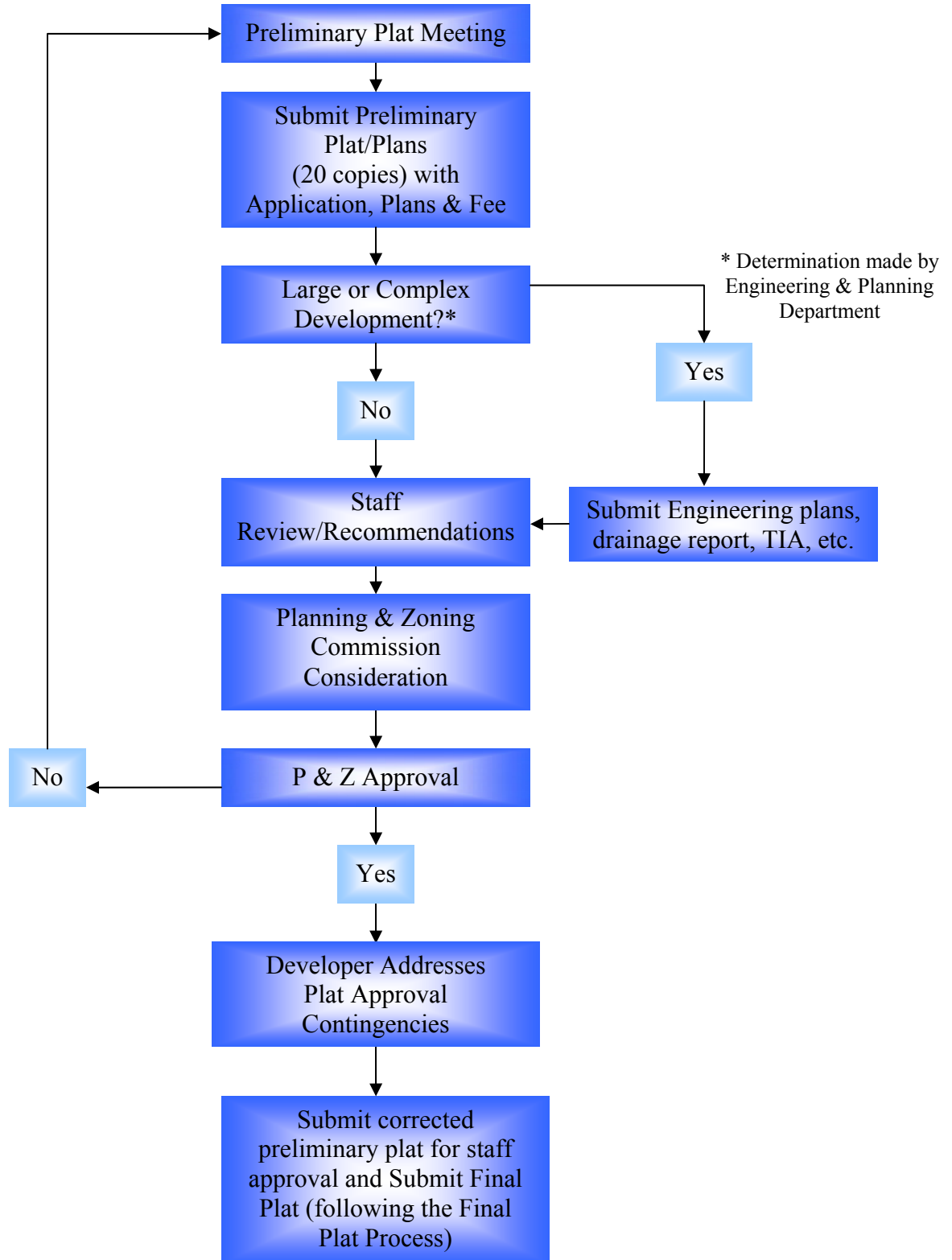
The [Plat Application and Fee Schedule](#) can be found on the City of Tomball's website.

Note - In conjunction with the plat submittal, some projects, such as residential subdivisions, may require the concurrent submission of engineering plans, drainage reports, traffic impact analysis (TIA) studies, and other applicable plans in order to adequately review the project. City staff will review the drainage report and preliminary plans for construction of subdivision improvements for consistency with the Preliminary Plat package and compliance with City ordinances, standards, and comprehensive plans. The developer shall incorporate City staff comments in the final plans. The drainage report shall address the existing and proposed drainage improvements for the development.

Improvements associated with Public Infrastructure require the developer to execute an Agreement with the City to clearly outline the roles, responsibilities, and cost appropriation for the improvements. A sample template of the Agreement titled "Agreement with Developer for Construction of Public Improvements" is provided on the City's website. Typically the agreement is prepared by the City Engineer with detailed plans, specifications, and cost estimates provided by the developer. Once the Agreement is in its final draft form, the City Engineer coordinates the legal review by the City Attorney prior to placing the Agreement on City Council's agenda for consideration. It should be noted that any City participation requested by the developer is subject to City Council approval and funding availability.

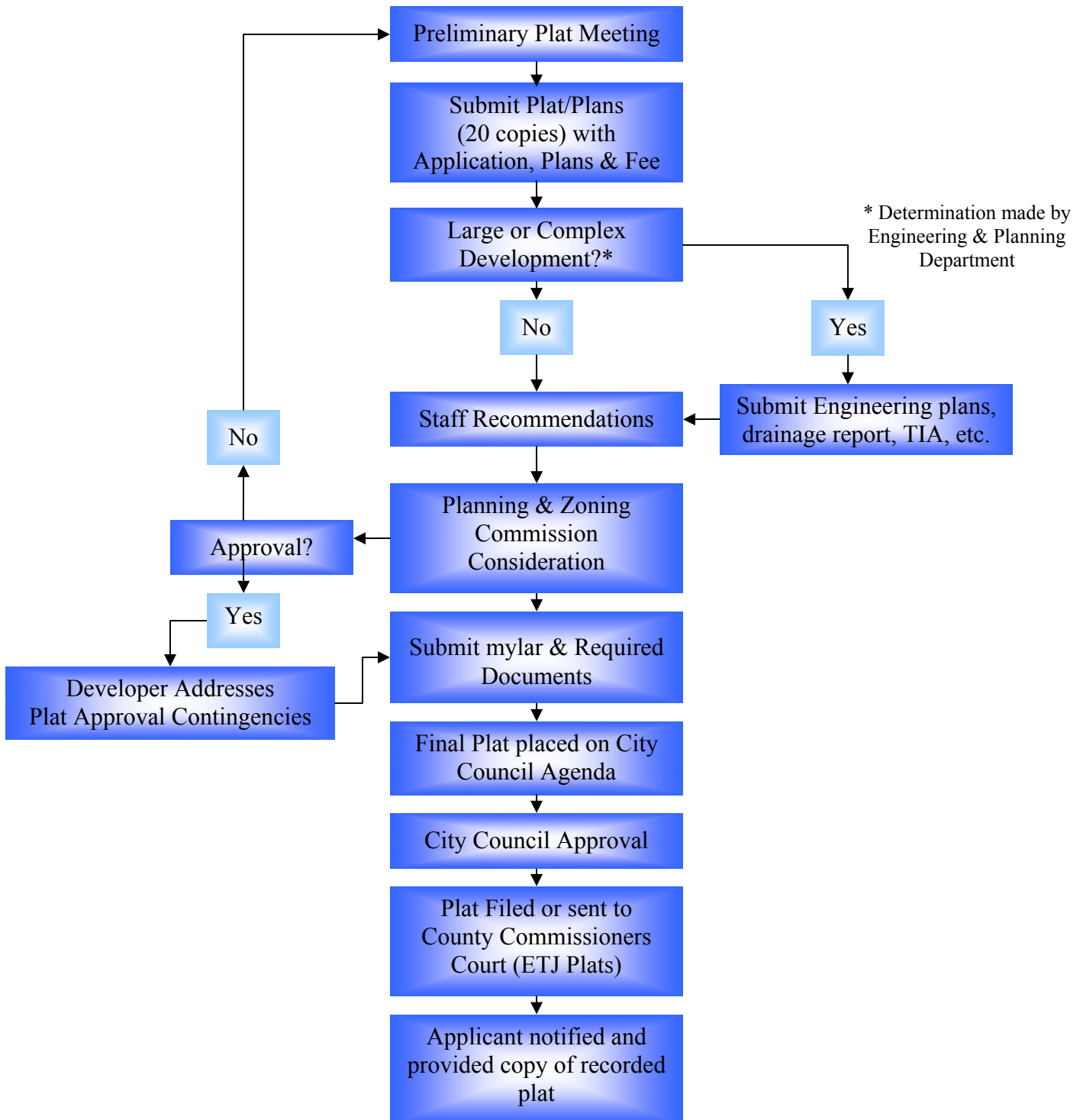
4.4 City of Tomball

Preliminary Plat Process Flowchart



4.5 City of Tomball

Final Plat Process Flowchart



5.0 SITE PLANS

City policies, standards, and regulations on land use and development are designed to help ensure public health and safety, and protect private and public property. Site plan review allows City staff to review projects for land use, zoning, transportation, drainage, environmental and safety considerations. Site plan reviews also determine if the proper infrastructure is in place to service the development in accordance with City requirements (applicable codes and ordinances).

Although City staff reviews plans for these issues, the ultimate responsibility for the construction documents rests with the Design Professional preparing the plan. The reader is advised that additional permitting requirements may apply to specific projects. All construction projects should be carefully reviewed for any additional federal, state, or county requirements.

