

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



**Monday, August 14, 2023
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, August 14, 2023 at 6:00 PM, 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 & 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.

- A. Call to Order
- B. 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 - GC, 551.042.]*
- C. Reports and Announcements
- D. Approval of Minutes
 - [D.1](#) Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 12, 2023.
- E. New Business
 - [E.1](#) Consideration to Approve Final Plat of **TIM LITTLEFIELD LLC**: A subdivision of 4.2038 acres of land in the Jesse Pruitt Survey, Abstract 629, City of Tomball, Harris County, Texas, Being a partial replat of Lot 284 and 286, of Tomball Outlots as recorded in Volume 2, Page 65 and in Corrected Map Recorded in Volume 4, Page 75 of the Map Records of Harris County, Texas.
 - [E.2](#) Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-10**: Request by Nathan T. Newman on behalf of NTN Tomball Corner, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning

approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD #19) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, within the City of Tomball, Harris County, Texas.

- E.3 Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-11:** Request by ISIDROWS, LLC on behalf of Wendy Lynn Dixon to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.

F. Adjournment

C E R T I F I C A T I O N

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 11th day of August 2023 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kimberly Chandler
Community Development Coordinator

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 contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

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

Planning & Zoning Commission Meeting Agenda Item Data Sheet

Meeting Date: August 14, 2023

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 12, 2023.

Background:

Origination: Community Development

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Kim Chandler, Community Development Coordinator

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

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

MONDAY, JUNE 12, 2023



6:00 P.M.

draft

A. The meeting was Called to Order by Chairwoman Tague at 6:12 p.m. Other Members present were:

Commissioner Tana Ross
Commissioner Scott Moore
Commissioner Richard Anderson

Commissioner Susan Harris – Excused Absence

Nathan Dietrich – Community Development Director
Jared Smith – City Planner
Kim Chandler – Community Development Coordinator
Tommy Ramsey – City Attorney

B. No Public Comments were received.

C. Reports and Announcements:

- Introduced Caroline Klein as the Community Development Department Summer Intern.
- TEDC Annual Report Information Booklet is available by request.
- City Council Approved **Zoning Case Z23-06**: Request by Red Grip LLC., represented by Mike Matheson to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.04 acres of land legally described as being Lot 72, Block 1 of Acquest Tomball Replat No.1 from Commercial (C) to Office (O) zoning. The property is generally located within the 1200-1300 blocks (south side) of Rudel Drive, within the City of Tomball, Harris County, Texas.
- City Council Took No Action on **Zoning Case Z23-03**: Request by Chris & Tiona Campbell, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 4.94 acres of land legally described as being a portion of Lot 48 in Tomball Townsite from Single Family Residential Estate – 20 (SF-20-E) to General Retail (GR) zoning. The property is generally located within the 11100-11200 blocks (east side) of Rudolph Road, within the City of Tomball, Harris County, Texas.

- City Council Approved 2017 Resolution to extend Telge Road Amendment.
- City Council Tabled **Zoning Case Z23-05:** Request by Michael Kirtley represented by Sam Jackson of Black Mountain Energy Storage II LLC., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 5 acre of land legally described as being all of Lot 265 in Tomball Townsite from Agricultural (AG) to Light Industrial (LI) zoning. The property is generally located within the 900-1000 blocks (west side) of S. Pitchford Road, within the City of Tomball, Harris County, Texas.
- City Council Approved **Zoning Case Z23-04:** Request by Rosehill Estates, LLC represented by George Jarkesy to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 5.11 acres of land legally described as being Lot 2, Block 1 of Swinghammer/Hauck Subdivision from Single Family Residential Estate – 20 (SF-20-E) to Commercial (C). The property is located at 1820 S. Cherry Street, within the City of Tomball, Harris County, Texas.

D. Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 8, 2023.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

E. New Business Non-Action Items:

E.1 Minor Plat of **GRAND BOUDREAUX BUSINESS PARK:** Being a subdivision of 24.472 acres, (1,066,000 Square Feet), of land situated in the Wilhelm Usener Survey, Abstract No. 820, Harris County, Texas.

Jared Smith, City Planner, presented Minor Plats with Staff Approval.

F. New Business:

F.1 Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-07:** Request by Tomball 10 Joint Venture represented by Khoa Nguyen to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning land legally described as being approximately 2.73 acres out of the William Hurd Survey, Abstract 378 from Agricultural (AG) to General Retail (GR) zoning. The property is generally located within the 13200-13400 blocks (south side) of Medical Complex Drive, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Khoa Nguyen, representing Tomball 10 Joint Venture, (28527 Tomball Pkwy., Tomball, TX 77375), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:23 p.m.

Hearing no comments, the Public Hearing was closed at 6:24 p.m.

Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve **Zoning Case Z23-07**.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Ross	<u>Nay</u>
Commissioner Moore	<u>Nay</u>

Motion Failed (2 Votes Aye, 2 Votes Nay).

- F.2 Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-08**: Request by Real Life Ministries Texas represented by Quiddity to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning land legally described as being Lot 1, Block 1 of Devasco International as well as approximately 6.09 acres of land being a portion of Tomball Townsite Outlots 172, 175, and 176 from Light Industrial (LI) and Agricultural (AG) to General Retail (GR) zoning. The property is generally located within the 1600 block (west side) of S. Cherry Street, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Kathleen Hauck, representing Real Life Ministries, (19720 Holly Court, Magnolia, TX 77355), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:50 p.m.

Hearing no comments, the Public Hearing was closed at 6:51 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Moore, to approve **Zoning Case Z23-08**.

Motion was amended by Commissioner Anderson, second by Commissioner Moore, to approve **Zoning Case Z23-08** with the following change:

- Amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning from Light Industrial (LI) and Agricultural (AG) to Office (O) District as requested by the owner.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>

Motion Carried (Unanimously).

F.3 Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-09**: Request by Tim Littlefield to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning land legally described as being all of Tomball Townsite Outlot 281 from Single Family Residential Estate – 20 (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1100-1400 blocks (west side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and staff recommendation of approval.

Tim Littlefield, owner, (9618 Krikstone Terrace Drive, Spring, TX 77379), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:08 p.m.

Hearing no comments, the Public Hearing was closed at 7:09 p.m.

Motion was made by Commissioner Moore, second by Commissioner Anderson, to approve **Zoning Case Z23-09**.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Moore	<u>Aye</u>

Motion Carried (Unanimously).

G. Adjournment

Motion was made by Commissioner Anderson second by Commissioner Moore, to adjourn.

Roll call vote was called by Community Development Coordinator – Kim Chandler.

Motion Carried unanimously.

The meeting adjourned at 7:10 p.m.

PASSED AND APPROVED this _____ day of 2023.

Kim Chandler
Community Development Coordinator/
Commission Chair Commission Secretary

Barbara Tague
Commission Chair

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: August 14, 2023

Topic:

Consideration to Approve Final Plat of **TIM LITTLEFIELD LLC**: A subdivision of 4.2038 acres of land in the Jesse Pruitt Survey, Abstract 629, City of Tomball, Harris County, Texas, Being a partial replat of Lot 284 and 286, of Tomball Outlots as recorded in Volume 2, Page 65 and in Corrected Map Recorded in Volume 4, Page 75 of the Map Records of Harris County, Texas.

Background:

Origination:

Recommendation:

Staff recommends approval with no conditions

Party(ies) responsible for placing this item on agenda: Jared Smith (City Planner)

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

CITY OF TOMBALL

Plat Name: Tim Littlefield LLC. Plat Type: Final

Construction Drawings for Public Facilities required? Yes No N/A

Plat within City Limits Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: August 14, 2023

The above Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development approves this plat with no contingencies.

THE STATE OF TEXAS
COUNTY OF HARRIS:

We, Tim Littlefield, LLC., a Texas limited liability company and the City of Tomball, a *Texas municipality*, acting by and through Tim Littlefield being a managing member of Tim Littlefield, LLC., a Texas limited liability company, and David Esquivel being a managing member of the City of Tomball, owners in this section after referred to as owners (whether one or more) of the 4.2038 acre tract described in the above and foregoing plat of Tim Littlefield LLC, 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 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 have dedicated and by these presents do dedicate to the use of the public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'-6") for ten feet (10'-0") perimeter easements or seven feet, six inches (7'-6") for fourteen feet (14'-0") perimeter easements or five feet, six inches (5'-6") for sixteen feet (16'-0") perimeter easements from a plane sixteen feet (16'-0") above the ground level upward, located adjacent to and adjoining said public utility easement that are designated with aerial easements (U.E. & A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21'-6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'-0") for ten feet (10'-0") back-to-back easements, or eight feet (8'-0") for fourteen feet (14'-0") back-to-back easements or seven feet (7'-0") for sixteen feet (16'-0") back-to-back easements, from a plane sixteen feet (16'-0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. & A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'-0") in width.

FURTHER, owners do hereby dedicate to the public a strip of land 15 feet wide on each side of the centerline of any and all ditches, 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 shall hereby be restricted to keep such drainageways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the Tim Littlefield, LLC., a Texas limited liability company, a single member managed company has caused these presents to be signed by Tim Littlefield, its president, thereunto authorized, common seal hereunto affixed

this ___ day of _____, 20__.

Tim Littlefield, LLC.
a Texas limited liability company

Tim Littlefield, Managing Member

IN TESTIMONY WHEREOF, the City of Tomball, a Texas municipality, has caused these presents to be signed by David Esquivel, its managing member thereunto authorized, common seal hereunto affixed

this ___ day of _____, 20__.

City of Tomball
a Texas municipality

David Esquivel, Managing Member

THE STATE OF TEXAS
COUNTY OF HARRIS:

BEFORE ME, the undersigned authority, on this day personally appeared Tim Littlefield, President of Tim Littlefield, LLC, a Texas limited liability company, the undersigned authority, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this ___ day of _____, 20__.

NOTARY PUBLIC IN AND FOR _____ COUNTY, STATE OF TEXAS.
My Commission Expires _____

THE STATE OF TEXAS
COUNTY OF HARRIS:

BEFORE ME, the undersigned authority, on this day personally appeared David Esquivel, managing member of the City of Tomball, LLC, a Texas municipality, the undersigned authority, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this ___ day of _____, 20__.

NOTARY PUBLIC IN AND FOR _____ COUNTY, STATE OF TEXAS.
My Commission Expires _____

Certificate for the Planning and Zoning Commission:
This is to certify that the planning and zoning commission of the City of Tomball has approved this plat and subdivision of Tomball Outlots Replat Number One in conformance with the laws of the state and the ordinances of the city as shown hereon and authorized the recording of this plat this ___ day of _____, 20__.

Barbara Tague
Chairman

Certificate for County Clerk:
I, Tenshia Hudspeth, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 20__ at _____ o'clock _____ a.m., and under Film Code numbers _____ of the Map Records of Harris County for said County.

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

Tenshia Hudspeth, County Clerk of Harris County, Texas

By: _____ Deputy

Certificate of Engineer or Surveyor:

I, Jeffrey Moon, 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-quarter inch and a length of not less than three feet; and that the plat boundary corners have been tied to the nearest survey corner



Jeffrey Moon
Texas Registration Number 4639

MENDOZA HOME BUILDERS, LLC
TOMBALL OUTLOT 281
CALLED 5.006 ACRES
C.C.F.N. RP-2020-189624
O.P.R.H.C.T.

FND. 5/8" I.R.
Controlling Monument
NWC 4.393 Acres
Northing: 13957259.5960
Easting: 3043549.7510

TOMBALL OUTLOT 281
TOMBALL OUTLOT 284

Block 1

LOT 1
(2.3753 ACRES)
(103,469 SQ. FT.)

FRANCISCO LOPEZ AND
VERONICA BELTRAN
RESIDUAL OF
CALLED 6.21 ACRES
C.C.F.N. 2015-0114381
O.P.R.H.C.T.

TOMBALL OUTLOT 284
(30' R.O.W.)
VOL. 2, PG. 265 & VOL. 4, PG. 75
M.R.H.C.T.

TOMBALL OUTLOT 286

LOT 1
(1.2332 ACRES)
(53,717 SQ. FT.)

Block 2

JAMES & PATRICIA ANN CASE
RESIDUAL OF
CALLED 1.1815 ACRES
C.C.F.N. R838860
O.P.R.H.C.T.

CITY OF TOMBALL 0.1195 ACRES R.O.W.
C.C.F.N. RP-2020-373452 O.P.R.H.C.T.

