

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



MONDAY, FEBRUARY 8, 2010

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, February 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
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of January 11, 2010.

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 0.9485 Acre Tract (H.C.C.F. NO. Z-433094) and a 0.3127 Acre Tract (H.C.C.F. NO. S-775139)

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 February 2010 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer

Doris Speer
City Secretary, TRMC

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

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

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 8, 2010

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

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

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

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 8, 2010

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

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

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

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: February 8, 2010

Data Sheet

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of January 11, 2010.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

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

Engineering and Planning

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

ATTACHMENTS:

P&Z Minutes 01.11.10

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

MONDAY, JANUARY 11, 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 Mottershaw
Commissioner Dodson

Others present:

Director of Engineering and Planning – Mark McClure
Engineering & Planning Administrative Assistant – Brandy Pate
Assistant City Planner – Rodney Schmidt

Draft

2.0 No Public Comments were received.

3.0 Rodney Schmidt announced upcoming reception:

- 1st Annual Board & Commissions Sign-Up Reception, Tuesday, January 26, 2010
from 5:30 – 7:30 p.m. – Tomball Community Center, 221 Market St.

4.0 Motion was made by Commissioner Dodson to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 14, 2009; second by Commissioner Mottershaw.

Motion carried unanimously.

Discussion/Action of the Following Items:

5.0 New Business:

- 5.1 Consideration and Possible Action Regarding the PRELIMINARY PLAT OF RESERVE AT SPRING LAKE SECTION ONE:** Being 234.9393 acres, consisting of 2 Blocks, 22 Lots, and 11 Reserves, located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641, Harris County, Texas, City of Tomball, Texas.

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

Commissioner Wallace made a motion to Approve **PRELIMINARY PLAT OF RESERVE AT SPRING LAKE SECTION ONE**; with contingencies, second by Commissioner Mottershaw.

Motion carried unanimously.

- 5.2 Consideration and Possible Action Regarding **SHEPHERD'S PROPERTY – PRELIMINARY PLAT**: Being a 1.2612 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 – PRELIMINARY PLAT**; with contingencies, second by Commissioner Dodson.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned at 6:20 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: February 8, 2010

Data Sheet

Topic:

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 0.9485 Acre Tract (H.C.C.F. NO. Z-433094) and a 0.3127 Acre Tract (H.C.C.F. NO. S-775139)

Background:

The Shepherd's Property Preliminary Plat was approved by the Planning and Zoning Commission with contingencies on Monday, January 11, 2010. Corrections have been addressed and the Final Plat is now being forwarded to the Planning and Zoning Commission for approval consideration.

Origination:

Engineering and Planning Department

Recommendation:

Engineering and Planning Department recommend approval.

Funding:

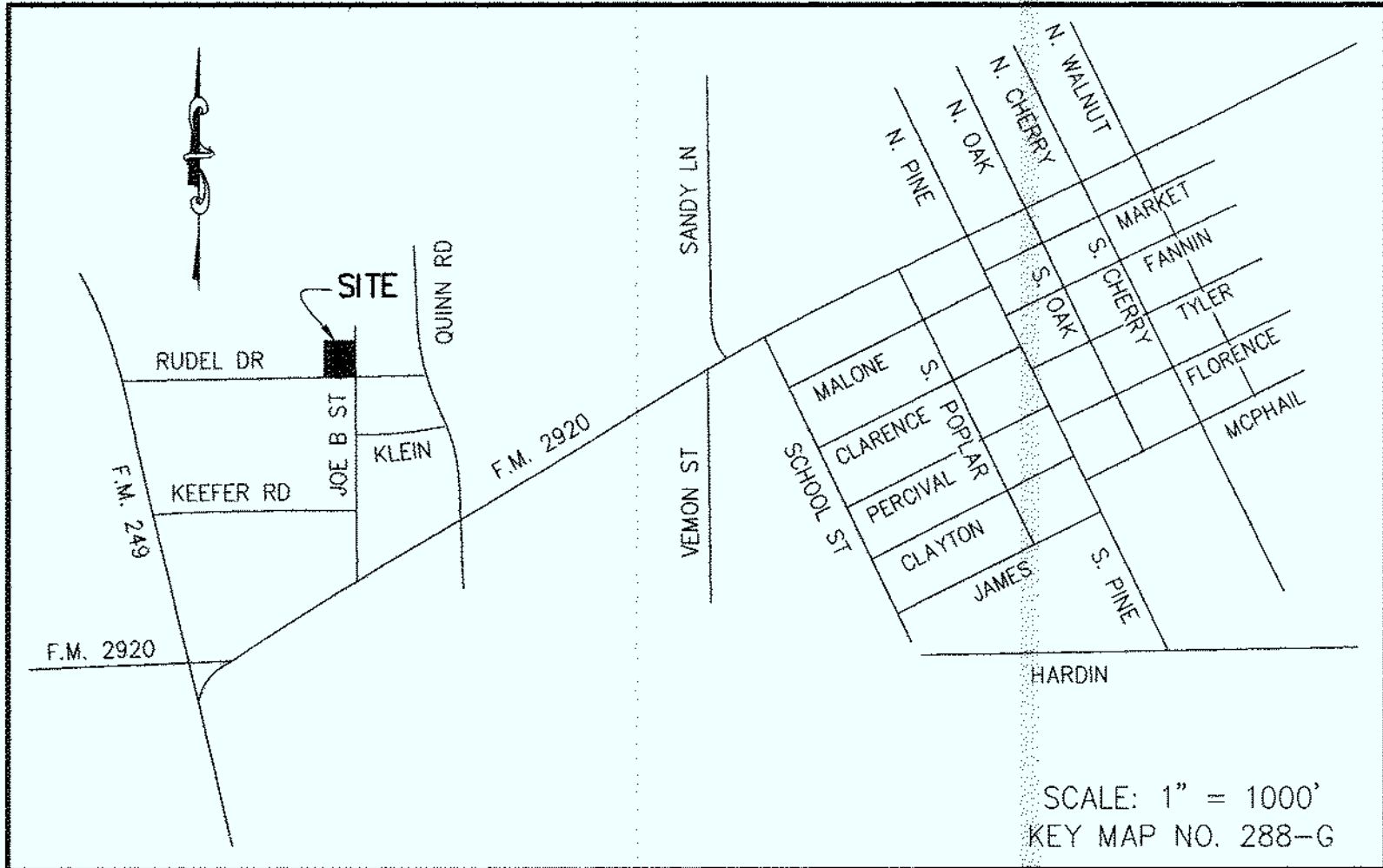
Party(ies) responsible for placing this item on agenda:

Engineering and Planning Department

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

ATTACHMENTS:

Shepherd's Property - Final Plat



SITE LOCATION MAP

THE STATE OF TEXAS
COUNTY OF HARRIS

We, Ralph Shepherd and Sandra Shepherd, owners of the 1.2612 acre tract described in the above and foregoing Plat of Shepherd's Property, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

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

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 on and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby 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, plantings and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

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

Ralph Shepherd Sandra Shepherd

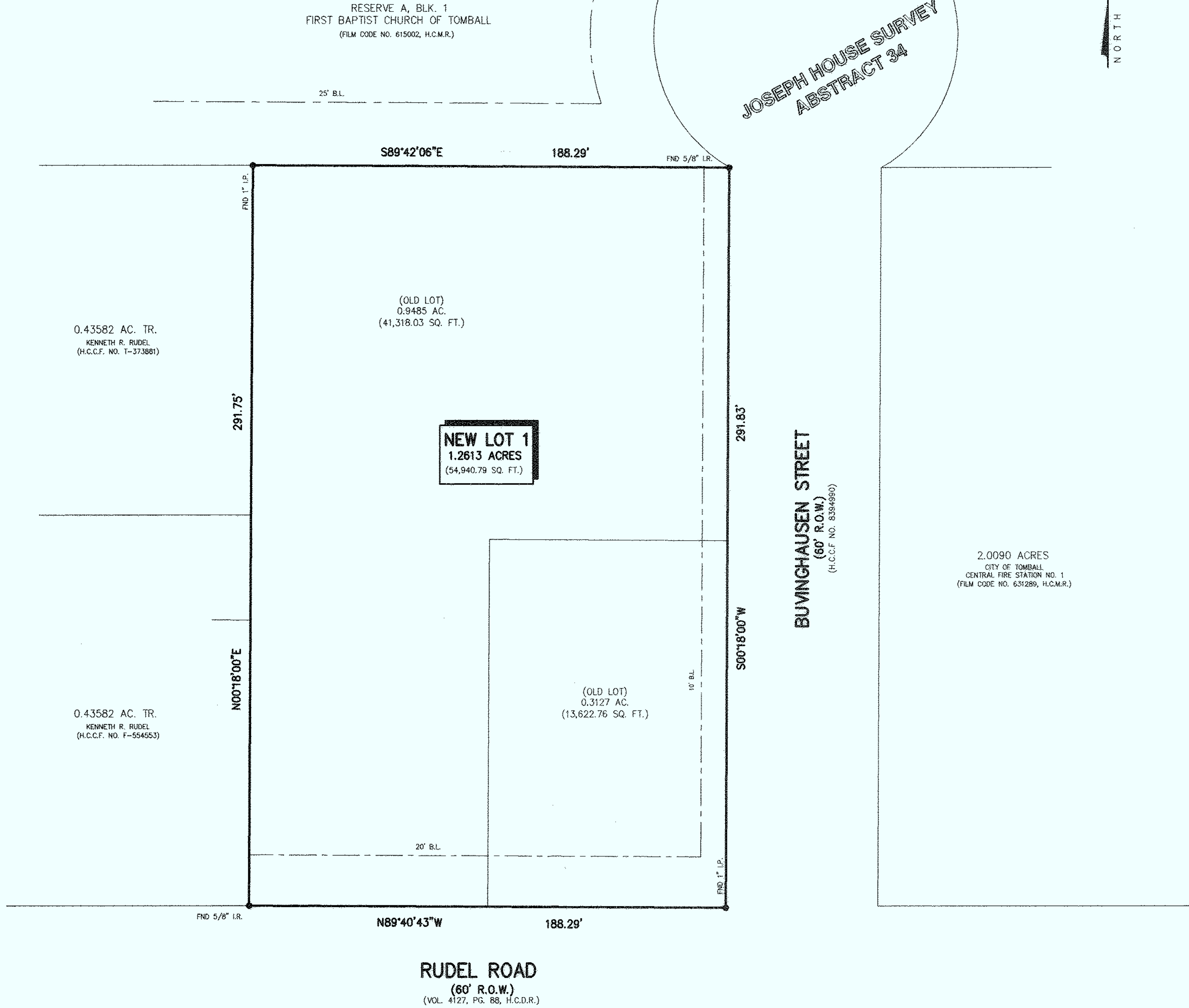
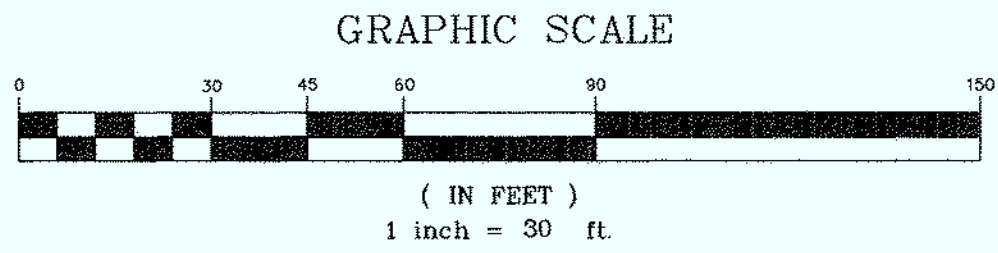
THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Ralph Shepherd and Sandra Shepherd, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