5.1 Plan Review

Once zoning and platting issues are addressed, a site plan application must be submitted for all projects within the City limits. There are two basic types of site plan review: 1). [Single-Family Site Plan Application](#) for all single-family (one dwelling) and duplex (two-family) developments/projects, excluding residential subdivisions; and 2). [Site Plan Application](#) for all nonresidential developments, residential subdivisions, and multi-family developments. A site plan submittal must be approved by the Engineering & Planning Department prior to submitting a building permit application.

Each site plan application provides a complete list of submittal requirements; not all requirements listed may be applicable to every project. Additionally, depending on the nature of the project, additional plans or documents may be required in order to adequately review the submittal. Additional requirements may include a Traffic Impact Analysis (TIA), drainage report, photometric study, required permits by federal, state, or county agencies, etc. The initial review will take approximately thirty (30) days from time of complete application submittal. If the application is incomplete or inaccurate, the project may be delayed until corrections or additions are received.

5.2 Single-Family Site Plan Applications

Single-Family Site Plan Applications are required for all new single- and two-family homes, additions to existing single- and two-family homes, decks, detached garages, carports, patios, and accessory structures over 200 square feet. The Planning Division reviews the site plan submittal for compliance with the Zoning Ordinance and Subdivision Regulations and routes the plans to the Engineering Division for review of any proposed public improvements, drainage, utilities, grading, etc., if necessary. If it is found that the proposal does not meet the City's requirements, the applicant will be notified and alternatives will be discussed to address any issues.

Once the site plans are approved by the Engineering & Planning Department, the applicant will submit the approved plan set, along with a [Building Permit Application](#) and all required plans (floor plans, building elevations, structural, foundation and electrical) and documents, to the Department of Permits and Inspections. The Permits and Inspections Department is responsible for the code compliance of all construction in the City of Tomball. The [Residential Plan Submittal Guidelines](#) and [Building Permit Fees](#) are posted on the City's website. Refer to Section 6.4 Building Permits for additional information on the building permit process.

5.3 Site Plan Applications (Nonresidential, Residential Subdivisions, and Multi-Family)

A Site Plan Application, along with complete civil engineering plans, including landscaping, screening/buffering, exterior building elevations, and all supporting documents and fees must be submitted to the Engineering & Planning Department for review prior to the construction of any development. The site plan submittal will be reviewed by the Engineering & Planning Department and the Fire Marshal's Office for conformance with codes and regulations applicable to site development.

Tomball's Engineering Division will review the site plan for drainage, utilities, paving and grading, traffic impacts, and other civil engineering related issues. The following sheets must be included in the plan set for review: Cover, Recorded Plat, General Construction Notes (including the City's general, water, sewer, storm, gas, and detention notes), Dimensional Control, Paving and Grading, Drainage, Detention (if required), Utilities, Landscaping, Irrigation (if proposed), Storm Water Pollution Prevention Plan (SWP3) (including erosion and sediment controls plan), and Details (including water, sewer, gas, storm, paving, SWP3, etc.). Applicable sheets must be signed and sealed by a professional engineer.

The Planning Division will review the site plan for compliance with the Zoning Ordinance, building height limits, lot area/width/depth, building setbacks, lot coverage, density, off-street parking, landscaping, and screening/buffering/fencing. All site plans will be reviewed for consistency with the Comprehensive Plan and other planning related issues.

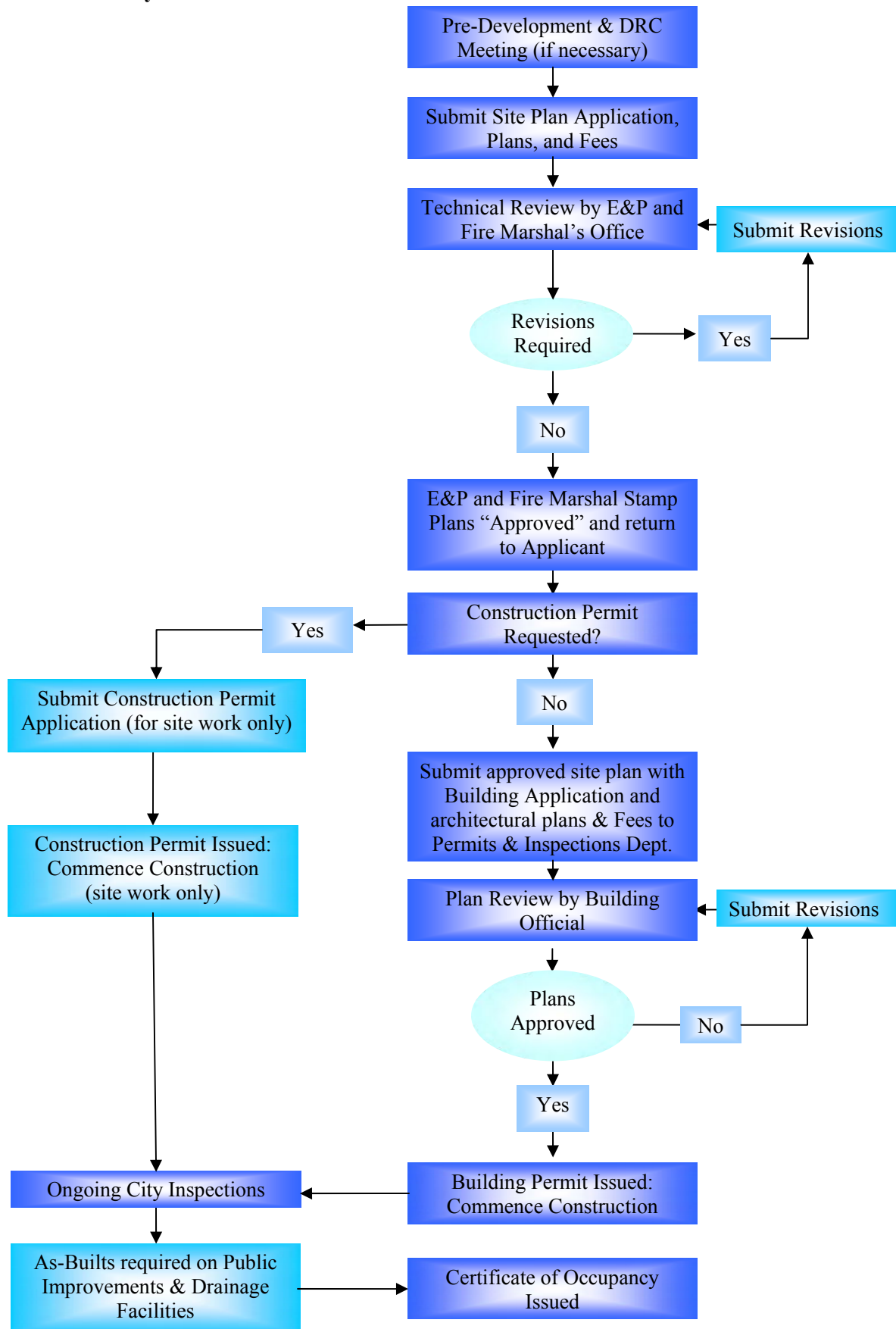
The Fire Marshal's Office will review the site plan for fire hydrant location, emergency vehicle access, fire sprinkler requirements, and other fire code issues. Additional information for the [Fire Marshal's Office](#) can be found on the City's website. (In addition, the Fire Marshal will review the architectural plans during the building permit process.)

If it is determined that the project does not meet the City's requirements, the applicant will be notified and alternatives may be discussed to address any issues.

Once the site plans are approved by the Engineering & Planning Department, the applicant must submit the approved plan set with the [Building Permit Application](#) and all required plans (floor plans, building elevations, structural, foundation and electrical), and documents to the Department of Permits and Inspections. The Permits and Inspections Department is responsible for the code compliance of all construction in the City of Tomball. The [Commercial Building Permit Process Checklist](#) and [Building Permit Fees](#) are posted on the City's website. Refer to Section 6.4 Building Permits for additional information on the building permit process.

5.4 City of Tomball

Site Plan Process Flowchart



6.0 PERMITTING

6.1 Construction Permits

A construction permit is a permit of convenience to allow the developer to begin site work upon approval of the site plan, but prior to the issuance of a building permit. This permit is for work that is generally located outside of the building footprint. This would include all grading, paving, utilities, detention, storm water, landscaping, irrigation, screening, etc., that is located on public or private property, as reflected on the approved site plans. Construction permits are not required if the developer would like to wait for the Permits and Inspections Department to review building plans and issue a building permit. All construction permits are issued by the Engineering & Planning Department.

The [Construction Permit Application](#) can be downloaded at the City of Tomball's website. The Construction Permit fee is two (2) percent of the value of the construction cost and is due at the time of construction permit issuance. Impact fees may be required at the time of permitting for water, sewer, and drainage per Ordinance No. 2009-12, (Infrastructure Master Plan and Impact Fee Determination).

6.2 Floodplain Development Permit

This permit is required when a developer wishes to build in or alter the character of property located within a special flood hazard area. This permit is for all structures including manufactured homes and for all development including fill and other activities within a designated floodplain. If any proposed grading or improvements involve property in the floodplain, a hydraulic flood study performed by an engineer licensed in the State of Texas maybe required. The applicant's engineer will submit the study and supporting hydraulic data to the City's Floodplain Administrator. This information will be reviewed by City staff and subsequently submitted (if necessary) by the City Floodplain Administrator to the Federal Emergency Management Agency (FEMA) for approval. The appropriate FEMA applications forms and fees will be provided to the City by the developer. FEMA will review and submit its findings to the City in the form of a "Conditional Letter of Map Revision (CLOMR)", including submittal to the City of all required engineering and surveying data and payment of all fees to satisfy the conditions in the CLOMR for the purposed of issuance by FEMA of a "Letter of Map Revision" (LOMR). All correspondence shall be directed to the City Floodplain Administrator for submittal to FEMA. A detailed study may also be required for development areas that do not yet have a mapped floodway but have been identified as flood prone areas. After construction, elevation certificates and/or flood proofing certificates will be required as applicable to the project.