CITY OF TOMBALL 0.1192 ACRES UTILITY EASEMENT
N87°27'26"E 259.88' C.C.F.N. RP-2020-383169 O.P.R.H.C.T.

CITY OF TOMBALL 0.1195 ACRES R.O.W.
C.C.F.N. RP-2020-383168 O.P.R.H.C.T.

JAMES & PATRICIA ANN CASE
RESIDUAL OF CALLED 1.1815 ACRES
C.C.F.N. R838860 O.P.R.H.C.T.

40' WIDE EXARON CORP.
MULTIPURPOSE RIGHT-OF-WAY & EASEMENT
C.C.F.N. F912224 O.P.R.H.C.T.

JAMES & PATRICIA ANN CASE
CALLED 1.67 ACRES
C.C.F.N. P557909
O.P.R.H.C.T.

TOMBALL OUTLOT 286
TOMBALL OUTLOT 289

POINT OF BEGINNING
FND. 5/8" I.R.
Controlling Monument
SEC Outlot 281
NEC Outlot 284
NEC 4.393 Acres
Northing: 13957271.6680
Easting: 3043541.7730

Set 5/8" I.R.
(See Note 2)

0.6179 ACRE/ 781 SQ. FT. IS HEREBY
DEDICATED TO THE PUBLIC FOR R.O.W. PURPOSES
(See Note 9)

PERSIMMON ROAD
(60' R.O.W.)
Vol. 2, Pg. 65 & Vol. 4, Pg. 75 M.R.H.C.T.
Film Code 692320 O.P.R.H.C.T.
C.C.F.N. 2020-222847 O.P.R.H.C.T.

Unrestricted
Reserve "H"
Block 6
Raburn Reserve
Section 1
Film Code 692320
M.R.H.C.T.

CITY OF TOMBALL 0.3112 ACRES UTILITY EASEMENT
C.C.F.N. RP-2020-44942 O.P.R.H.C.T.

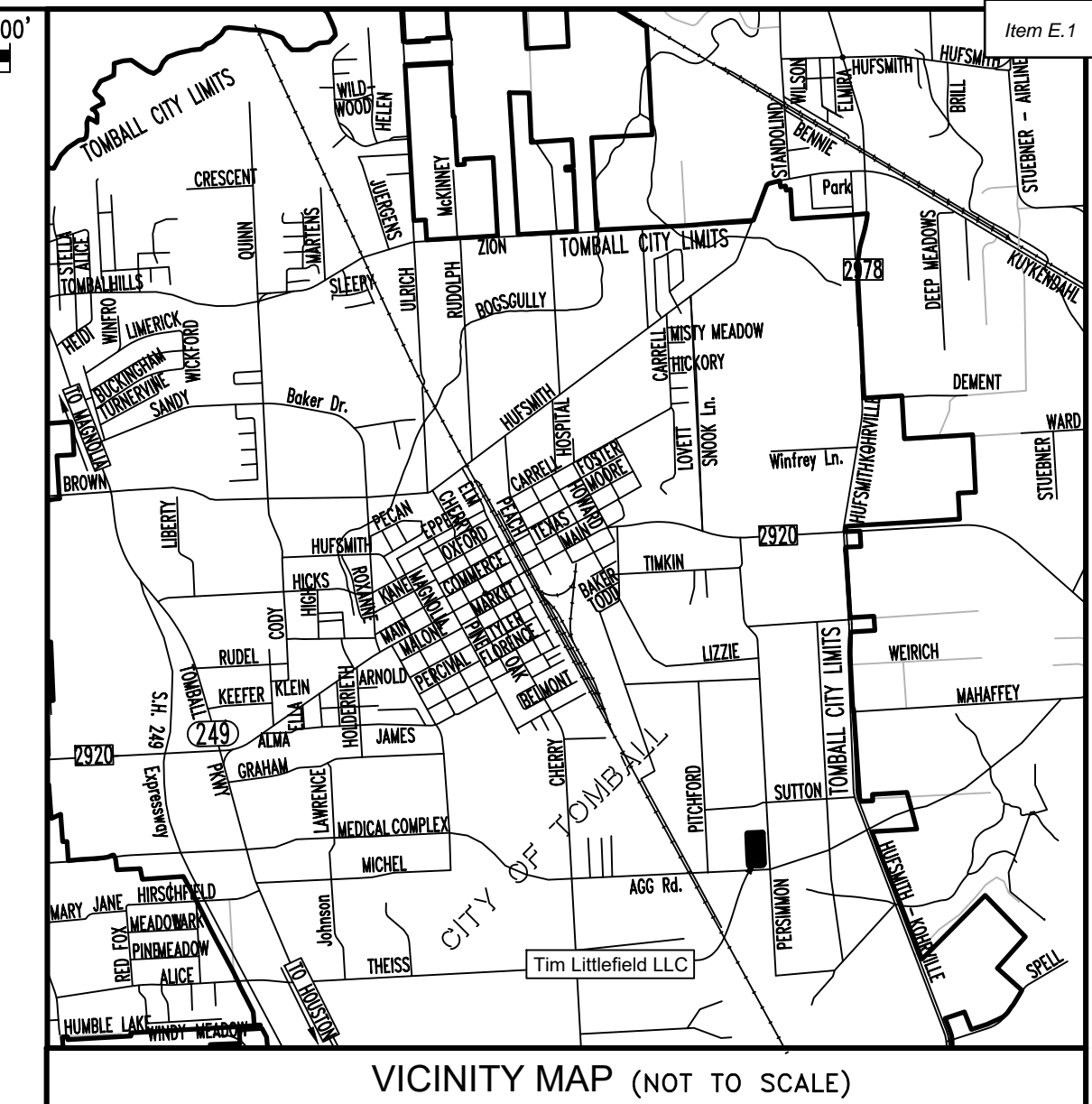
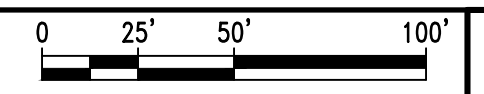
40' SANITARY SEWER EASEMENT
FILM CODE 692320 M.R.H.C.T.

MEDICAL COMPLEX DRIVE
(100' R.O.W.)
FILM CODE 692320 M.R.H.C.T.
C.C.F.N. RP-2020-344941 O.P.R.H.C.T.

PERSIMMON ROAD
(60' R.O.W.)
Vol. 1037, Pg. 710 D.R.H.C.T.
VOL. 2, PG. 65 & VOL. 4, PG. 75 M.R.H.C.T.
C.C.F.N. RP-2020-383164, RP-2020-344941 & RP-2020-383162 O.P.R.H.C.T.

Unrestricted
Reserve "I"
Block 7
Raburn Reserve
Section 1
Film Code 692320
M.R.H.C.T.

OWNER/DEVELOPER
TIM LITTLEFIELD, LLC.
9618 KIRKSTONE TERRACE DRIVE
SPRING, TEXAS 77379
PHONE: (281) 723-7344
TIM@LITTLEFIELDBROTHERS.COM



General Notes:

- Public Easements: Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any 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.
- 5/8" iron rods with survey cap marked "Jeff Moon R.P.L.S. 4639" set at all corners unless otherwise noted.
- Flood Information: According to FEMA Firm Panel No.48201C0230L (Effective Date: June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- A ten foot wide City of Tomball utility easement is hereby dedicated to this plat and is centered on the gas main extension from the City of Tomball right-of-way of City of Tomball utility easement up to and around the gas meter.
- 0.2528 acres out of called 0.2547 Acre tract owned by the City of Tomball is hereby dedicated to the public for public right-of-way purposes and 0.2129 acre out of the Tim Littlefield, LLC tract called 4.393 acres is hereby dedicated to the public for public right-of-way purposes, equaling a total of 0.4657 Acre (20,288 Square Feet) is hereby dedicated to the public for right-of-way purposes.
- All bearings and coordinates shown hereon are based upon the Texas State Plane Coordinate System, NAD 83, Texas South Central Zone (2002 ADJ.) (FIPS 4204). All coordinates are grid and can be adjusted to surface by applying a combined scale factor of 0.99994488821. All distances shown hereon are ground measurements.
- Elevations are based upon GPS Observations, and are adjusted to TSARP RM 100380, NAVD '88 2001 Adj., GEOID99, elevation 172.89
- The Benchmark set on this tract of land is 3 inch Brass Disk in concrete near the upper Southeast corner of Lot 1 Block 2 shown hereon. Elevation is 170.16'. (See Note 11)
- Properly Subject to easement granted to Humble Oil & Refining Company, a Texas corporation to lay, maintain, operate, replace, change and remove any and all pipe lines for the transportation of oil, gas and/or water and/or their products recorded under Volume 1088, Page 185 of the Deed Records of Harris County, Texas. (Easement cannot be located)
- Standard Abbreviations:
B.L. Building Line
C.O.T.U.E. City of Tomball Utility Easement
D.L. Drainage Easement
R.O.W. Right-of-Way
C.C.F.N. County Clerk's File Number
D.R.H.C.T. Deed Records of Harris County, Texas
H.R.H.C.T. Map Records of Harris County, Texas
O.P.R.R.P.H.C.T. Official Public Records Real Property of Harris County, Texas

TIM LITTLEFIELD LLC

BEING A COMMERCIAL SUBDIVISION OF 4.2038 ACRES OF LAND IN THE JESSE PRUITT SURVEY, A - 629 HARRIS COUNTY, TEXAS,

BEING A PARTIAL REPLAT OF LOT 284 AND 286, OF TOMBALL OUTLOTS AS RECORDED IN VOLUME 2, PAGE 65 AND IN CORRECTED MAP RECORDED IN VOLUME 4, PAGE 75 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS,

REASON FOR REPLAT: TO REPLAT A PORTION OF LOT 284 INTO 1 LOT IN 1 BLOCK AND TO REPLAT A PORTION OF LOT 286 INTO 1 LOT IN 1 BLOCK

CONTAINING: 2 LOTS IN 2 BLOCK
(3.6085 ACRES/157,186 SQ. FT)

JULY 2023

JEFFREY MOON & ASSOCIATES, INC.



LAND SURVEYORS
www.moonsurveying.com
TBPELS FIRM No. 10112200
P.O. Box 2501 Conroe Texas 77305
PHONE: (936)756-5266
FAX: (936)756-5281

SHEET 1 of 1

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Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: August 14, 2023

Topic:

Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-10**: Request by Nathan T. Newman on behalf of NTN Tomball Corner, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, within the City of Tomball, Harris County, Texas.

Background:

The subject property has been within the City Limits of Tomball since at least 1909 and the property has remained vacant since this time. A portion of the subject property (approximately 18-acres) was the subject of a request for rezoning which would allow multi-family with a commercial reserve in February of 2020. This previous request was approved by the City Council on first reading of the ordinance, however the developer decided to withdraw their application prior to the second reading. The city staff has met with the current owner(s) of the property on numerous occasions over the past year to discuss the planned development of the entire 56+ acres. The applicants are requesting to rezone the property to a Planned Development District with the goal of establishing a high-end mixed-use development, which will include a mix of retail and multi-family residential land uses anchored with a centrally located enhanced amenity pond incorporating pedestrian paths, observation decks, public plaza courtyard, restaurant patio areas with boardwalk frontage, open lawn/picnic area and children's playground.

Origination: Nathan T. Newman on behalf of NTN Tomball Corner, LLC

Recommendation:

Staff recommends approval of **Zoning Case Z23-10**.

Party(ies) responsible for placing this item on agenda: Jared Smith (City Planner)

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 14, 2023
&
CITY COUNCIL
AUGUST 21, 2023**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 14, 2023 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 21, 2023 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

Zoning Case Z23-10: Request by Nathan T. Newman on behalf of NTN Tomball Corner, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, within the City of Tomball, Harris County, Texas.

Zoning Case Z23-11: Request by ISIDROWS, LLC on behalf of Wendy Lynn Dixon to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Administrative Services Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@tomballtx.gov.

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 11th day of August 2023 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith
Jared Smith
City Planner

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.tomballtx.gov.



City of Tomball
Community Development Department

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z23-10

7/24/2023

The Planning & Zoning Commission will hold a public hearing on **August 14, 2023 at 6:00 PM**, in City Council Chambers at City Hall, 401 Market Street, Tomball, Texas to recommend approval or denial to City Council on a request by Nathan T. Newman on behalf of NTN Tomball Corner, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, within the City of Tomball, Harris County, Texas.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only that area which is bounded by the cross-hatched line on the map is being considered for **rezoning**. The solid boundary line around the subject area is only a notification area. All owners of property within 300-feet of the subject property are required to be notified. Whether approved or denied by the Planning & Zoning Commission, this case will be heard by City Council for First Reading with public hearing on **August 21, 2023 at 6:00 PM** in City Council Chambers at City Hall, 401 Market Street, Tomball, Texas.