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

Notary Public In and For the State of Texas

My Commission Expires: _____



5.5500 AC. TR.
HERITAGE MARYMONT L.P.
(H.C. TAX ACC. 040-270-001-0571)

1.2607 AC. TR.
ELMA RUDEL KENNEDY EST.
(H.C.C.F. NO. C-411570)

1.8180 AC. TR.
3K SHOPPING CENTER
(H.C.C.F. NO. H-895067)

OWNER:

RALPH SHEPHERD and SANDRA SHEPHERD
1302 RUDEL ROAD
TOMBALL, TEXAS 77375
(281) 357-8901

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

City Manager

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

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this day of _____, 2010.

By: Gretchen Fagan, Mayor

By: Doris Speer, City Secretary

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas has approved this plat and subdivision of Shepherd's Property in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this day of _____, 2010.

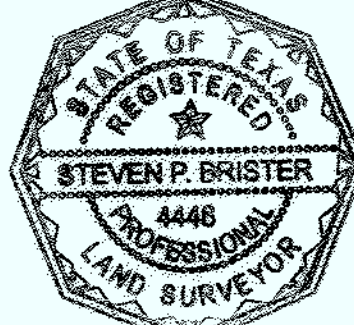
By: Vincent O'Donnell, Chairman

By: Lori Wallace

I, Steven P. Brister, 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 metal stakes as shown hereon and that the plat boundary corners have been tied to the nearest survey corner.

Steven P. Brister

Texas Registration No. 4448



I, Beverly B. Kaufman, County Clerk of Harris County, Texas, do hereby certify that the within instrument with it's 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 under Film Code Number _____ of the Map Records of Harris County for said county.

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

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

By: Deputy

PLAT NOTES:

PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROSECUTING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF IT'S RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY 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:
ACCORDING TO FEMA FIRM PANEL NO. 483150210L (EFFECTIVE DATE 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.

FINAL PLAT

SHEPHERD'S PROPERTY

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 0.9485 ACRE TRACT (H.C.C.F. NO. Z-433094) AND A 0.3127 ACRE TRACT (H.C.C.F. NO. S-775139)

PREPARED BY:
STEVEN BRISTER
SURVEYING
7255 COUNTY LINE ROAD
WILLIS, TEXAS 77378
(936) 788-7705
SURV325@YAHOO.COM

ADDRESS: 1302 RUDEL ROAD, TOMBALL, TEXAS

FIELD WORK: 11-2009

DRAFTING: 12-2009

FINAL CHECK: 01-2010

REVISED: --