For additional information, refer to the Code of Ordinance Chapter 38: FLOOD DAMAGE PREVENTION, as amended under Ordinance No. 2007-07.

6.3 Erosion and Sediment Control Management Permit

This permit is required for all land-disturbing activities, including clearing and grubbing, that require the uncovering of 5,000 or more square feet, excluding emergency activities, nursery and agricultural operations, and activities on lots less than one acre in size and used for single-family and two-family residential purposes. A bond, letter of credit, or refundable deposit is required with the submission of the permit for the amount equal to the erosion and sediment control activities. A separate permit is not required for a development/project that is issued a construction permit or a building permit, but the bond, letter of credit, or refundable deposit must be submitted in the name of the City of Tomball. For additional information refer to Ordinance No. 2009-30 (adopted October 19, 2009).

Please contact the Engineering & Planning Department at (281) 290-1405 for more information on Floodplain and Erosion and Sediment Control permits.

6.4 Building Permits

A Building Permit is a legal document that gives permission to start construction of a building project in accordance with approved drawings and specifications. Building permitting is the process through which the City ensures compliance with all codes and ordinances, relative to the construction of buildings and building sites. Generally, such permits will fall into one of two categories: 1) residential; or 2) commercial. Refer to the [Residential Plan Submittal Guidelines](#) and [Commercial Building Permit Process Checklist](#) for the submittal requirements.

The permitting process includes the review and approval of construction and site plans, the payment of permit fees, the issuance of a Building Permit, scheduled inspections of the work in progress, and approval at its completion. Building permit applications will not be accepted until the site plans are approved by the Engineering & Planning Department. After the Permits and Inspections Department receives the building permit application and plan set, the Building Official will ensure that the site plans have the Engineering & Planning Department's stamps of approval and that the Building Plans match. The Building Official will route the plans to the Fire Marshal's Office for review and approval. Once the Fire Marshal and Building Official approve the building plans the permit may be issued.

Plan review fees are due at the time of submittal of the building permit application. Building Permit Fees, including tap and impact fees are due at the issuance of a building permit. Additionally, all contractors are required to present a Certificate of Liability Insurance with the City of Tomball listed as the Certificate Holder. After the Building Permit is issued, the applicant is ready to start construction. All requests for building inspections must be submitted through the Inspection Line at (281) 290-1480. A Building Inspector will then be notified to inspect each part of the project as it progresses in order to ensure that the work is done safely and in accordance with the approved plans and codes.

6.5 Departmental Inspections / Certificate of Occupancy

Before a Certificate of Occupancy (CO) can be issued, the Engineering & Planning Department, Fire Marshal's Office, and Permits and Inspections Department will conduct final inspections of the project to determine if it was constructed according to the approved plans. Prior to a request for a CO, as-builts for all Public Improvements and drainage facilities must be accepted by the City Engineer.

Once all final inspections and approvals have been obtained from the various City departments, the owner or tenant may request a CO. The building cannot be occupied until the CO has been issued. A CO is a document that permits a business to operate in a specific location. The process of issuing a CO ensures that a business complies with zoning or land use ordinances, as well as the structural and fire and life safety codes of the City; thereby assuring the applicant that his/her business structure is ready for occupancy. This document is required of all tenants in both existing structures and newly constructed commercial buildings and is obtained through the Permits and Inspections Department.

7.0 CONTACT INFORMATION

For questions regarding the development process, contact the appropriate department(s). All of the official's offices are located at the Public Works Building located at 501 James Street, Tomball, Texas 77375.

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8.0 APPLICABLE STANDARDS

8.1 City of Tomball

- CODE OF ORDINANCES:
 - Chapter 14:BUILDINGS AND BUILDING REGULATIONS, as amended under Ordinance No. 2007-13
 - Chapter 30:ENVIRONMENT, as amended under Ordinance No. 2008-23
 - Chapter 34:FIRE PREVENTION AND PROTECTION, as amended under Ordinance No. 2008-03
 - Chapter 38:FLOOD DAMAGE PREVENTION, as amended under Ordinance No. 2007-07
 - Chapter 66:STREETS, SIDEWALKS AND OTHER PUBLIC PLACES
 - Chapter 70:PLATS AND THE SUBDIVISION OF LAND
 - Chapter 82:UTILITIES
- Ordinance No. 2008-01, ZONING ORDINANCE, Adopted February 4, 2008
- Ordinance No. 2009-08, 2009 MAJOR THOROUGHFARE PLAN, Adopted March 16, 2009
- Ordinance No. 2009-12, INFRASTRUCTURE MASTER PLAN AND IMPACT FEE DETERMINATION, Adopted June 1, 2009
- Ordinance 2009-30, EROSION AND SEDIMENT CONTROL, Adopted October 19, 2009
- Ordinance No. 2009-33, TOMBALL COMPREHENSIVE PLAN – VISION 2030, Adopted December 7, 2009
- 10-Year Infrastructure Master Plan and Impact Fee Determination 2007-2017
- Standard Construction Details and Specifications
- Traffic Impact Analysis Guidelines
- Tomball Livable Centers Downtown Plan
- Development Agreement Template

Copies of the above mentioned City standards and regulations may be obtained from the Engineering & Planning Department or the City's website at www.ci.tomball.tx.us.

8.2 State of Texas

- [Architectural Barriers Texas Accessibility Standards \(TAS\)](#)
- [Texas Commission on Environmental Quality \(TCEQ\)](#)
- [Texas Department of Licensing and Regulation \(TDLR\)](#)

8.3 Federal Government

- [Federal Emergency Management Agency \(FEMA\)](#)
- [United States Army Corps of Engineers \(USACE\)](#)

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 8, 2010

Data Sheet

Topic:

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

Background:

Origination:

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 Minutes 02.08.10

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

MONDAY, FEBRUARY 8, 2010



6:00 P.M.

1.0 Call to Order

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

Commissioner O'Donnell
Commissioner Wallace
Commissioner Dodson

Commissioner Mottershaw - Absent

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 Kelly Violette announced that the Final Comprehensive Plan had been printed and distributed to all Commissioners.

4.0 Motion was made by Commissioner Wallace to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of January 11, 2009; second by Commissioner O'Donnell.

Motion carried unanimously.

Discussion/Action of the Following Items:

5.0 New Business:

- 5.1 Consideration and Possible Action Regarding SHEPHERD'S PROPERTY – FINAL PLAT : Being a 1.2613 Acre Tract Situated in the City of Tomball, Texas in the Joseph House Survey, Abstract 314, Harris County, Texas, Being Comprised of a 0.9471 Acre Tract (H.C.C.F. NO. Z-433094) and a 0.314 Acre Tract (H.C.C.F. NO. S-775139)**

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

Commissioner O'Donnell made a motion to Approve **SHEPHERD'S PROPERTY – FINAL PLAT**; with contingencies, second by Commissioner Dodson.

Motion carried unanimously.

- 6.0 Motion was made by Commissioner O'Donnell to adjourn; second by Commissioner Dodson.

Motion carried unanimously.

Meeting adjourned at 6:04 p.m.

PASSED AND APPROVED this _____ day of _____ 2010.

Brandy Pate
P&Z Commission Secretary

Tom Crofoot
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 8, 2010

Data Sheet

Topic:

Receive Presentation of Planning & Zoning Commission 2009 Annual Report

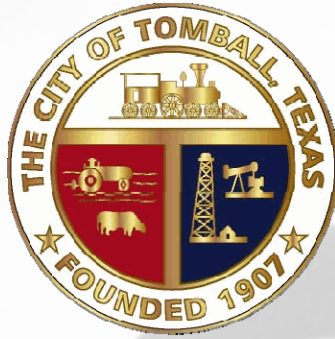
Background:**Origination:****Recommendation:****Funding:****Party(ies) responsible for placing this item on agenda:**

Engineering and Planning Department

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

ATTACHMENTS:

P&Z 2009 Annual Report



Planning & Zoning Commission

2009 Annual Report

February 2008—December 2009

Introduction

This annual report was prepared by the Engineering & Planning Department to provide an overview of the Planning & Zoning (P&Z) Commission's actions since the City's adoption of the Zoning Ordinance (Ordinance 2008-01) in February 2008 through December 2009. The report details the development review activities in the following categories: rezonings, conditional use permits, 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. Additionally, the report addresses the long range planning efforts of the City in which the Planning & Zoning Commission has been involved. The report also details training and workshops during this time span.

Planning & Zoning Commission Overview

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

2008 Commissioners:

Tom Crofoot
Lori Wallace
Vincent O'Donnell
Brad Hallmark
Jerry Till (Term Expired June 2008)
John Mottershaw (Appointed May 2008)

2009 Commissioners:

Tom Crofoot
Lori Wallace
Vincent O'Donnell
Brad Hallmark (Resigned June 2009)
John Mottershaw
Preston Dodson (Appointed June 2009)

Since February 2008 the P & Z conducted a total of 35 meetings, of which 23 were regular meetings, three were Special Joint Workshops with City Council (4/7/2008, 10/27/2009 & 12/7/2009), one was a special P & Z Workshop to discuss the implementation of the Comprehensive Plan (August 10, 2009), one was a special P&Z meeting to discuss the adoption of the *Livable Centers Downtown Plan* (August 24, 2009), and the remainder were meetings to discuss the *Comprehensive Plan*. Of the 23 regular P&Z meetings held, 11 were held in 2008 and 12 were held in 2009. The increase

in regular meetings from 2008 to 2009 was because the Planning & Zoning Commission was not created until February 2008.