If you have any questions, please contact Jared Smith, City Planner at telephone 281-290-1491 or by email address jasmith@tomballtx.gov

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.

CASE #: Z23-10

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name:
Parcel I.D.:
Address:

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

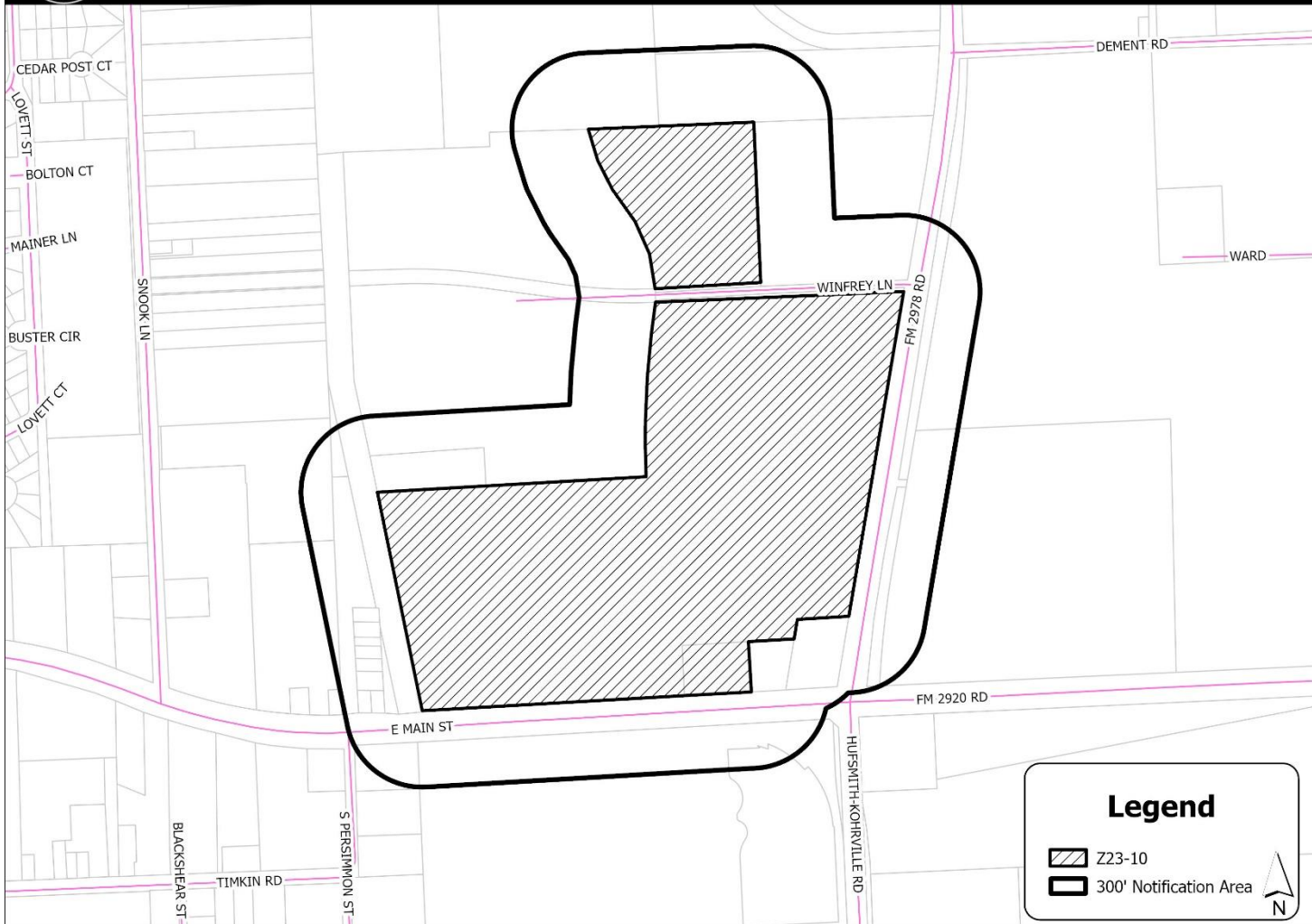
Signature: _____



*City of Tomball
Community Development Department*

Z23-10

 **Notification Map**



Jared Smith

From: Roland Ramirez <roland@roc-homes.com>
Sent: Wednesday, August 2, 2023 11:13 AM
To: Jared Smith
Subject: Public Hearing on case number Z23-10

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

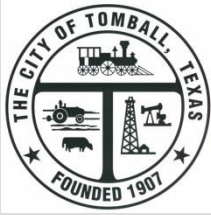
Hi Jared,

On behalf of CHTA Development, I received the Hearing Notice on the NTN TOMBALL CORNER. I will attend the hearing. The only objection we would have is any structures abutting and impacting our 55-Plus homeowners in Winfrey Estates. It was my understanding that our most southern border (south side of Winfrey Lane) is planned for Multi-Family. We would object to apartments 2 or more levels directly behind our homes along Secret Grove Trail. Please advise if this may or may not be the neighbors plan.

Can this email suffice for our objections or comments to the PD? I will attend the meeting on August 14, 2023. Do I need to make our concerns at the P&Z meeting on this date?

Thanks,

Roland Ramirez, Broker
Land Acquisitions and Development
ROC Homes/CHTA Development
1169 Brittmoore Rd.
Houston, TX 77043
281-924-5550



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: August 14, 2023
City Council Public Hearing Date: August 21, 2023

- Rezoning Case:** Z23-10
- Property Owner(s):** NTN Tomball Corner, LLC
- Applicant(s):** Nathan T. Newman
- Legal Description:** Lots 1 & 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1
- Location:** Generally located at the northwest corner of FM 2978 & FM 2920 (Exhibit "A")
- Area:** 56.1 acres
- Comp Plan Designation:** Corridor Commercial (Exhibit "B")
- Present Zoning:** Commercial (C) & Single Family Residential – 9 (SF-9) (Exhibit "C")
- Request:** Rezone from the Commercial (C) and Single-Family Residential – 9 (SF-9) to a Planned Development District (PD #19)

Adjacent Zoning & Land Uses:

- North:** Planned Development District (PD #15), Commercial (C), Agricultural (AG), and Single Family Residential – 9 (SF-9) / PD #15: 55+ Age Restricted Adult Single-Family Residential Neighborhood, C & SF-9: CenterPoint Energy Overhead Utilities, C: Vacant Land, AG: Metal Fabrication Shop, SF-9: Vacant Land
- South:** Commercial (C), Light Industrial (LI) / C: Restaurant & Convenience Store, LI: TISD Star Academy & Administrative Offices
- West:** Light Industrial (LI) / Baker Hughes Education Center & Vacant Land
- East:** Planned Development District (PD #15), Commercial (C), Single Family Residential – 9 (SF-9) / PD #15: 55+ Age Restricted Adult Single-Family Residential Neighborhood, C & SF-9: CenterPoint Energy Overhead Utilities

BACKGROUND

The subject property has been within the City Limits of Tomball since at least 1909 and the property has remained vacant since this time. A portion of the subject property (approximately 18-acres) was the subject of a request for rezoning which would allow multi-family with a commercial reserve in February of 2020. This previous request was approved by the City Council on first reading of the ordinance, however the developer decided to withdraw their application prior to the

second reading. The city staff has met with the current owner(s) of the property on numerous occasions over the past year to discuss the planned development of the entire 56+ acres. The applicants are requesting to rezone the property to a Planned Development District with the goal of establishing a high-end mixed-use development, which will include a mix of retail and multi-family residential land uses anchored with a centrally located enhanced amenity pond incorporating pedestrian paths, observation decks, public plaza courtyard, restaurant patio areas with boardwalk frontage, open lawn/picnic area and children's playground.

ANALYSIS

Description: The subject property comprises approximately 56.1 acres, being generally located at the northwest corner of FM 2920 & FM 2978. Much of the subject property is currently located within Commercial (C) zoning with a small portion of the property being in Single Family Residential – 9 (SF-9) zoning. These zoning designations have been applicable to this site since the City of Tomball adopted zoning in 2008. Immediately north of the subject property are a variety of zoning districts to include vacant land within Single Family Residential – 9 (SF-9) and Commercial (C), a metal fabrication facility in Agricultural (AG) and a Planned Development District (PD #15) which is currently under construction and establishing a small lot (approximately 5,500 square feet) 55+ age restricted adult single family residential community. West of the subject property is Baker Hughes Education Center and vacant land within Light Industrial (LI) zoning. South of the subject site is the Tomball Independent School District STAR Academy and Administrative Offices within Light Industrial (LI) zoning as well as a fast-food restaurant and convenience store located in Commercial (C) zoning. East of the subject property is an approximately 100-foot-wide strip of land occupied by CenterPoint Energy overhead power lines within Commercial (C) and Single-Family Residential – 9 (SF-9) zoning.

Comprehensive Plan Recommendation: The subject property is designated as “Corridor Commercial” by the Comprehensive Plans Future Land Use Map. This Corridor Commercial category is intended for predominantly nonresidential uses along high traffic, regionally serving thoroughfares. According to the Comprehensive Plan, these areas will be auto-oriented, however there should be a promotion of bicycle/pedestrian accommodations to create a pleasing environment which leaves a lasting impression on residents and passers-by.

Land uses should include regional commercial, personal service offices, retail, entertainment, dining, hotels, brew pubs/distilleries and multi-family. Appropriate secondary uses may include private gathering spaces, local utility services, government facilities, and transportation uses.

The Comprehensive Plan recommends the zoning districts of – Office (O), General Retail (GR), Commercial (C), Multi-Family (MF), or Planned Development (PD)

When making decisions regarding matters pertaining to zoning in the Corridor Commercial land use category the Comprehensive Plan states the following considerations should be used as guidance. Development should gain primary access from an arterial street. Pedestrian enhancements should be a focus with comfort and safety taking priority. New developments should include improved standards for building form and architecture, buffering, landscaping, and signage. Multi-family developments in an urban architectural form should be considered in a manner complimentary to other uses.

Staff Review Comments:

The applicants request to establish a mixed-use development on the subject property is in direct alignment with the goals and objectives outlined in the Comprehensive Plan and the Corridor Commercial land use category identified on the Future Land Use Map. The subject property is located at the intersection of two major arterial streets (FM 2920 & FM 2978) as well as the intersection of a collector and major arterial street (Winfrey Lane & FM 2978). Traditional planning considers locations such as this to be routinely appropriate for commercial land use as they provide convenient access as well as exposure to the large volumes of traffic that are found on these roadways. Further, major thoroughfares such as these are considered appropriate to accommodate the traffic which is to be generated by both the commercial and multi-family residential components of this planned development.

This Planned Development promotes many of the goals and objectives found in the Comprehensive Plan which was adopted by the City Council in 2019. The Comprehensive Plan identifies the need to capitalize on mixed use developments that promote recreation and entertainment opportunities for citizens and visitors to Tomball which will leave lasting impressions. The Comprehensive Plan supports the creation of mixed-use developments that will encourage a variety of land uses within a walkable environment while also facilitating development of new neighborhoods which can integrate with the built environment. This provides opportunities for citizens in all stages of life (recent graduates, young families, empty nesters, etc.) to have convenient access between the residential and commercial uses while creating quality, complete, and enduring neighborhoods that will serve Tomball residents long into the future. This planned development establishes a walkable environment between the planned multifamily and commercial components as well as convenient access to these facilities and services to the nearby patio home residential community to the northeast (Winfrey Estates).