During its 23 regular meetings from February 2008 through December 2009, the Planning & Zoning Commission reviewed 43 plats, 33 rezoning cases, two conditional use permits, and two text amendments.

Below is a summary of commissioner attendance for the 28 called meetings (including special workshops and joint meetings) from February 2008 through December 2009.

2008 Commissioner Attendance

Commissioner	Meetings Attended	Meetings Held	Attendance Percentage
Tom Crofoot	11	12	91.70%
Lori Wallace	12	12	100.00%
Vincent O'Donnell	12	12	100.00%
Brad Hallmark	11	12	91.70%
Jerry Till	5	5	100.00%
John Mottershaw	4	6	66.70%

2009 Commissioner Attendance

Commissioner	Meetings Attended	Meetings Held	Attendance Percentage
Tom Crofoot	14	16	87.50%
Lori Wallace	14	16	87.50%
Vincent O'Donnell	15	16	93.75%
Brad Hallmark	5	6	83.33%
John Mottershaw	12	16	75.00%
Preston Dodson	10	10	100.00%

Cases Heard

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*.

From February 2008 through December 2009, the Planning & Zoning Commission heard 31 rezoning cases; 15 in 2008 and 16 in 2009 (Table 1). Of those 31 rezoning cases heard, 19 were approved (61.3% approval rate), 10 were denied (32.3% denial rate), one was tabled, and one was withdrawn. Of the 28 rezoning cases directed to City Council, 18 were eventually passed, eight were denied, and two were withdrawn.

Planned Development Districts

Planned Development Districts (PD) are zoning districts which accommodate planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options, or any appropriate combination of uses which may be planned, developed, or operated as integral land use units either by a single owner or a combination of owners. PDs are often used to allow new or innovative concepts in land utilization not permitted by other zoning districts, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community. PDs, although a type of rezoning request, have been separated from the rezoning requests above because of their unique nature in accommodating a mixture of uses and site design characteristics.

The Planning & Zoning Commission has reviewed two PD requests; both were heard in 2008 (Table 2). The first PD request (Zoning Case # P08-007) was to facilitate a master planned mixed use development with patio homes and multi-family residences on Brown-Hufsmith Road between Quinn Road and Baker Drive. The Planning & Zoning Commission voted to recommend approval of this case on June 9, 2008; however the City Council ultimately denied the request on June 16, 2008. The second request (Zoning Case # P08-064) was to facilitate a mixed use development with multi-family residential and general retail uses on the southerly side of Brown Road, westerly of State Highway 249. The Planning & Zoning Commission voted to recommend denial of this case on September 8, 2008 and the City Council denied the request on January 5, 2009.

Conditional Use Permits

A conditional use permit (CUP) is a permit to authorize specific uses not routinely allowed on a particular site subject to compliance with specified conditions. A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions. The Zoning Ordinance designates CUPs as special zoning districts; however the base zoning of the site does not change.

From February 2008 through December 2009, the Planning & Zoning Commission reviewed two CUP requests; one in 2008 and one in 2009 (Table 3). Of the two requests heard, both were approved by P&Z and City Council. The first CUP case (Zoning Case # P08-062) was a request by Garth Lodgings to allow a 70 foot tall Holiday Inn Express hotel in the GR-General Retail District where a maximum height of 42 feet is permitted. The second CUP case (Zoning Case P09-182) was a request to construct a three-story Lone Star College Health Science Center building at a height of 65 feet, where the maximum height permitted was 42 feet in the GR-General Retail District.

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 a formal recommendation and then forwarded to City Council for consideration. From February 2008 through December 2009, the Planning & Zoning Commission heard two Zoning Ordinance text amendment requests; both in 2009 (Table 4). The first text amendment (Zoning Case # P08-088) was a request to modify Section 16.4 (A.2) of the Zoning Ordinance to reduce the minimum lot width requirement of a radial lot in the SF-6 District from 80 feet to 75 feet at and for a distance of 30 feet behind the front yard/building line. P&Z recommended approval of this request, but the applicant later withdrew the request prior to Council action. The second text amendment

(Zoning Case # P09-156) was a request to modify Section 14.4 (B.2) of the Zoning Ordinance to reduce the minimum side yard requirement from 30 feet to 15 feet for single family dwellings and private garages on lots within the AG-Agricultural District. P&Z recommended approval of this request and City Council approved the request on November 2, 2009.

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. From February 2008 through December 2009, the Planning & Zoning Commission considered nine preliminary plats; four in 2008 and five in 2009. Of the nine preliminary plats, seven were recommended for approval and two were denied.

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. From February 2008 through December 2009, the Planning & Zoning Commission considered 34 final plats; 18 in 2008 and 16 in 2009. Of the 34 final plats, 31 were recommended for approval and three were denied. (Table 5 provides an overview of all the plats that have been approved during the time span covered by this report.

From February 2008 through December 2009, the Planning & Zoning Commission voted on a total of 43 plats (preliminary and final); 22 in 2008 and 21 in 2009. Of the 43 total plats heard, 38 were approved (88.4% approval rate) and five were denied (11.6% denial rate).

Long-Range Planning

In addition to considering rezonings, conditional use permits, planned development districts, zoning text amendments, and plats, the Planning & Zoning Commission has been active in the City’s long-range planning efforts including the development of the FM 2920 Access Management Study, *Livable Centers Downtown Plan* and *Comprehensive Plan - Vision 2030*.

The FM 2920 Access Management Study was commissioned by the Houston-Galveston Area Council in 2008 to evaluate the FM 2920 corridor from Hempstead Road west of US 290 to Lexington Road east of IH 45. The overall goal of the study was to develop a plan that identifies and addresses short-to medium term solutions for implementation to improve mobility, reduce traffic delays, and improve safety. The goal was also to provide a long-range vision for the corridor, by developing access management guidelines along the corridor that complement the land use and urban planning in and around the study area. On December 7, 2009, a special joint City Council and Planning and Zoning Commission meeting was held to receive a presentation on the Access Management Study and discuss the study's impacts on Tomball. The City Council approved Resolution No. 2009-33, accepting and adopting the FM 2920 Access Management Study on December 7, 2009 at its regular meeting.

The Access Management Study provides the basis for the Tomball Livable Centers Downtown Plan with regard to downtown mobility. The *Livable Centers Downtown Plan* commenced in 2008 with the purpose of identifying public improvements that create an opportunity for building a livable, workable, and playable mixed use community in the heart of Tomball that is both viable and sustainable. The Livable Centers Program is designed to facilitate the creation of walkable, mixed-use places that include residential and commercial components, multi-modal transportation options, improve environmental quality, and promote economic development. P&Z was pivotal in reviewing and providing feedback on this Plan which will guide public improvements in Tomball's Downtown core. At its August 24, 2009 special meeting, P&Z recommended approval of the *Livable Centers Downtown Plan*; the plan was approved by City Council at its regular meeting on September 21, 2009.

The *Tomball Comprehensive Plan – Vision 2030* is the City's adopted long range land use and development guide. Commenced in 2008, the *Comprehensive Plan – Vision 2030* establishes a vision for the long range development of the City, provides policy guidance for future growth and development, and contains action items to implement the vision. The Plan is divided into four major sections: the Introduction and Community Profile, the Vision, the Plan Elements, and Implementation. Individual chapters of the Plan Elements include: Land Use and Development, Circulation, Economic Opportunity, Parks and Recreation, and Growth Capacity.

P&Z was active in the development of the *Comprehensive Plan* and attended a number of Comprehensive Plan Advisory Committee meetings as well as a special P&Z workshop on August 10, 2009 and a joint P&Z/City Council workshop on October 27, 2009 to review and discuss the *Comprehensive Plan*. At its November 9, 2009 regular meeting, P&Z recommended approval of the *Comprehensive Plan*; the plan was approved by City Council at its regular meeting on December 9, 2009.

In accordance with the Implementation chapter of the Comprehensive Plan, Engineering & Planning Department staff has begun drafting the scope for the development of a

Downtown Specific Plan (DSP) to regulate and direct land use within the Old Town Area. The DSP will build upon the vision and objectives identified in the *Livable Centers Downtown Plan* and *Comprehensive Plan* and further apply the livable centers concept of designing centers with concentrations of workplaces, shopping, entertainment, and housing by establishing the planning framework for urban design. This effort will engage community stakeholders throughout the planning process, helping community leaders and the general public understand existing and future needs, opportunities, trade-offs, and challenges, while respecting Tomball's heritage and historic resources. Like the *Livable Centers Downtown Plan* and *Comprehensive Plan*, P&Z will be engaged to provide input for the Plan and will be responsible for providing a recommendation to City Council. The contract proposal for the DSP is anticipated to be presented to Council for approval in the Spring of 2010.

P&Z Training/Workshops

The Planning & Zoning Commission has taken part in a number of training sessions and workshops from February 2008 through December 2009. At its April 7, 2008 special joint workshop, P&Z and City Council received an introduction on the zoning process from consultant Bob Hughey. Additionally at this workshop, the City's Attorney, Bill Olson, provided training regarding the duties and responsibilities of the P&Z and City Council pertaining to zoning issues and decisions by each board.