In addition to the endorsement of creating mixed use neighborhoods, the Comprehensive Plan encourages transitional housing. Often traditional non-single family residential housing options are developed on islands with limited supporting amenities and services. However, if developed properly these types of housing options can become effective transitions of land uses between lower intensity single-family detached residential uses and higher intensity nonresidential uses. East and south of the subject property is existing Light Industrial zoning which allows for the widest range of commercial uses which are often considered least compatible with residential uses. The portions of the site located at the intersection of FM 2920 & FM 2978 are currently zoned Commercial and the future land use plan promotes the establishment of commercial activities in this area. As you move further north/northwest from the intersection it becomes important to begin to “transition” the land use between this planned commercial activity and the small lot single-family residential community currently being developed (Winfrey Estates) as well as the planned “Neighborhood Residential” land use category identified in the Future Land Use Plan which is identified further north/northwest from this corner. The goal of establishing a multi-family complex between this planned commercial activity and the existing/planned single-family residential communities is appropriate and fits the Comprehensive Plans objective of promoting transitional land use buffering. Further, the planned development ordinance establishes standards pertaining to buffering along the property boundaries separating the multi-family component and the existing single family residential subdivision, these have been elevated in comparison to the ordinarily applicable buffering standards. Specifically, the PD ordinance requires a MINIMUM 15-foot-wide vegetative buffer yard (as opposed to 10-feet), these boundaries must be furnished with an opaque screening wall not less than 7-feet nor more than 8-feet in height (as opposed to 6-feet), and trees must be planted within this vegetative buffer at a rate of 1 three-inch (3”) tree per 40-linear feet (40’) of property boundary (as opposed to no trees being required). Lastly, the PD

ordinance stipulates that the MINIMUM rear setback for multi-family buildings when adjacent to single family residential uses/zoning is 100-feet (as opposed to the 60-foot setback ordinarily required).

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site were mailed notification of this proposal on July 26, 2023. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case Z23-10.

EXHIBITS

- A. Aerial Photo
- B. Future Land Use Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application
- F. Planned Development Regulations

Exhibit "A"
Aerial Location Map

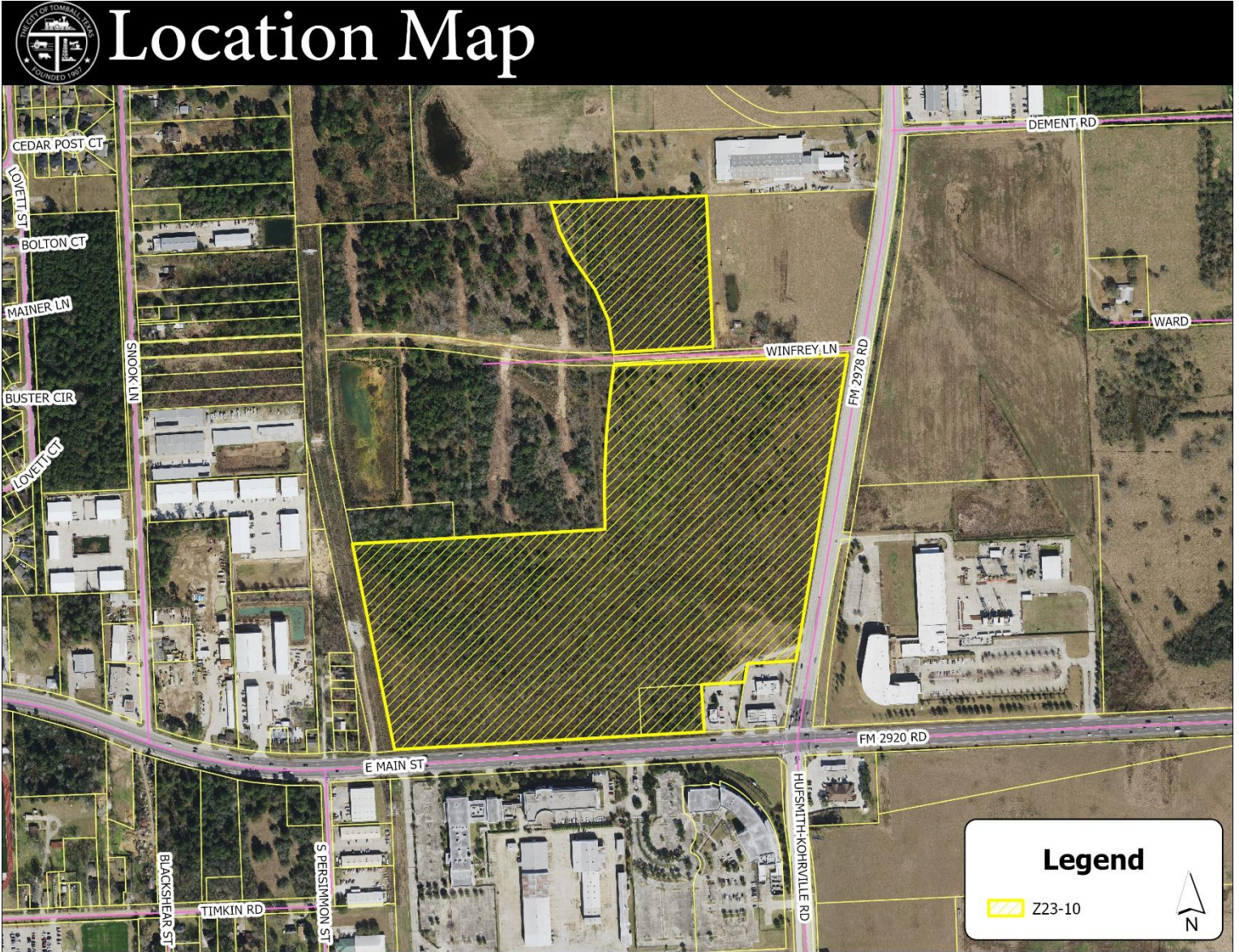
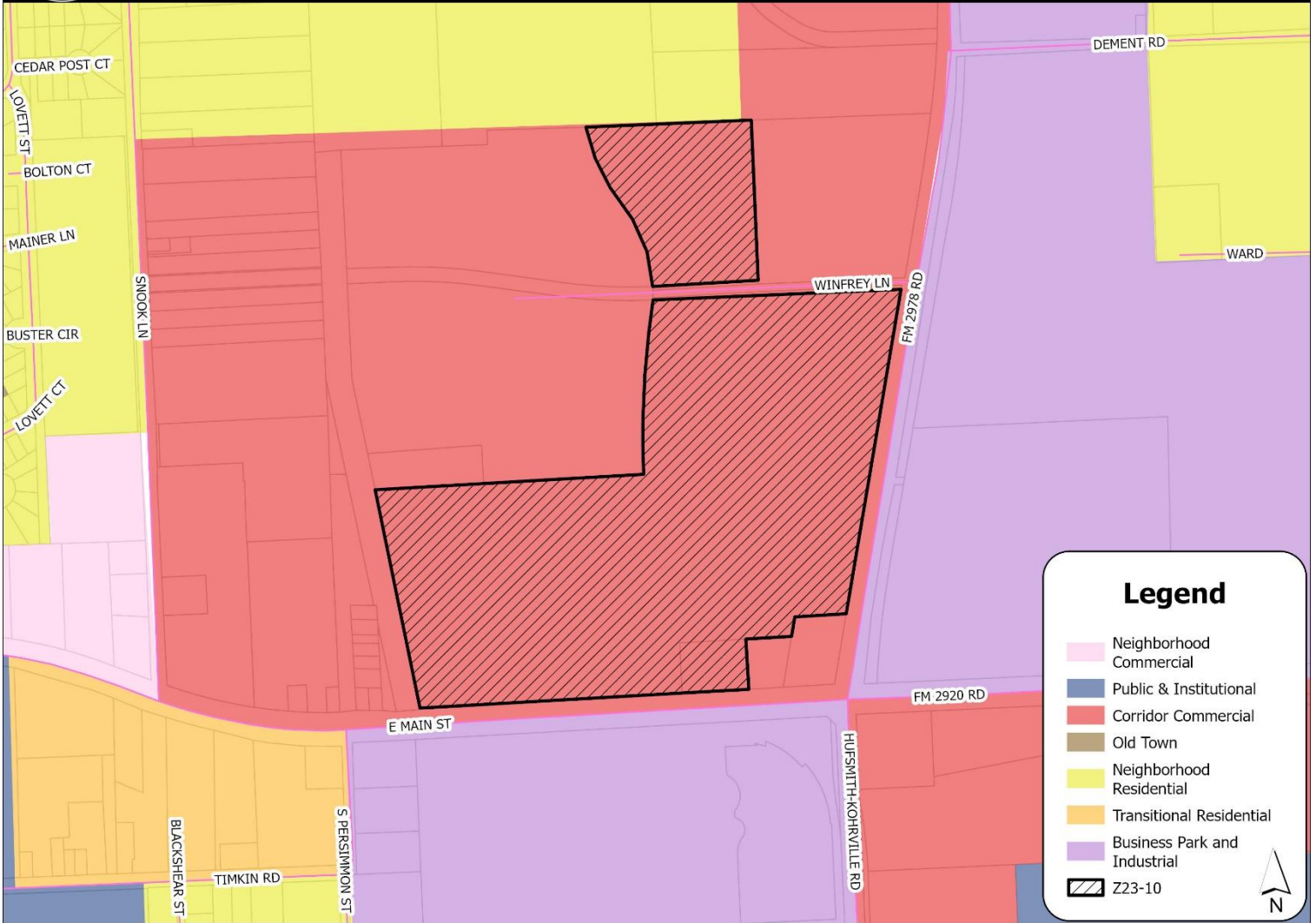


Exhibit "B"
Future Land Use Plan



Future Land Use Map



Legend

- Neighborhood Commercial
- Public & Institutional
- Corridor Commercial
- Old Town
- Neighborhood Residential
- Transitional Residential
- Business Park and Industrial
- Z23-10

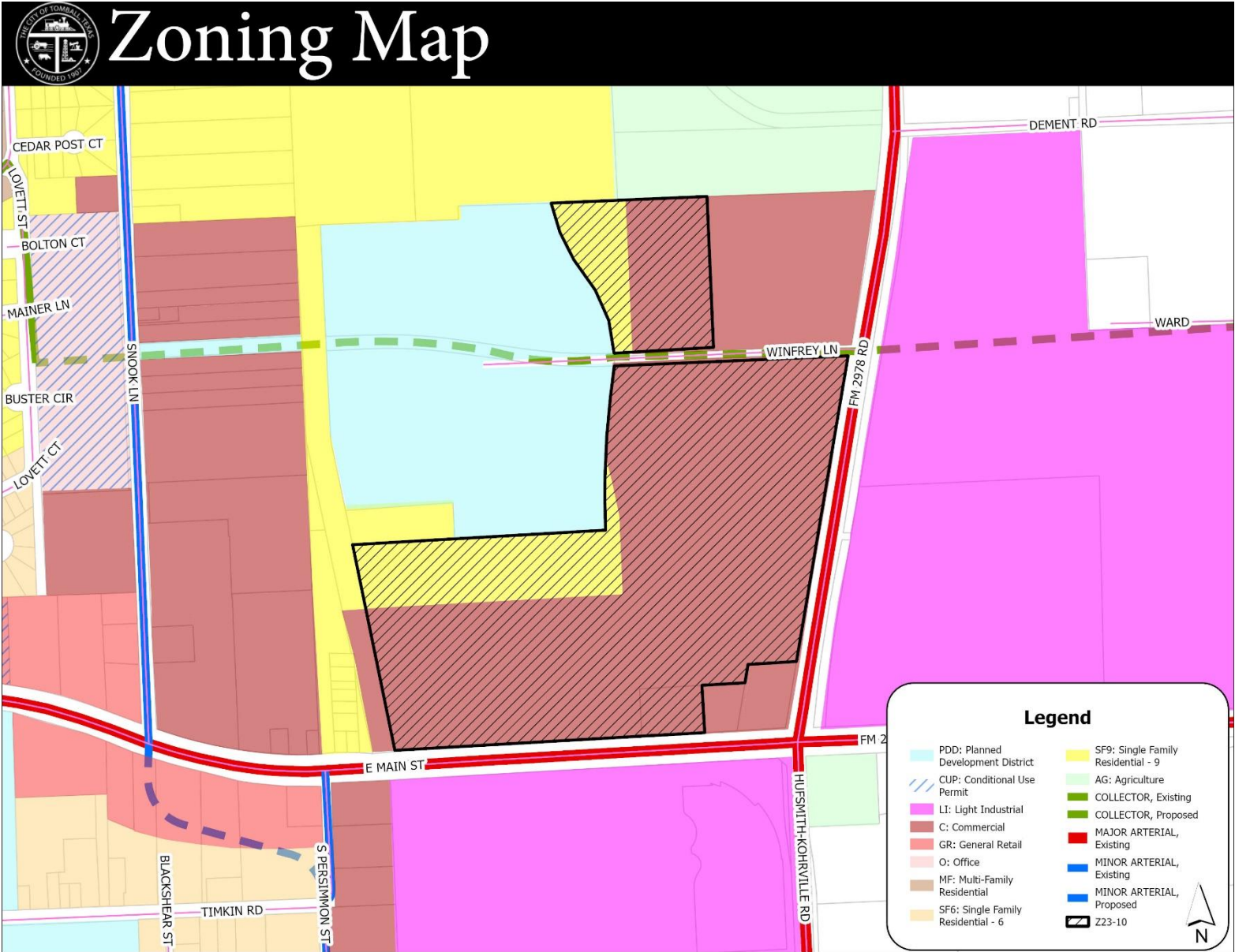


Exhibit "D"
Site Photo(s)

Subject Site



Subject Site



Neighbor (South)



Neighbor (East)



Neighbor (North)



Neighbor (North)



Neighbor (West)



Exhibit "E" Rezoning Application



25241 FM 2978, Suite C
Tomball, TX 77375
Phone: (281) 703-0715
www.newmancre.com

July 4, 2023

City of Tomball
Planning & Zoning Commission / City Council
501 James Street
Tomball, Texas 77375

Attn: Mr. Jared Smith
City Planner, City of Tomball
E: jasmith@tomballtx.gov

Re: Request for a Zoning Ordinance Change to a Planned Development
+/- 56-acre property @ NWQ of FM 2920 & FM 2978

Dear Mr. Smith,

On behalf of Newman Commercial Real Estate, I am pleased to present to you the comprehensive Planned Development package associated with the development project, Tomball Boardwalk.

The property was acquired on October 11, 2022, and encompasses 56.051-acres of undeveloped land. The property resides within the Tomball city limits and is currently zoned for both Single-Family SF-9 and Commercial District uses. The property was platted in 2011 and re-platted in 2014 by previous owners.

Over the past several months, my team has put together a request for a zoning ordinance change to convert the 56-acre property from Single-Family and Commercial uses to a new Mixed Use Planned Development District. Amending the zoning ordinance will support my vision and purpose for acquiring the property, as well as align with Tomball's Future Land Use Plan. As an experienced commercial real estate developer in the north-Houston metroplex, we intend to develop a signature masterplanned project. The project will consist of a variety of uses that will be constructed over multiple phases, including retail/commercial, office, recreational, and multi-family. The planned development ordinance change will accomplish two primary objectives; 1) communicates project intent and goals to City staff/officials to ensure that the project is carried out in a methodical and intended process, 2) allows me to fully utilize this large tract of land that is suitable according to current and anticipated market conditions, while creating a mix of product which will stimulate shopping, dining, access, walkability, and sense of community. Upon your review of this application, you will observe that my team has spent a significant amount of time on the package, and the result is nothing short of a Class-A, community destination center at the east gateway of Tomball. Our investment into the project will be significant, and to realize this complex multi-phased project will require City involvement, support, and a public-private partnership. In the near future, my team will submit a Development Agreement to City staff, which will outline the metrics to achieve this project.

This property has a history of development proposals, yet has sat dormant for far too long. With the property changing hands, this is no longer the case – my team is positioned to accelerate this project. In



25241 FM 2978, Suite C
Tomball, TX 77375
Phone: (281) 703-0715
www.newmancre.com

addition, my team is local, and we have the experience and wherewithal to push the development plan forward very quickly with much less constraints.

I appreciate the opportunity to submit this Zoning Ordinance change request and application package. Please do not hesitate to contact me if there are any questions related to the property and/or request.

Sincerely,

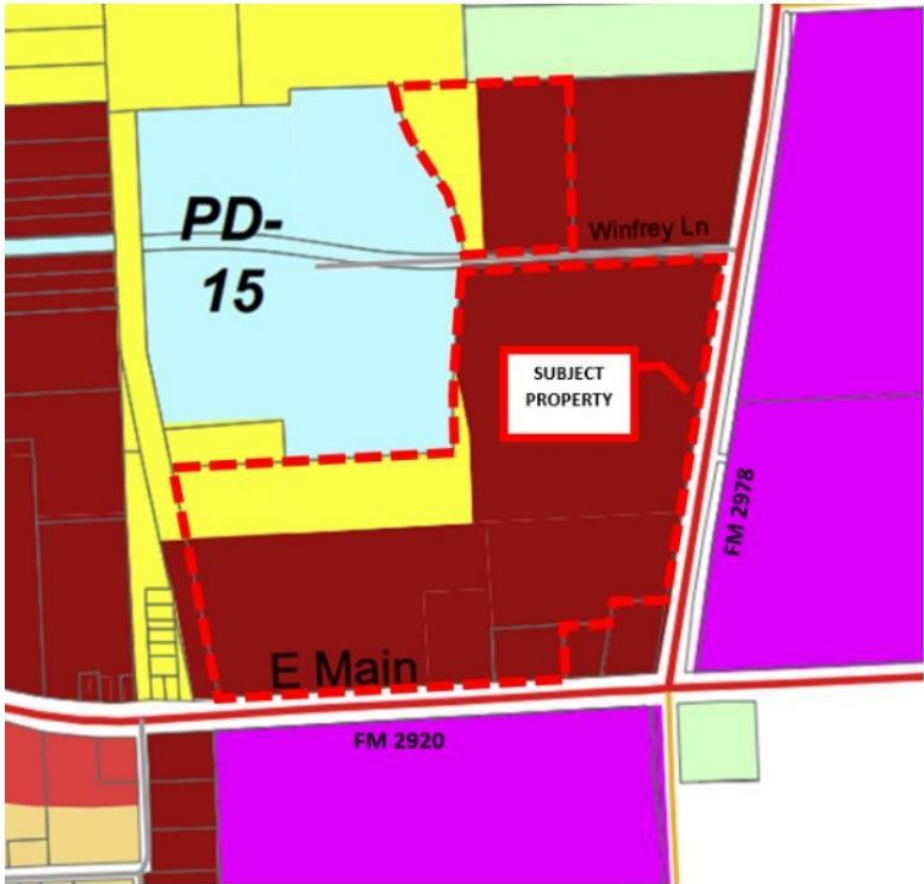
Nathan T. Newman

Enclosures: Current Zoning Map Exhibit – Subject Property
Application for Planned Development and its enclosures required



25241 FM 2978, Suite C
Tomball, TX 77375
Phone: (281) 703-0715
www.newmancre.com

CURRENT ZONING MAP





Revised: 10/1/2022

**Application for
Planned Development
Engineering & Planning Department**

The PD, Planned Development, district is a district which accommodates 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 (e.g., single-family, multi-family, Duplex (Two Family), etc.), 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. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

No planned development shall be established and no building permit shall be issued for any use designated as a Planned Development within any zoning district until a Planned Development Permit is approved and issued in accordance with the provisions of the Zoning Ordinance and Concept Plan.

The minimum acreage for a planned development request shall be four (4) acres.

APPLICATION REQUIREMENTS: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

There is a \$1,500.00 application fee that must be paid at time of submission or the application will not be processed.

DIGITAL PLAN SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY IN A SINGLE PDF BY FOLLOWING THE WEBSITE BELOW:

WEBSITE: tomballtx.gov/secure/send
USERNAME: **tombalcedd**
PASSWORD: **Tomball1**

Applicant
Name: NATHAN T. NEWMAN Title: MANAGER
Mailing Address: 25241 FM 2978, STE. C City: TOMBALL State: TX
Zip: 77375
Phone: (281) 703-0715 Fax: () Email: NATE@NEWMANCRG.COM

Owner
Name: NTN TOMBALL CORNER, LLC Title: —
Mailing Address: 87 N HUNTERS CROSSING CIR City: THE WOODLANDS State: TX
Zip: 77381
Phone: () Fax: () Email: _____

Engineer/Surveyor (if applicable)
Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: () Fax: () Email: _____

Description of Proposed Project: MIXED-USE 56-ACRE PROJECT

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Revised: 10/1/2022

Physical Location of Property: NWQ OF FM 2920 & FM 2978

[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: LT 1 RESERVE AT TOMBALL
LT 2 RESERVE AT TOMBALL PAR R/P
LT 3 RESERVE AT TOMBALL

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: 1328330000001
1328330000002 Acreage: 56.051
1328330000003

Current Use of Property: INVESTMENT

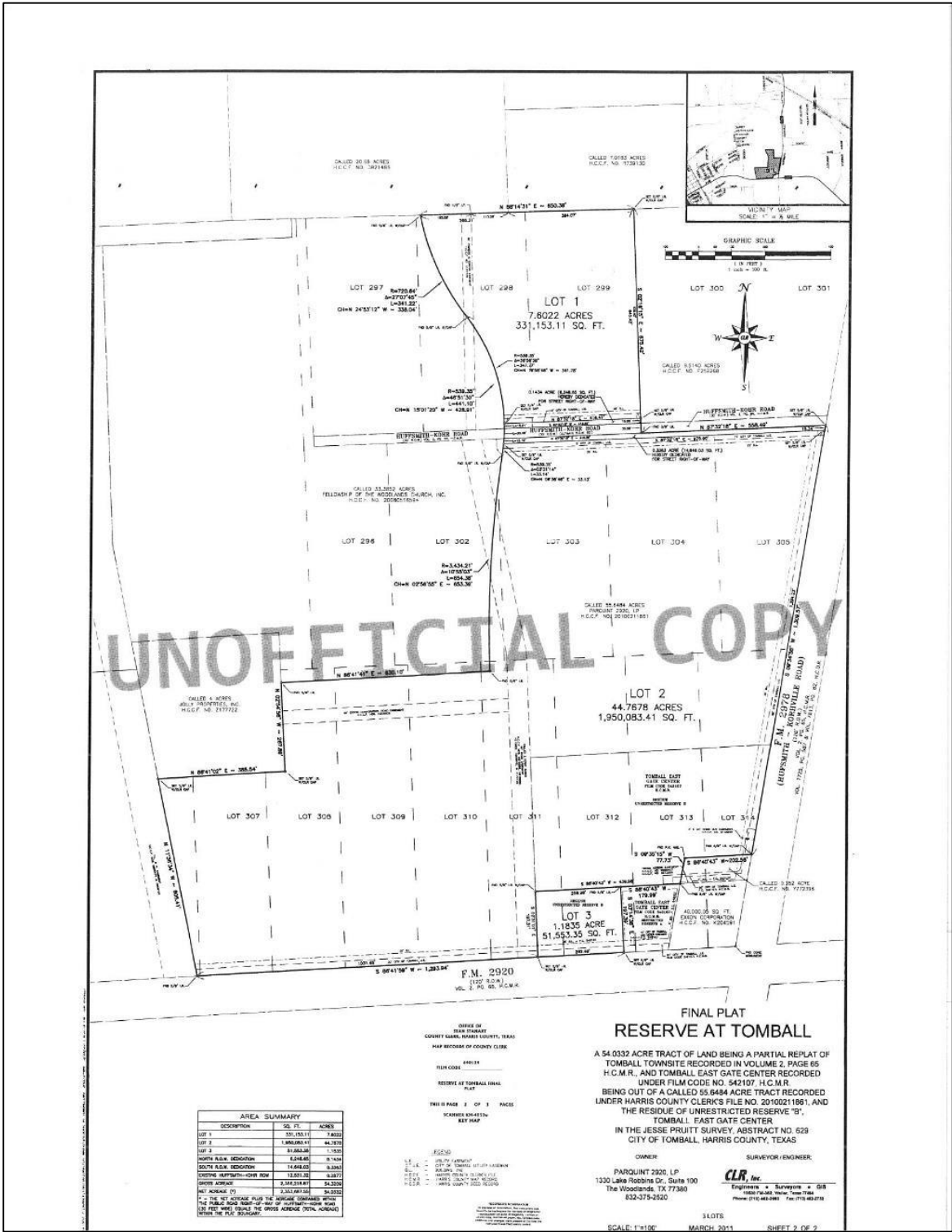
Proposed Use of Property: RETAIL/COMMERCIAL MIXED-USE + MULTI-FAMILY

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X Nathan T. Newman 11/1/2022
Signature of Applicant Date

X Nathan T. Newman 11/1/2022
Signature of Owner Date



AREA SUMMARY		
DESCRIPTION	SQ. FT.	ACRES
LOT 1	337,153.11	7.8022
LOT 2	1,950,083.41	44.7878
LOT 3	51,553.35	1.1835
NORTH ROW	2,746.00	0.0626
SOUTH ROW	1,498.00	0.3400
WESTING HUFFSMITH-HOW ROW	13,000.00	0.2987
TOTAL AREA	2,353,033.87	53.9325
NET AREA (7)	2,321,080.56	53.3522

NOTE: THE NET AREA ALONG THE NORTH ROW IS 2,746.00 SQ. FT. THE NET AREA ALONG THE SOUTH ROW IS 1,498.00 SQ. FT. THE NET AREA ALONG THE WESTING HUFFSMITH-HOW ROW IS 13,000.00 SQ. FT.