At its July 13, 2009 regular meeting, the Planning & Zoning Commission viewed "Introduction to the Planning Commission"—Part 1 by the American Planning Association. Elements covered in this training included:

- Basic principles of planning;
- Legal context for planning and the planning commission;
- Roles of the planning commission;
- Importance of a comprehensive plan;
- Planning at different levels of analysis;
- The tools of planning; and
- Decision making by the planning commission.

The Engineering & Planning Department will conduct the "Introduction to the Planning Commission"—Part 2 in 2010.

At its special workshop on August 10, 2009, P&Z met with City staff and consultants to receive a presentation and enter into discussion about the *Tomball Comprehensive Plan*. This workshop's purpose was to provide P&Z with an overview of the team that would be working on the *Comprehensive Plan*, describe the importance of the *Plan*, provide a brief comprehensive planning process overview and timeline, describe the differences between the *Comprehensive Plan* and the Zoning Ordinance, discuss the upcoming steps in the comprehensive planning process, and entertain questions from P&Z.

At its special meeting on August 24, 2009, P&Z entered into a workshop to discuss the *Livable Centers Downtown Plan* with City staff, Program Coordinator, Meredith Dang, of the Houston-Galveston Area Council (H-GAC), and consultant Ryan Bricker of HNTB. This workshop was an opportunity for P&Z to review and discuss the study, and provide suggestions on changes to be made to the final document. P&Z voted to approve the *Livable Centers Downtown Plan* contingent on minor corrections being incorporated into the final draft.

The final P&Z workshop of 2009 was a joint meeting with City Council regarding the Comprehensive Plan. This workshop was an opportunity for P&Z and City Council to view the draft *Comprehensive Plan*, provide final comments and make corrections before it was brought to their respective boards for approval, and allow City staff the opportunity to describe how the *Plan* would be implemented.

The goal of these workshops and training opportunities 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.

Table 1: Rezoning Cases

Case #	Zoned From	Zoned To	1st P&Z Meeting	1st P&Z Recommendation	2nd P&Z Meeting	2nd P&Z Recommendation	3rd P&Z Meeting	3rd P&Z Recommendation	Final CC Action
P08-006	SF-6	C	4/14/2008	Approval	N/A	N/A	N/A	N/A	Approved
P08-005	SF-6	C	5/12/2008	Approval	N/A	N/A	N/A	N/A	Approved
P08-012	D	C	5/12/2008	Approval	N/A	N/A	N/A	N/A	Approved
P08-008	AG	O	5/12/2008	Approval	7/14/2008	Denied	N/A	N/A	Approved
P08-023	SF-6	LI	6/9/2008	Denied	N/A	N/A	N/A	N/A	Denied
P08-025	AG/GR	C	7/14/2008	Approval	N/A	N/A	N/A	N/A	Approved
P08-035	SF-6	C	7/14/2008	Denied	N/A	N/A	N/A	N/A	Denied
P08-029	SF-20	LI	7/14/2008	Denied	N/A	N/A	N/A	N/A	Approved
P08-017	D	MHP	7/14/2008	Withdrawn	N/A	N/A	N/A	N/A	Withdrawn
P08-036	AG/SF-20	SF-6/C	7/14/2008	Approval	N/A	N/A	N/A	N/A	Approved
P08-056	SF-6	C	9/8/2008	Approval	N/A	N/A	N/A	N/A	Approved
P08-060	SF-6	D	9/8/2008	Approval	N/A	N/A	N/A	N/A	Approved
P08-073	SF-6	O	11/10/2008	Denied	N/A	N/A	N/A	N/A	Denied
P08-074	AG	SF-20	12/8/2008	Denied	1/12/2009	Table	2/9/2009	Approval	Approved
P08-082	SF-20	GR	1/12/2009	Approval	N/A	N/A	N/A	N/A	Denied
P09-099	AG	C	3/9/2009	Approval	N/A	N/A	N/A	N/A	Approved
P09-115	AG	C	4/13/2009	Approval	N/A	N/A	N/A	N/A	Approved
P09-110	SF-20	C	4/13/2009	Approval	N/A	N/A	N/A	N/A	Denied
P09-118	SF-20	C	5/11/2009	Denied	N/A	N/A	N/A	N/A	Denied
P09-119	GR	MF	5/11/2009	Denied	N/A	N/A	N/A	N/A	Denied
P09-125	AG	C	6/8/2009	Denied	N/A	N/A	N/A	N/A	Withdrawn
P09-128	D	C	8/10/2009	Approval	N/A	N/A	N/A	N/A	Approved
P09-129	D	C	8/10/2009	Approval	N/A	N/A	N/A	N/A	Approved
P09-142	AG	C	8/10/2009	Denied	N/A	N/A	N/A	N/A	Denied
P09-146	SF-20	SF-9	8/10/2009	Approval	N/A	N/A	N/A	N/A	Approved
P09-158	SF-9	C	9/14/2009	Approval	N/A	N/A	N/A	N/A	Approved
P09-161	SF-6	OT/MU	10/12/2009	Approval	N/A	N/A	N/A	N/A	Approved
P09-180	SF-6	D	12/14/2009	Approval	N/A	N/A	N/A	N/A	Approved

Table 2: Planned Development Districts

Case #	Zoned From	Zoned To	P&Z Meeting	P&Z Recommendation	Final CC Action
P08-007	SF-6/SF-9	PD	6/9/2008	Denial	Denied
P08-064	GR	PD	9/8/2008	Approval	Denied

Table 3: Conditional Use Permits

Case #	Conditional Use	P&Z Meeting	P&Z Recommendation	Final CC Action
P08-062	Allow a 70' Tall Hotel in a General Retail District, Where a 42' is Permitted	9/8/2008	Approval	Approved
P09-182	Allow a 65' tall Health Sciences Bldg, Where a 42' is Permitted	12/14/2009	Approval	Approved

Table 4: Text Amendments

Case #	Amendment	P&Z Meeting	P&Z Recommendation	Final CC Action
P08-088	Radial Lot width requirement for Raleigh Creek	1/12/2009	Approval	Withdrawn by Applicant
P09-156	Side Yard Requirements in AG District	10/12/2009	Approval	Approved

Table 5: Plats

Plat Name	Preliminary Plat Approved – P & Z	Final Plat Approved – P & Z	Final Plat Approved – City Council	Date Recorded
Nikhil Subdivision (Scottish Inn)	2/11/2008	9/8/2008	9/15/2008	10/14/2008
Tomball South Commercial	1/14/2008	4/14/2008 (1st Approval Expired after 6 months) 8/10/2009	10/19/2009	11/17/2009
Abbreviated Plat Dominguez Acres		12/10/2007	3/3/2008	3/26/2008
Parkway Oasis	1/14/2008	3/10/2008	4/21/2008	5/9/2008

Northwest Houston Heart Center (Abbrev. Plat)		1/14/2008	4/7/2008	4/21/2008
Replat of Amended Plat of Lots 30, 31 & 32 in Blk 31		1/14/2008	2/18/2008	3/6/2008
AAA Storage FM 2978	1/14/2008	2/11/2008	3/17/2008	6/20/2008
Century Hydraulics	1/14/2008	2/11/2008	5/19/2008	5/22/2008
Tomahawk Properties		1/14/2008	1/21/2008	1/31/2008
Paloma Park Development		2/11/2008	3/3/2008	3/26/2008
Ortensia's Assisted Living	5/12/2008	6/9/2008	7/7/2008	7/17/2008
Kelley Home (Abbrev. Plat)		3/10/2008	7/7/2008	7/17/2008
Brown-Hufsmith Commercial	7/9/2007	2/11/2008	4/21/2008	5/14/2008
Partial Replat of Tomball Parkway Subdivision		4/14/2008	5/19/2008	5/22/2008
Replat - Pine Country of Tomball Section II		6/9/2008	6/21/2008	7/10/2008
Abbreviated Plat of D&N #8		6/9/2008	7/7/2008	7/17/2008
Tomball Center Phase III - B2, Replat No. 1		6/9/2008	8/4/2008	8/20/2008
Texas Peach Replat		7/14/2008	10/20/2008	10/22/2008
Tomball Forest Estates		8/11/2008	9/2/2008	9/25/2008
Neal Falls	10/13/2008	11/10/2008	7/20/2009	7/24/2009
Amending Plat of Dixie Properties (America's Best Value Inn)		9/8/2008	Plat Withdrawn	
Chestnut Business Park	9/8/2008	11/10/2008	2/16/2009	2/19/2009
Jansep Investments (Quickturn Machining)		5/11/2009	6/1/2009	6/11/2009
Replat of Lots 31 & 32 in Blk 53		11/10/2008	12/1/2008	12/15/2008
Rose 35 (Philip O'Sullivan Project)		12/8/2008	1/5/2009	1/15/2009
Lynch Commercial		12/8/2008	1/5/2009	1/15/2009
Tomball Park One Replat		1/12/2009	3/16/2009	3/31/2009
Replat "J. Walker Home"		4/13/2009	Pending	

Williams Number One		2/9/2009	2/16/2009	2/19/2009
Replat - Pine Country of Tomball Section 2 & 3		2/9/2009	3/16/2009	3/31/2009
Tomball Auto Glass		4/13/2009	4/20/2009	4/30/2009
Lot 3 Hutson Tract Replat		4/13/2009	4/20/2009	4/30/2009
Everhealth Tract		6/8/2009	7/6/2009	7/16/2009
Crofoot Farms		6/8/2009	7/20/2009	7/24/2009
City of Tomball - Central Fire Station No. 1 Replat		8/10/2009	9/8/2009	9/25/2009
Brown Rd. Retail Subdivision	8/10/2009			
Four Corners Partial Replat		9/14/2009		
Cheryl's Place Replat		10/12/2009	11/2/2009	11/17/2009
Matthews - Dryden Subdivision Abbrev. Plat		9/14/2009	10/5/2009	10/19/2009
Pine Country of Tomball - Section 3 - Replat		10/12/2009	10/19/2009	10/29/2009
Shannon Place Abbreviated Plat		10/12/2009	11/2/2009	Pending
Tomball R 135	10/12/2009	Expired (Extension Pending)		
Rose 35 Replat		11/9/2009	11/16/2009	11/25/2009

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 8, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding six month extension request by Emil Haddad of EIC Surveying on behalf of CMH Homes, Inc. for the **TOMBALL R 135 FINAL PLAT**.