OFFICE OF
DEAN STUBBS
COUNTY CLERK, HARRIS COUNTY, TEXAS
MAP RECORDS OF COUNTY CLERK
FILE CODE
RESERVE AT TOMBALL FINAL
PLAT
THIS IS PAGE 2 OF 3 PAGES
EXAMINE ORIGINAL
KEY MAP

ES&D
BY: J. C. [Signature]
DATE: [Date]
CHECKED BY: [Signature]
DATE: [Date]

REGISTERED PROFESSIONAL SURVEYOR
No. 100,000, State of Texas
Exp. 12/31/2011

PROPERTY DESCRIPTION

A 47,265.00 acre (3,246,825 sq ft) portion North East of land being all of Lot 2, Reserve At Tomball, as recorded under Film Code Number 840133, of Harris County, Texas, being a portion of a tract of land described in a deed from Matthews High to Jolly Properties, Inc. as recorded under Harris County Official Public Records Book 217722, in the public survey, 4,673 ac Harris County, Texas, and 47,265.00 acre being those portions described by metes and bounds as follows (beginning) South 28 degrees 54 minutes 42 seconds East, 160.00 feet to the south-southeast corner of said Lot 2, and the most southerly south-southeast corner thereof.

BEGGINING A 576.86 feet iron rod with "CLR" cap found lying in the north-south right-of-way line of FM 2978 (120 feet wide) at the northeast corner of Lot 3, Reserve At Tomball, the most southerly south-southeast corner of said Lot 2, and the most southerly south-southeast corner thereof.

THENCE South 15 degrees 01 minutes 06 seconds West along the north-south right-of-way line of said FM 2978, a distance of 1,031.45 feet to a 3/4 inch iron rod found at the southeast corner of a 400.00 foot wide strip of land conveyed to Houston Lighting & Power Company by deed recorded under H.C.C.R. No. 088478 and 0608102, the southeast corner of said Lot 2, and the southwest corner thereof.

THENCE North 11 degrees 36 minutes 34 seconds East, with the southeast corner of said Lot 2, a distance of 1,142.00 feet to the west end of a 3/4 inch iron rod, at a distance of 305.33 feet from a 3/8 inch iron rod with "CLR" cap found at the southwest corner of said Lot 2, and continue with the said line of said Lot 2, a distance of 871.12 feet to a 3/8 inch iron rod with "CLR" cap not for most southerly south-southeast corner thereof.

THENCE North 86 degrees 41 minutes 47 seconds East, a distance of 426.47 feet to a 3/8 inch iron rod with "CLR" cap found 1/4 mile west of said Lot 2, and from that point to the southeast corner of a 333,362.00 acre tract conveyed to Folsom of The Woodlands Community, Inc. by deed recorded under H.C.C.R. No. 2030458094 and for a northwesterly corner of said Lot 1, and from that point a total distance of 150.00 feet to a 3/8 inch iron rod found at the northeast corner of said Lot 2, a distance of 33,362.00 acre tract, at the northeast corner of said Lot 2, and the most southerly south-southeast corner thereof.

THENCE Northwesterly along the east line of said Lot 3, a distance of 33,362.00 acre tract, the west line of said Lot 2, and a curve to the east through a central area of 13 degrees 55 minutes 03 seconds in a 3/8 inch iron rod with cap found at the point of reverse curvature of a curve to the left, said curve having a radius of 13,824.21 feet, an arc length of 654.38 feet, and a long chord bearing North 03 degrees 58 minutes 09 seconds East, a distance of 103.39 feet.

THENCE Northwesterly along the east line of said Lot 3, 33,362.00 acre tract, the west line of said Lot 2, and a curve to the left through a central area of 13 degrees 55 minutes 03 seconds in a 3/8 inch iron rod with "CLR" cap found at the south-southwest corner of said Lot 3, of the Harris County Map Records, said curve having a radius of 13,824.21 feet, an arc length of 35.14 feet, and a long chord bearing North 03 degrees 58 minutes 09 seconds East, a distance of 33.12 feet.

THENCE North 97 degrees 21 minutes 15 seconds East along the northwesterly line of said Lot 2 and the south-southwest corner of said Lot 2, a distance of 595.56 feet to a 5/8 inch iron rod with "CLR" cap found in the west right-of-way line of FM 2978 (120 feet wide) as recorded in Volume 2, Page 63, H.C.R.M., Volume 7726, Page 267, H.C.R.M., and Volume 7813, Page 62, H.C.C.R., for the most southerly south-southeast corner of said Lot 2, and the most southerly south-southeast corner thereof.

THENCE South 09 degrees 38 minutes 58 seconds West along the west line of said Lot 2, and the west right-of-way line of FM 2978 (120 feet wide), a distance of 1,246.14 feet to a 3/8 inch iron rod with cap found at the northeast corner of a 400.00 acre tract at land conveyed to Exxon Mobil Compression by deed recorded under H.C.C.R. No. 0772960, the northeast corner of said Lot 2, and the most southerly south-southeast corner thereof.

THENCE South 26 degrees 40 minutes 43 seconds West, along the common boundary line of said Lot 2 and said Lot 3, a distance of 302.00 feet to a P.C. nail found in a ditch at the northeast corner of said Lot 3, and an interior corner of said Lot 2, and an interior corner thereof.

THENCE South 09 degrees 35 minutes 19 seconds West along the common boundary line of said Lot 3 and said Lot 2, a distance of 27.72 feet to a 3/8 inch iron rod with cap found at the northeast corner of a 400.00 square foot tract of land conveyed to Exxon Corporation by deed recorded under H.C.C.F. No. 0240066, the northeast corner of said Lot 2, and the north line of said Lot 3, for a total distance of 439.72 feet to a 3/8 inch iron rod with cap found at the northeast corner of said Lot 3, and interior corner of said Lot 2, and an interior corner thereof.

THENCE South 20 degrees 21 minutes 01 seconds East along the west line of said Lot 3 and its extension to the east of said Lot 2, a distance of 407.50 feet to the POINT OF BEGINNING and containing a contained area of 47,265.00 acres (3,246,825 square feet) of land.

STATE OF TEXAS
COUNTY OF MONTGOMERY

WE, PARQUINT 2920 LP, in and for the State of Texas, do hereby certify that the above and foregoing plat of RESERVE AT TOMBALL PARTIAL REPEAT NO. 1, is a true and correct plat of said property, according to the plans, descriptions, metes and bounds of said land and hereby declare to the use of the public that the above and foregoing plat, surveys, measurements, and public papers shown hereon to be prepared and constructed in accordance with the laws of this State, and that the same are correct and true and conform to the laws.

FURTHER, we do hereby certify that the above and foregoing plat is the plat of the public utility easement for an underground distribution line for electric power with a class rating of 100,000 amperes, which said easement is shown in all papers and documents shown hereon.

ALL-RIGHTS (works on) hereby consent and agree that all of the property with the boundaries of the plat and adjacent to any storage easement shown on this plat shall be used and maintained for the purposes of distribution, operation, maintenance, and other structures in the operation and maintenance of the storage facility and that such existing property shall not be permitted to obstruct the easement and/or interfere with the operation and maintenance of the storage facility.

IN TESTIMONY WHEREOF, PARQUINT 2920 LP, has caused this plat to be signed by its authorized signatories, Kevin Johnson, and Cheryl Johnson, and the same to be attested to by its duly authorized officers, James C. Taylor, City Secretary, and James C. Taylor, City Secretary, this 25th day of April, 2014.

PARQUINT 2920 LP
 A Limited Liability Partnership
 By: Kevin Johnson, President
 By: Cheryl Johnson, Vice President

ATTEST:
James C. Taylor
 City Secretary
 My Commission Expires: 12/31/2016

STATE OF TEXAS
COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority on this day personally appeared Michael E. Wynn, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. I am a Notary Public in and for the State of Texas, my commission expires on 12/31/2016.

Michael E. Wynn
 Notary Public
 My Commission Expires 12/31/2016

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas has approved this plat and the underlying RESERVE AT TOMBALL PARTIAL REPEAT NO. 1, as contained on this plat, and the provisions of the City Code of the City of Tomball, Texas, authorize the recording of this plat.

Barbara J. Gray
 City Clerk

By the City Manager and City Engineer for the City of Tomball, Texas, do hereby certify that the plat of RESERVE AT TOMBALL PARTIAL REPEAT NO. 1 is in conformity with the City of Tomball, Texas.

James C. Taylor
 City Secretary

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas has approved this plat and the underlying RESERVE AT TOMBALL PARTIAL REPEAT NO. 1, as contained on this plat, and the provisions of the City Code of the City of Tomball, Texas, authorize the recording of this plat.

Barbara J. Gray
 City Clerk

By the City Manager and City Engineer for the City of Tomball, Texas, do hereby certify that the plat of RESERVE AT TOMBALL PARTIAL REPEAT NO. 1 is in conformity with the City of Tomball, Texas.

James C. Taylor
 City Secretary

STATE OF TEXAS
COUNTY OF HARRIS

I, Mark Stewart, County Clerk of Harris County, Texas, do hereby certify that the within plat, and its certificate of independence and fee for registration is an official plat of the City of Tomball, Texas, and that the same are correct and true and conform to the laws of this State, and that the same are correct and true and conform to the laws.

WITNES MY HAND and seal of office, at Harris County, Texas, this 25th day of April, 2014.

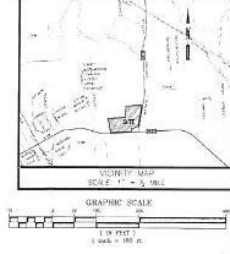
Mark Stewart
 County Clerk
 Harris County, Texas

RESERVE AT TOMBALL PARTIAL REPEAT NO. 1
 A 47,265.00 ACRE TRACT OF LAND BEING A PARTIAL REPEAT OF RESERVE AT TOMBALL AS RECORDED UNDER FILM CODE NO. 840133, H.C.M.R. BEING OUT OF A CALLED 576.86 ACRE TRACT RECORDED UNDER HARRIS COUNTY CLERK NUMBER NO. 2030458094 AND A CALLED 4 ACRE TRACT RECORDED UNDER H.C.C.F. NO. 2177722 IN THE JESSE PRUITT SURVEY, ABSTRACT NO. 629 CITY OF TOMBALL, HARRIS COUNTY, TEXAS