Background:

The Tomball R 135 Preliminary Plat was originally received on October 5, 2009 and approved with contingencies by the Planning and Zoning Commission on October 12, 2009. Due to the six month expiration of plats, the surveyor on behalf of the owner, has requested an additional six month extension in order to complete the platting process.

Origination:

Recommendation:

Per Ordinance 70-19, Engineering and Planning recommends Planning and Zoning approval for a 6 month extension to the final plat. The Owner / Surveyor will need to provide updated comments, tax certificates and title report for final recordation. In addition, the final "preliminary plat" mylar signed by the surveyor must be submitted.

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:

Tomball R 135 Final Plat - Extension Request Letter



12345 Jones Road, Suite 270
Houston, TX 77070
281-955-2772 • Fax 281-955-6678
www.eicsurveying.com • eic@eicsurveying.com

February 25, 2010

Mark McClure
City Of Tomball
501 James St.
Tomball, Texas 77375



Re: Tomball R 135

Dear Mr. McClure:

On behalf of our client CMH Homes, Inc. We are asking for an extension of filing the final plat of Tomball R 135 for another 6 months.

The preliminary plat was approved by the City Of Tomball planning Commission meeting on October 12, 2009, item 5.6.

If you have any questions please feel free to call me at (281)955-2772

Sincerely,

A handwritten signature in dark ink, appearing to read 'Emil Haddad', written in a cursive style.

Emil Haddad, R.P.L.S., Vice President

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 8, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding **PRELIMINARY PLAT KLEIN ISD ELEMENTARY SCHOOL NO 28**: Being a Replat of Lots 485, 486 & Part of Lot 484 of the Five Acre Tracts Tomball Townsite Vol. 2, Pg. 65 H.C.M.R. A Subdivision of 19.0042 Acres out of the J. Pruitt Survey, Abstract No. 629, Harris County, Texas, 1 Block and 1 Reserve.

Background:

Origination:

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:

Preliminary Plat Klein ISD Elementary School No. 28

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 8, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding **PRELIMINARY PLAT OF MAPLE GROUP, LTD:** Being a Subdivision of 111.4942 Acres of land out of the Claude N. Pillot Survey, Abstract 632, and the Jesse Pruitt Survey, Abstract 629, City of Tomball, Harris County, Texas, 8 Lots, 4 Blocks, and 2 Reserves.

Background:

Origination:

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:

Maple Group Ltd Preliminary Plat Pg. 1 of 2

Maple Group Ltd Preliminary Plat Pg. 2 of 2

RESTRICTED RESERVE "A"
BLOCK 1

AREA IN CONFLICT
0.0590 OF ONE ACR
OR 2,572 SQ.FT.
PORTION OF
1.3488 ACRES
H.C.C.F. NO. S432467
H.C.C.F. NO. P064837
PORTION OF
42.954 ACRES
H.C.C.F. NO. X391496
(438.61')

AREA IN CONFLICT
0.0560 OF ONE ACRE
OR 2.498 SQ.FT.
PORTION OF
1.3488 ACRES
H.C.C.F. NO. S432467
H.C.C.F. NO. P084037
PORTION OF
25.950 ACRES
H.C.C.F. NO. X273577

249 DIRT YARD, L.L.C.
2.639 ACRES
H.C.C.F. NO. 200803815

YEZAK-AUBERT
PROPERTIES INC.
TRACT I
0.1921 ACRES
H.C.C.F. NO. V321528

A SUBDIVISION OF 111.4942 ACRES
OF LAND OUT OF THE CLAUDE
N. PILLOT SURVEY, ABSTRACT
632, AND THE JESSE PRUITT
SURVEY, ABSTRACT 629,
CITY OF TOMBALL,
HARRIS COUNTY, TEXAS.
8 LOTS, 4 BLOCKS
AND 2 RESERVES

KEVIN ERIC GRAHAM
206 HOLDERRIETH
TOMBALL, TEXAS 77375
281-255-9965

H
S
C **HOVIS**
SURVEYING
COMPANY

DATE: FEBRUARY 2010 SCALE: 1" = 100' JOB NO. 02-023-80

60 01748-E-1

PRELIMINARY PLAT OF
MAPLE GROUP LTD
A SUBDIVISION OF 111.4942 ACRES
OF LAND OUT OF THE CLAUDE
N. PILLOT SURVEY, ABSTRACT
632, AND THE JESSE PRUITT
SURVEY, ABSTRACT 629,
CITY OF TOMBALL,
HARRIS COUNTY, TEXAS.
8 LOTS, 4 BLOCKS
AND 2 RESERVES

SHEET 2 OF 2

COMMERCIAL PARK ROAD
(CALLED 80' R.O.W.)

OWNERS:
MAPLE GROUP LTD.
511 EAST LORINO ST.
HOUSTON, TEXAS 77037
713-384-3997
MARITIA L.P.
30 E RIVERCREST DR.
HOUSTON, TEXAS 77042
713-278-8899

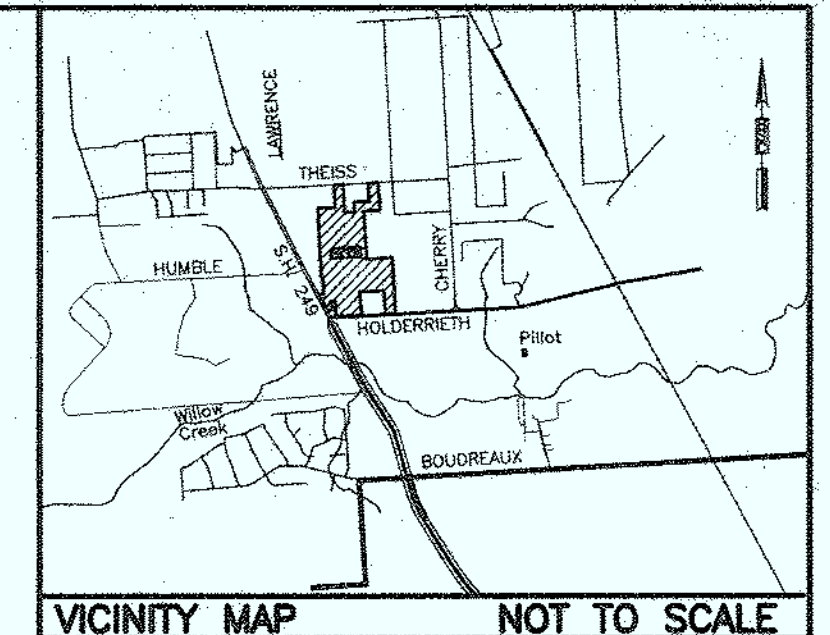
KEVIN ERIC GRAHAM
206 HOLDERRIETH
TOMBALL, TEXAS 77375
281-255-9965

**HOVIS
SURVEYING
COMPANY**

DATE: FEBRUARY 2010 SCALE: 1" = 100' JOB NO. 02-025-80

PREPARED BY:

Land Surveys - Computer Mapping
5000 Cabbage - Spring, Texas 77379
(281) 320-9591
Acreage - Residential - Industrial - Commercial



VICINITY MAP NOT TO SCALE

- NOTES
- Bearing orientation based on Texas State Plane Coordinate Grid System of 1983 (South Central Zone No. 4204), derived from CORS site R01.
 - 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, fence, 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 or 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.
 - According to FEMA Flood Panel No. 480315 0230 L, Dated June 18, 2007, a portion of this property is in Zone "AE" and is within the 1% Annual Chance Flood Plain.
 - 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 of 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.
 - B.L. indicates Building Line, F.C. indicates Film Code, U.E. indicates Utility Easement, S.M. S.E. indicates Storm Sewer Easement, S.S.E. indicates Sanitary Sewer Easement, W.L.E. indicates Water Line Easement.
 - Square footage shown herein is based on a mathematical closure and does not represent the accuracy of survey.
 - Building Lines shall be in accordance with current City of Tomball Zoning Ordinance.
 - All lots subject to the terms, conditions and stipulations contained in that certain Easement Agreement as set out under H.C.C.F. NO. W325844.
 - Lots 2 and 3, Block 1, Lot 2, Block 2 and Lots 1 and 2, Block 4 are subject to unlocated pipeline rights-of-way granted to Humble Oil & Refining Co. as set out in Vol. 932, Pg. 359, Vol. 1034, Pg. 667 and Vol. 1932, Pg. 115, D.R.H.C.
 - Lot 1, Block 2 and Lot 1, Block 3 are subject to unlocated pipeline rights-of-way granted to Humble Oil & Refining Co. as set out in Vol. 932, Pg. 359, Vol. 942, Pg. 517, D.R.H.C.
 - Access, pipeline and surface site easements as reflected by Surface Use Agreements recorded under H.C.C.F. No. 20070130416 are located within the 106.5352 acre tract as recorded under H.C.C.F. No. L500867, and therefore does not affect Lot 3.
 - All improvements not shown hereon.
 - Contours shown on Lot 1, Block 1 are derived from topographic survey performed in October, 2009. Contours shown on remaining lots are derived from LIDAR information from TSARP.

GRAHAM CHILDREN'S
EDUCATIONAL TRUST
106.5652 ACRES
H.C.C.F. NO. L990867

IN TESTIMONY WHEREOF, Maritia, L.P. has caused these presents to be signed by Lou Smolders, its General Partner this day of _____, 2010.

Maritia, L.P.
By: Lou Smolders, General Partner
STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Lou Smolders, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of _____, 2010

Notary Public in and for the State of Texas

My Commission expires: _____

WITNESS my hand in Harris County, Texas, this day of _____, 2010.

By: Kevin Eric Graham

By: Kevin Eric Graham

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Kevin Eric Graham, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of _____, 2010

Notary Public in and for the State of Texas

My Commission expires: _____

We, State Bank, owners and holders of a lien against the property described in the plat known as MAPLE GROUP LTD, said lien being evidenced by instrument recorded in Clerk's File No. 8273378 of the O.P.R.P.P. of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purpose 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: _____

State Bank

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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of _____, 2010

Notary Public in and for the State of Texas

My Commission expires: _____

I, Brian K. Lunell, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground, that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three quarters (3/4) inch and a length of not less than three (3) feet, except where corners were found; and that the plat boundary corners have been tied to the nearest intersecting street.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of _____, 2010

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 MAPLE GROUP LTD in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown herein and authorized the recording of this plat this day of _____, 2010.

By: Tom Crofoot, Chairman

By: Lori Wallace, Vice Chairman

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

LINE	DISTANCE	BEARING
L1	143.52'	N 85°37'33" E
L2	69.73'	N 02°46'11" W
L3	414.27'	N 02°34'55" W
L4	143.48'	S 87°28'55" E
L5	199.83'	S 28°28'34" E
L6	170.71'	S 61°24'58" W
L7	35.10'	S 87°15'36" W
L8	69.69'	N 02°27'38" W
L9	34.72'	N 87°40'28" E
L10	74.69'	N 02°46'11" W
L11	34.31'	S 87°25'38" W
L12	74.44'	N 02°27'38" E
L13	118.34'	N 02°30'10" W
L14	55.02'	N 87°17'56" E
L15	29.50'	S 87°42'04" E
L16	118.32'	S 12°42'04" E
L17	138.82'	S 03°14'22" E
L18	29.28'	S 48°14'22" E
L19	102.55'	N 02°28'28" W
L20	30.81'	S 41°45'38" W
L21	51.82'	N 03°14'22" W
L22	104.99'	N 87°17'56" E
L23	91.81'	N 87°17'56" E
L24	47.27'	S 87°21'05" W
L25	30.00'	N 87°39'42" E
L26	60.00'	S 87°37'42" E
L27	42.52'	N 87°20'20" E
L28	92.96'	S 87°12'02" W
L29	20.45'	N 48°06'28" W
L30	223.54'	N 86°45'38" E
L31	26.59'	S 86°37'44" W
L32	152.11'	N 03°37'05" W
L33	34.98'	N 48°01'08" W
L34	168.68'	S 87°34'54" W
L35	130.01'	N 28°37'23" E
L36	130.01'	S 28°37'23" W
L37	21.41'	N 47°43'08" W

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	4002.72	00°13'04"	15.22	7.81	N 44°02'25" W	15.22
C2	95.00	09°57'00"	150.80	98.59	N 47°33'45" W	135.46
C3	1000.00	16°27'07"	287.14	144.57	S 05°36'48" W	286.16
C4	1080.00	31°25'28"	581.37	298.20	S 01°50'22" E	574.11
C5	462.50	26°13'29"	211.69	107.73	S 04°26'22" E	209.85
C6	1000.00	03°18'29"	57.74	28.88	S 07°01'08" W	57.73
C7	360.00	09°36'15"	54.06	27.08	S 01°03'46" W	54.01
C8	125.00	39°24'16"	105.05	123.71	N 48°31'40" W	175.86
C9	360.00	31°05'49"	195.39	100.17	S 13°04'29" W	193.00
C10	300.00	15°30'40"	81.22	40.86	S 20°52'03" W	80.97
C11	360.00	32°07'03"	201.80	103.63	N 12°33'52" E	199.17
C12	300.00	11°33'47"	60.54	30.38	N 22°50'30" E	60.44
C13	25.00	00°00'00"	36.27	25.00	N 48°14'22" W	35.36
C14	300.00	08°36'15"	45.05	22.57	N 01°03'46" E	45.01
C15	940.00	03°18'29"	54.27	27.14	N 07°01'08" E	54.27
C16	522.50	11°06'57"	101.37	50.84	N 03°06'54" E	101.21
C17	522.50	15°08'32"	137.78	69.29	N 08°59'50" W	137.38
C18	1000.00	31°25'28"	548.48	281.32	N 01°50'22" W	541.61
C19	1080.00	16°27'07"	304.37	153.24	N 05°36'48" E	303.32

GREENVILLE TSC, LTD.
TRACTOR SUPPLY TOMBALL
F.C. NO. 565291
M.R.H.C.

RESTRICTED RESERVE "A"

BLOCK 1

MATCH LINE
SHEET 2
SHEET 1

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: March 8, 2010

Data Sheet

Topic:

Consideration and Possible Action Regarding **REPLAT OF REVISED MAP OF TOMBALL:** Being a Subdivision of 0.3214 Acres or 14,000 Square Feet of land, being situated in Revised Map of Tomball, an addition in Harris County, Texas and Being a Replat of Lots 21, 22, 23, 24, in Block 31 of Revised Map of Tomball in Harris County, Texas as recorded in Volume 4, Page 25 of the Map Records of Harris County, Texas, 1 Lot and 1 Block.

Background:

Origination:

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:

Replat of Revised Map of Tomball

STATE OF TEXAS
COUNTY OF HARRIS

I, MONICA ARMENDARIZ, owner hereinafter referred to as owner of the 0.3214 acres tract described in the above and foregoing plat of REPLAT OF REVISED MAP OF 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 expressed; and do hereby bind myself (or ourselves), my (or our) heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed serial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby dedicate to the public a strip of land fifteen feet (15') wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

WITNESS my hand in the city of Tomball, Texas, this _____ day of _____, 2010.

MONICA ARMENDARIZ, OWNER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Monica Armendariz known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2010.

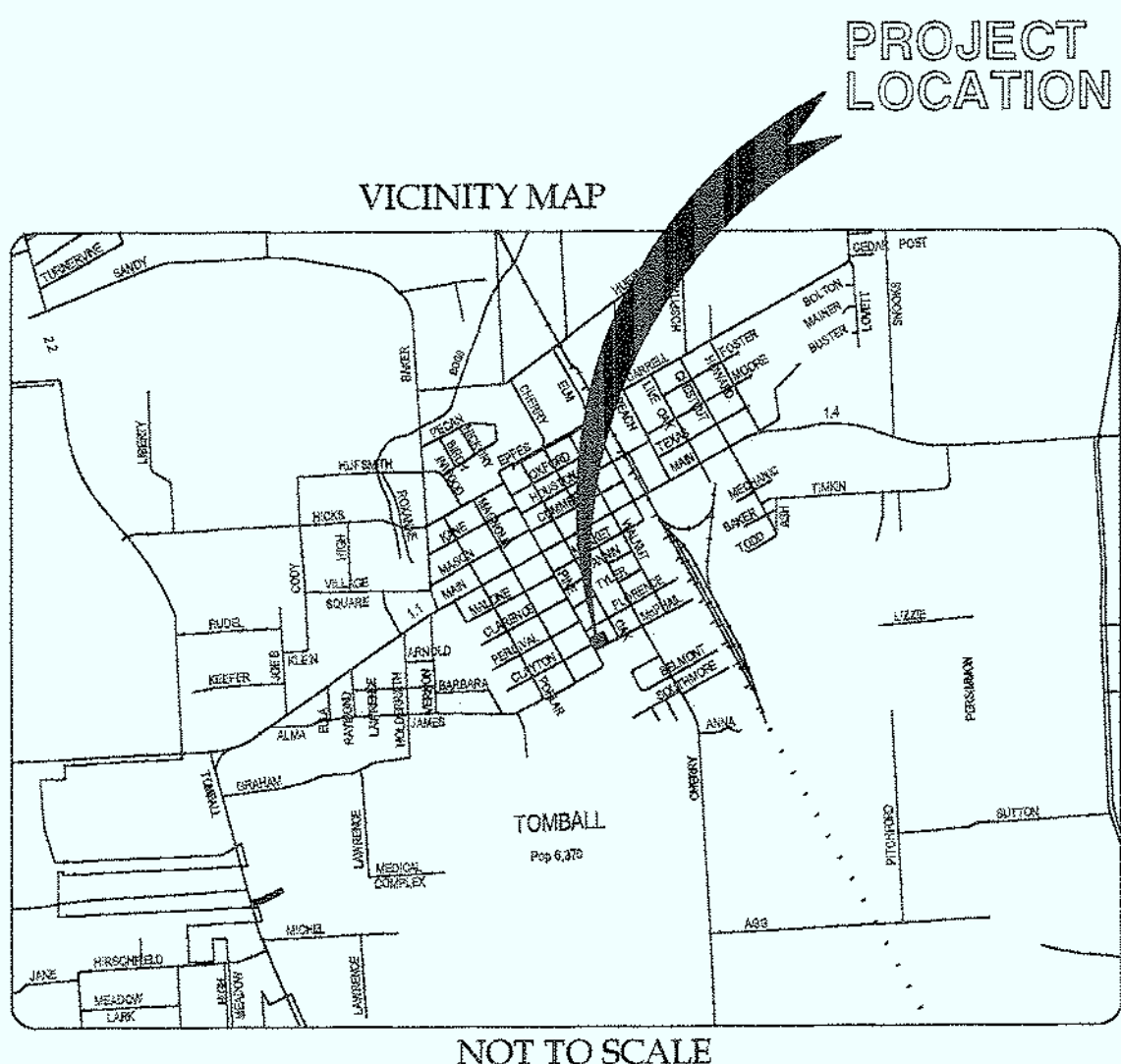
Notary Public in and for the State of Texas