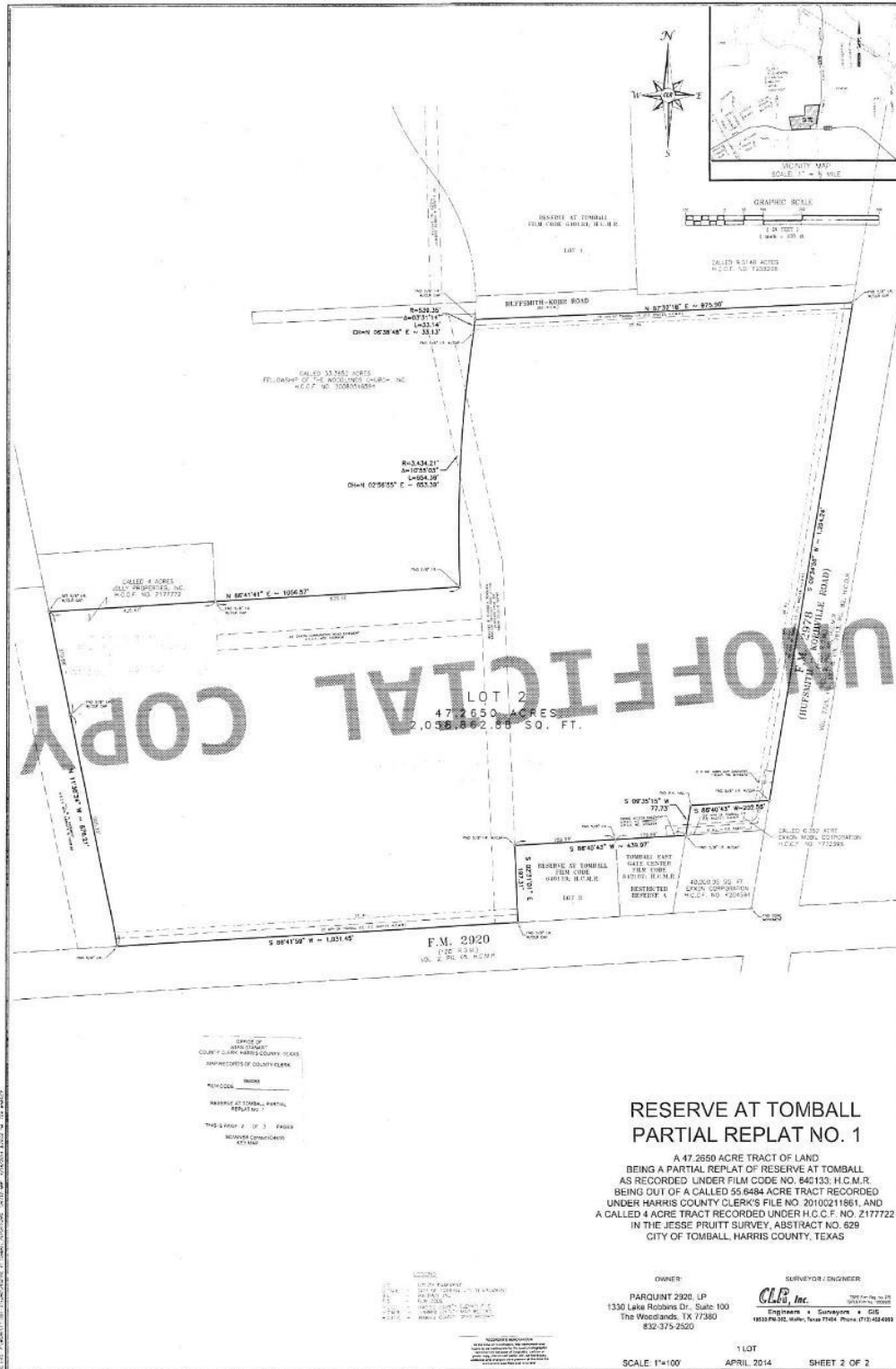
OWNER:
 PARQUINT 2920 LP,
 1330 Lane Robbins Dr., Suite 100
 The Woodlands, TX 77350
 932-375-2520

PREPARED BY:
 CLP, Inc.
 19330 FM 262, Suite 104A, Houston, Texas 77060 (281) 462-6663

1 LOT
 SCALE: 1"=160' APRIL 2014 SHEET 1 OF 2



19330 FM 262, Suite 104A, Houston, Texas 77060 (281) 462-6663
 19330 FM 262, Suite 104A, Houston, Texas 77060 (281) 462-6663



TAX CERTIFICATE

MIKE SULLIVAN
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON AVE., SUITE 100
HOUSTON, TEXAS 77002

Issued To:
PARQUINT 2020 LP
59 N ROYAL FERN DR
SPRING, TX 77380-3402

Legal Description:
R8 12A
ABST 823 J FRUIT

Parcel Address: 0 E MAIN ST
Legal Acres: 4.0000

Account Number: 044-055-000-0194
Certificate No.: 1320439
Certificate Fee: \$10.00

Period Dates: 05/01/2014
Print Date: 05/01/2014
Issue Date: 05/01/2014
Operator ID: DPUNGLBY

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 24.01 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN CALCULATED UP TO AND INCLUDING THE YEAR 2013. ALL TAXES ARE PAID IN FULL.

Exemptions:

Certified Owner:
PARQUINT 2020 LP
59 N ROYAL FERN DR
SPRING, TX 77380-3402

Certified Tax Entities:
01 Harris County
02 Harris County Flood Control Dist
02 Precinct Revenue Authority
03 Harris County Hospital District
04 Harris County Dept. of Education
05 Harris County College District
06 City of Tomball
07 Emergency Services Dist #1 (E.S.D.)

2013 Value:	110,443
2013 Levy:	\$1,355.32
2013 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&L + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Reference (CP) No. _____
Issued By: *Mike Sullivan*
MIKE SULLIVAN
HARRIS COUNTY TAX ASSESSOR-COLLECTOR

Microprint: tax_certform v1.73

TAX CERTIFICATE

MIKE SULLIVAN
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON AVE., SUITE 100
HOUSTON, TEXAS 77002

Issued To:
PARQUINT 2020 LP
59 N ROYAL FERN DR
SPRING, TX 77380-3402

Legal Description:
LT 2
RESERVE AT TOMBALL

Parcel Address: 0 FM 2923
Legal Acres: 44.7678

Account Number: 132-333-000-0002
Certificate No.: 1283300002
Certificate Fee: \$10.00

Period Dates: 05/01/2014
Print Date: 05/01/2014
Issue Date: 05/01/2014
Operator ID: DPUNGLBY

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 24.01 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN CALCULATED UP TO AND INCLUDING THE YEAR 2013. ALL TAXES ARE PAID IN FULL.

Exemptions:

Certified Owner:
PARQUINT 2020 LP
59 N ROYAL FERN DR
SPRING, TX 77380-3402

Certified Tax Entities:
01 Harris County
04 Harris County Flood Control Dist
04 Board of Houston Architects
04 Harris County Hospital District
04 Harris County Dept. of Education
05 Harris County College District
05 City of Tomball
07 Emergency Services Dist #1 (E.S.D.)

2013 Value:	3,712,277
2013 Levy:	542,611.68
2013 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&L + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Reference (CP) No. _____
Issued By: *Mike Sullivan*
MIKE SULLIVAN
HARRIS COUNTY TAX ASSESSOR-COLLECTOR

Microprint: tax_certform v1.73

OFFICE OF
COUNTY CLERK, HARRIS COUNTY, TEXAS
MAP RECORDS OF COUNTY CLERK

FILM CODE: 00499
RESERVE AT TOMBALL PARTIAL
CERTIFICATE NO. 132-333-000-0002

THIS IS PAGE 3 OF 3 PAGES
SCANNER CODE: 04400

TAX CERTIFICATE FOR ACCOUNT: 044055000194
AD NUMBER: 044055000194
OF NUMBER: 1
CERTIFICATE NO: 1320439
COLLECTING AGENCY: 59 N ROYAL FERN DR, SPRING TX 77380-3402

DATE: 5/1/2014
FEE: \$10.00
PROPERTY DESCRIPTION: TR 12A, ABST 823 J FRUIT
000000 E MAIN ST, 4 ACRES
PROPERTY OWNER: PARQUINT 2020 LP
59 N ROYAL FERN DR, SPRING, TX 773803402

THIS IS TO CERTIFY THAT THE AD VALOREM RECORDS OF THE TOMBALL ISD TAX ASSESSOR-COLLECTOR REFLECT THE TAX, INTEREST, AND OTHER STATUTORY FEES THAT HAVE BEEN ASSESSED AND ARE NOW DUE TO THE TAXING ENTITIES AND FOR THE YEARS SET OUT BELOW FOR THE DESCRIBED PROPERTY HEREIN. THE TAX ASSESSOR-COLLECTOR MAKES NO CERTIFICATION AS TO THE AMOUNT OF TAX, PENALTY, INTEREST, OR OTHER FEES ASSESSED BY OR DUE ANY TAXING ENTITY FOR THE YEAR OR YEARS FOR WHICH THE TAX ASSESSOR-COLLECTOR DID NOT HAVE THE STATUTORY DUTY TO COLLECT OR KEEP RECORDS OF SUCH COLLECTION. ADDITIONAL TAXES MAY BECOME DUE ON THE DESCRIBED PROPERTY, WHICH ARE NOT REFLECTED HEREIN. IF THE SAID DESCRIBED PROPERTY HAS OR IS RECEIVING ANY SPECIAL STATUTORY VALUATIONS THAT MAY TRIGGER TAX ROLLBACK PROVISIONS, THIS CERTIFICATE APPLIES TO ADVALOREM TAXES ONLY AND DOES NOT APPLY TO ANY SPECIAL ASSESSMENT LEVELS.

LANDMARK VALUE	110,403	IMPROVEMENT	0
NO LAND VALUE	0	DEF HOUSSTEAD	0
APPRAISED VALUE	110,403	LIMITED VALUE	0
EXEMPTIONS			
LAWSUITS			

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2013	TOMBALL I.S.D.	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CERTIFIED TAX DUE 5/1/2014:							\$ 0.00

ISSUED TO: PARQUINT 2020 LP
ACCOUNT NUMBER: 044055000194

CERTIFIED BY: *K. Sullivan* TOMBALL I.S.D.

This is a statement from the Tax Collector of Tomball I.S.D., indicating that the taxes to be imposed by Tomball Independent School District for the 2014 tax year have not been calculated as of the above date.

TAX CERTIFICATE FOR ACCOUNT: 132033000002
AD NUMBER: 132033000002
OF NUMBER: 1
CERTIFICATE NO: 1283300002
COLLECTING AGENCY: 59 N ROYAL FERN DR, SPRING TX 77380-3402

DATE: 5/1/2014
FEE: \$10.00
PROPERTY DESCRIPTION: LT 2, RESERVE AT TOMBALL
000000 FM 2920, 44.7678 ACRES
PROPERTY OWNER: PARQUINT 2020 LP
59 N ROYAL FERN DR, SPRING TX 773803402

THIS IS TO CERTIFY THAT THE AD VALOREM RECORDS OF THE TOMBALL ISD TAX ASSESSOR-COLLECTOR REFLECT THE TAX, INTEREST, AND OTHER STATUTORY FEES THAT HAVE BEEN ASSESSED AND ARE NOW DUE TO THE TAXING ENTITIES AND FOR THE YEARS SET OUT BELOW FOR THE DESCRIBED PROPERTY HEREIN. THE TAX ASSESSOR-COLLECTOR MAKES NO CERTIFICATION AS TO THE AMOUNT OF TAX, PENALTY, INTEREST, OR OTHER FEES ASSESSED BY OR DUE ANY TAXING ENTITY FOR THE YEAR OR YEARS FOR WHICH THE TAX ASSESSOR-COLLECTOR DID NOT HAVE THE STATUTORY DUTY TO COLLECT OR KEEP RECORDS OF SUCH COLLECTION. ADDITIONAL TAXES MAY BECOME DUE ON THE DESCRIBED PROPERTY, WHICH ARE NOT REFLECTED HEREIN. IF THE SAID DESCRIBED PROPERTY HAS OR IS RECEIVING ANY SPECIAL STATUTORY VALUATIONS THAT MAY TRIGGER TAX ROLLBACK PROVISIONS, THIS CERTIFICATE APPLIES TO ADVALOREM TAXES ONLY AND DOES NOT APPLY TO ANY SPECIAL ASSESSMENT LEVELS.

LANDMARK VALUE	3,715,277	IMPROVEMENT	0
NO LAND VALUE	0	DEF HOUSSTEAD	0
APPRAISED VALUE	3,715,277	LIMITED VALUE	0
EXEMPTIONS			
LAWSUITS			

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2013	TOMBALL I.S.D.	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CERTIFIED TAX DUE 5/1/2014:							\$ 0.00

ISSUED TO: PARQUINT 2020 LP
ACCOUNT NUMBER: 132033000002

CERTIFIED BY: *K. Sullivan* TOMBALL I.S.D.

This is a statement from the Tax Collector of Tomball I.S.D., indicating that the taxes to be imposed by Tomball Independent School District for the 2014 tax year have not been calculated as of the above date.

SUBJECT TRACT DESCRIPTION (AS SURVEYED):

Being 56.051 acres (2,441,582 square feet) of land situated in the Jesse Pruett Survey, A-629 of Harris County, Texas being all of Lot 2 as shown on the plat of RESERVE AT TOMBALL PARTIAL REPLAT NO. 1, subdivision per plat recorded under Film Code Number (F.C.N.) 664062 of the Harris County Map Records (H.C.M.R.) and being all of Lot 1 and Lot 3 as shown on the plat of RESERVE AT TOMBALL, a subdivision per plat recorded under F.C.N. 640133 of the H.C.M.R., said 56.051 acre tract of land being more particularly described by metes and bounds as follows:

LOT ONE (1) DESCRIPTION:

Being all of Lot 1 as shown on the plat of RESERVE AT TOMBALL, a subdivision per plat recorded under Film Code Number (F.C.N.) 640133 of the Harris County Map Records.