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 REPLAT OF REVISED MAP OF TOMBALL, is in conformance with the laws of the State of Texas and the ordinances of the City of Houston as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

By: TOM CROFOOT
CHAIRMAN

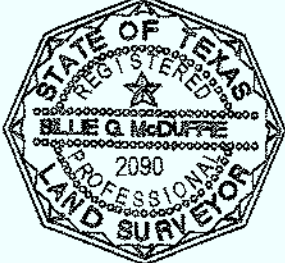
By: LORI WALLACE
VICE CHAIRMAN



NOT TO SCALE

I, Billie G. McDuffie, am authorized (or registered) under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, point 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; and that the plat boundary corners have been tied to the nearest street intersection.

Billie G. McDuffie
Texas Registration No. 2090



I, Beverly B. Kaufman, 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 _____, 2010, at _____ o'clock ____m., and duly recorded on _____, 2010, at _____ o'clock ____m., and at Film Code No. _____ of the Map Records of Harris County for said county.

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

Beverly B. Kaufman
County Clerk of Harris County
Harris County, Texas

By: _____
Deputy

This is to certify that the City Manager and City Engineer for the City of Tomball, Texas, do certify that the plat of this acreage complies with the City of Tomball Ordinances.

By: CHRISTAL KLIENER
CITY MANAGER

By: MARK MCCLURE, P.E.
DIRECTOR OF ENGINEERING AND PLANNING

Public Easements Note:

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.

Flood Information Notes:

According to FEMA Firm Panel No. 48201 0230 L (Effective Date of 06/18/07), 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.

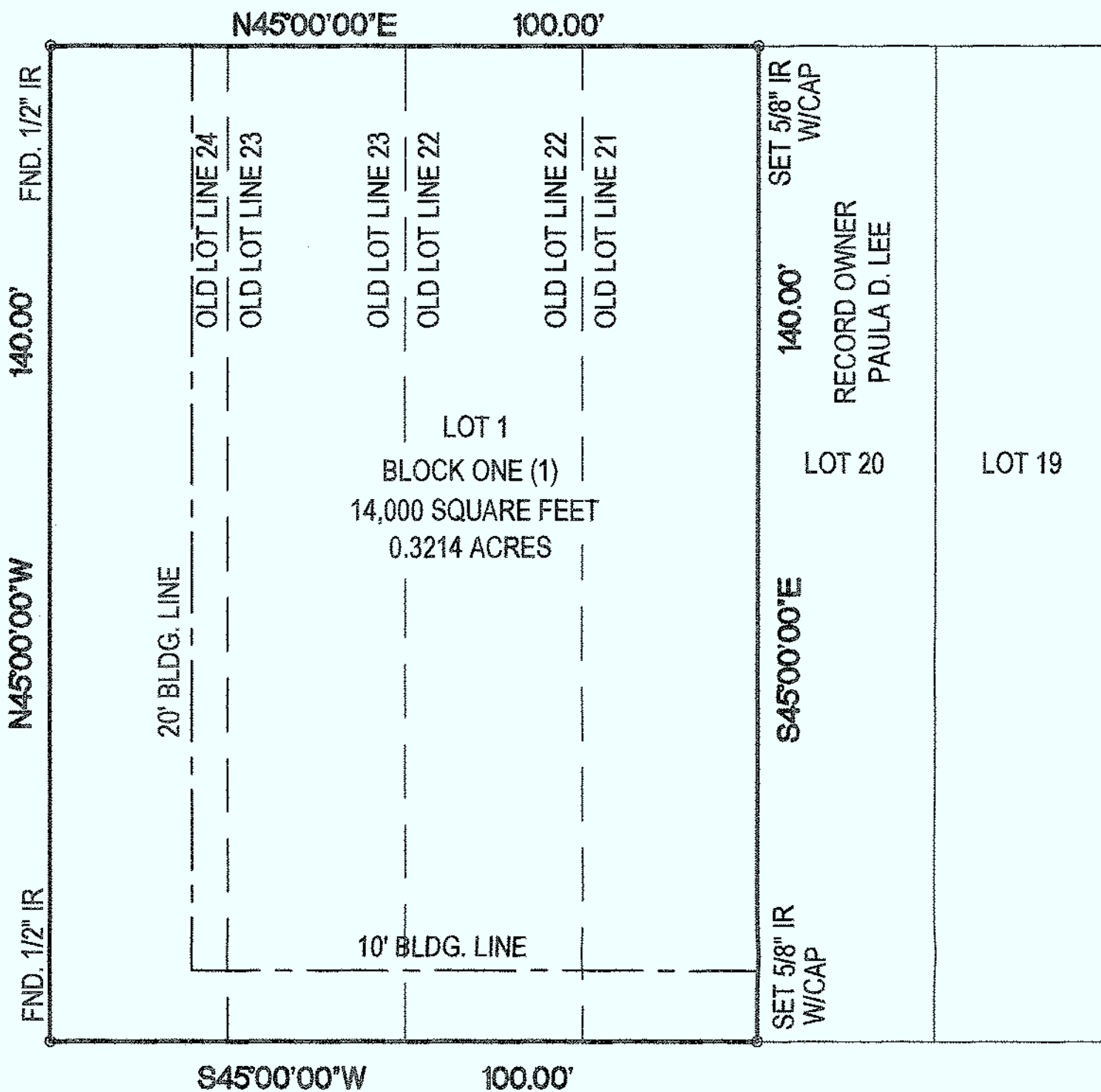
Note #5:

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.

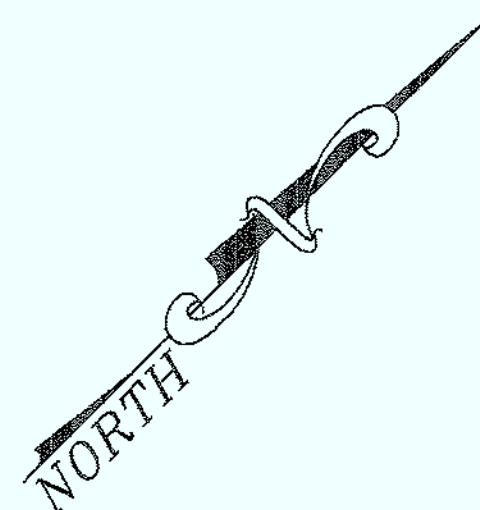
LEGEND	
H.C.M.R.	HARRIS COUNTY MAP RECORDS
H.C.C.F.#	HARRIS COUNTY CLERK'S FILE NUMBER
H.C.D.R.	HARRIS COUNTY DEED RECORDS
R.O.W.	RIGHT OF WAY

LOT 7	LOT 27	LOT 28	LOT 29	LOT 30
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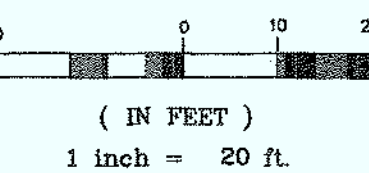
15' ALLEY - (VOL. 4, PG. 25, H.C.M.R.)



MCPHAIL ROAD
(60' R.O.W.)
(VOL. 4, PG. 25, H.C.M.R.)



GRAPHIC SCALE



REPLAT OF REVISED
MAP OF TOMBALL

TOMBALL TEXAS
A SUBDIVISION OF 0.3214 ACRES OR 14,000 SQUARE FEET OF LAND BEING SITUATED IN REVISED MAP OF TOMBALL, AN ADDITION IN HARRIS COUNTY, TEXAS AND BEING A REPLAT OF LOTS 21, 22, 23, 24, IN BLOCK 31 OF REVISED MAP OF TOMBALL IN HARRIS COUNTY, TEXAS AS RECORDED IN VOLUME 4, PAGE 25 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.
ONE (1) LOT AND ONE (1) BLOCK

REASON FOR REPLAT:
TO CREATE ONE (1) RESIDENTIAL LOT AND ONE (1) BLOCK

SCALE: 1"= 20' DATE 02/10/2010
OWNER:

MONICA ARMENDARIZ
412 S. PINE STREET,
TOMBALL, TEXAS 77375
713-973-0812 (PHONE)

PREPARED BY:
ACCURATE SURVEYS OF TEXAS, INC.
5151 MITCHELLDALE, SUITE A-6
HOUSTON, TEXAS 77092
PHONE: (713) 869-6966 FAX: (713) 864-4266