LOTS TWO (2) AND THREE (3) DESCRIPTION:

Being a 48.449 acres (2,110,422 square feet) of land situated in the Jesse Pruett Survey, A-629 of Harris County, Texas being all of Lot 2 as shown on the plat of RESERVE AT TOMBALL PARTIAL REPLAT NO. 1, subdivision per plat recorded under Film Code Number (F.C.N.) 664062 of the Harris County Map Records (H.C.M.R.) and being all of Lot 3 as shown on the plat of RESERVE AT TOMBALL, a subdivision per plat recorded under F.C.N. 640133 of the H.C.M.R., said 48.449 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a point for the northwest intersection of FM 2920 and FM 2978, same being the southeast corner of Lot 1, Block 1 as shown on the plat of STRIPES - FM 2920, a subdivision per plat recorded under F.C.N. 640002 of the H.C.M.R., from which a concrete monument bears South 76°06'53" East, a distance of 0.51 feet;

THENCE South 86°41'59" West, along and with the north right-of-way line of FM 2920 (120 foot wide public right-of-way), passing at a distance of 202.77 feet a 5/8 inch iron rod found and continuing for a total distance of 338.03 feet to a 1/2 inch iron rod with cap found for the southerly southeast corner and POINT OF BEGINNING of the herein described tract, same being the southeast corner of said Lot 3 and the southwest corner of Restricted Reserve "A" as shown on the plat of TOMBALL EAST GATE CENTER, a subdivision per plat recorded under F.C.N. 542107 of the H.C.M.R.;

THENCE South 86°41'59" West, continuing along and with the north right-of-way line of said FM 2920, a distance of 1,293.94 feet to a 5/8 inch iron rod found for the southwest corner of the herein described tract, same being the southeast corner of a called 5.1420 acre tract of land as described in an instrument to Houston Lighting and Power Company, recorded under Clerk's File Number (C.F.N.) G908192 of the Official Public Records of Real Property of Harris County, Texas (O.P.R.R.P. H.C.T.)

THENCE North 11°36'34" West, along and with the northeast line of said 5.1420 acre tract, passing at a distance of 605.33 feet a 5/8 inch iron rod and continuing for a total distance of 876.21 feet to a 5/8 inch iron rod with cap found for an exterior point for corner of the herein described tract, same being the southwest corner of Tract 12A as described in an instrument to Jolly Properties, Inc., recorded under C.F.N. RP-2020-605651 of the O.P.R.R.P. H.C.T.;

THENCE North 86°41'41" East, a distance of 1,056.57 feet to a 5/8 inch iron rod with cap found for an interior point for corner of the herein described tract, same being the southeast corner of Reserve "A" as shown on the plat of PECK STATION, a subdivision per plat recorded under F.C.N. 666109 of the H.C.M.R. and as described in an instrument to CHTA Development, Inc., recorded under C.F.N. RP-2021-407355 of the O.P.R.R.P. H.C.T. and being the beginning of a curve to the right;

THENCE along and with said curve to the right, having an arc distance of 654.38 feet, a radius of 3,434.21 feet, a central angle of 10°55'03", and whose long chord bears North 02°56'55" East, 653.39 feet to a 5/8 inch iron rod with cap found for a point for corner of the herein described tract and being a reverse curve to the left;

THENCE along and with said curve to the left, an arc distance of 33.14 feet, a radius of 539.35 feet, a central angle of $03^{\circ}31'12''$, and whose long chord bears North $06^{\circ}38'50''$ West, 33.13 feet to a 5/8 inch iron rod with cap stamped "Core 6657" set for the northwest corner of the herein described tract, lying in the east line of said Reserve "A" and the south right-of-way line of Huffsmith-Kohr Road (30 foot wide public right-of-way, ultimately a 60 foot wide public right-of-way);

THENCE North $87^{\circ}32'18''$ East, along and with the south right-of-way line of said Huffsmith-Kohr Road, a distance of 975.90 feet to a 5/8 inch iron rod with cap stamped "Core 6657" set for the northeast corner of the herein described tract, lying in the west right-of-way line of FM 2978 (120 foot wide public right-of-way);

THENCE South $09^{\circ}34'58''$ West, along and with the west right-of-way line of said FM 2978, a distance of 1,294.24 feet to a point for the easterly southeast corner of the herein described tract and the northeast corner of Lot 1, Block 1 of said STRIPES - FM 2920, from which a 5/8 inch iron rod found bears South $80^{\circ}01'02''$ East, a distance of 0.45 feet;

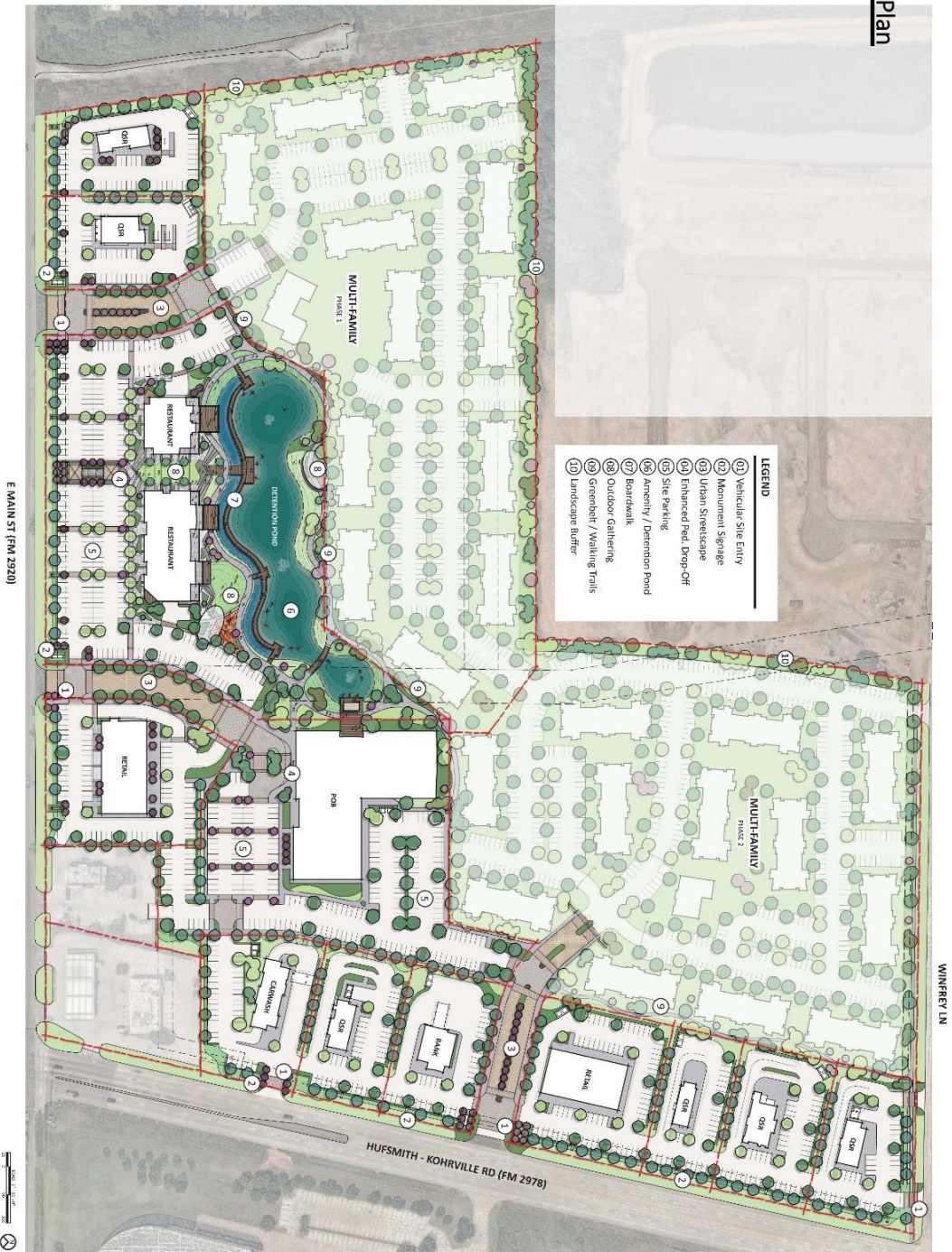
THENCE South $86^{\circ}40'43''$ West, a distance of 202.56 feet to an interior point for corner of the herein described, same being the northwest corner of Lot 1, Block 1 of said STRIPES - FM 2920, from which a mag nail found bears South $37^{\circ}44'10''$ West, a distance of 0.45 feet and from which a 5/8 inch iron rod with cap bears North $13^{\circ}46'46''$ West, a distance of 2.75 feet;

THENCE South $09^{\circ}35'15''$ West, a distance of 77.73 feet to a 5/8 inch iron rod with cap stamped "Core 6657" set for an exterior point for corner of the herein described tract, same being the northeast corner of said Restricted Reserve "A", lying in the west line of Lot 1, Block 1 of said STRIPES - FM 2920;

THENCE South $86^{\circ}40'43''$ West, a distance of 179.98 feet to a 5/8 inch iron rod found for an interior point for corner of the herein described tract, same being the northeast corner of said Lot 3;

THENCE South $03^{\circ}14'36''$ East, a distance of 197.39 feet to the POINT OF BEGINNING and containing a computed 48.449 acres (2,110,422 square feet) of land.

Exhibit F – Master Site Plan



Tomball Boardwalk Planned Development

Exhibit “F” Planned Development Regulations

TOMBALL BOARDWALK (FM2920 & FM2978 - PLANNED DEVELOPMENT - 2023)

Contents

- a. General Provisions
- b. Land Uses
- c. Permitted Uses
- d. Development Guidelines
- e. Landscape Standards
- f. Parking Lot Landscaping
- g. Buffering / Fencing
- h. Sidewalks and Trails
- i. Signage
- j. Minor Modifications
- k. Architectural Criteria
- l. Lighting
- m. Amenities
- n. Exhibits

a. General Provisions

This application was prepared on behalf of Newman Commercial Real Estate pursuant to the city of Tomball’s ordinances and is intended to meet or exceed the standards of those ordinances. Tomball Boardwalk represents a commercial mixed-use community that aims to add value for all landowners, users, and tenants. Developments are constantly evolving due to changing consumer expectations and public regulations. Typically, this evolution reflects changing market and regulatory conditions. Thus, it is important that there exists an overall set of policies and standards to provide a framework to help guide these changes. In an effort to protect and enhance property values by controlling the scale, design and compatibility of development, these Commercial Development Guidelines for new construction have been developed. The development of this site must be in strict compliance with all standards and exhibits referenced/attached hereto.

b. Land Uses

Tomball Boardwalk will be composed of multiple land uses that may include commercial, retail, office, recreational, multi family, etc. The final composition of the allowed land use shall be dictated by market conditions. The master plan (Site Exhibit F) for Tomball Boardwalk illustrates the mix of uses proposed and the potential for a variety of multi-family and commercial areas. The commercial and retail uses may incorporate several commercial reserves for larger retail and anchor stores and smaller pad sites for retail and restaurants.

If demanded by market conditions, the multi-family residential component acreage may increase or decrease within the overall PD in areas that provide adequate access (Limited to a 20% fluctuation in acreage from current designations per phase).

c. Permitted Uses

Any use permitted in the Multi-family Zoning (MF) City of Tomball Ordinances. Conditional uses permit (CUP) will require additional approval from the planning department. Refer to Tomball Ordinance Section 50-81 for approval process.

Any use permitted in the General Retail Zoning (GR) City of Tomball Ordinances. In addition, the following uses will be permitted as-of-right:

1. Eating establishment (with drive-in service)
2. Eating establishment (with drive-through service)
3. Quick-lube oil change
4. Automobile wash (self-service)

Conditional uses permit (CUP) will require additional approval from the planning department. Refer to Tomball Ordinance Section 50-81 for approval process.

d. Development Guidelines

Unless otherwise outlined in this document, the City of Tomball Ordinance shall govern regulations and requirements for this property. Any change to this document would necessitate a change to the Planned Development and would require either City Planner and / or Community Development Director approval for minor changes or Planning & Zoning commission / City Council approval for major changes.

Multi-family development

1. Lot standard

- a. Density (Units per acre), maximum: 26 Units per acre, 34 units per acre with the addition of carport or garage.
- b. Minimum lot area: 10 acres (Multi-family complex)
- c. Minimum lot width (ft): 120
- d. Minimum lot depth (ft): 200

2. Setbacks

- a. Minimum front yard setback (ft): 25 feet. 35 feet when adjacent to an arterial street.
- b. Minimum side street setback (ft): 15 feet. 25 feet when adjacent to an arterial street.
- c. Minimum side yard setback (ft): 5 feet. If adjacent to any of the following residential uses: single family, duplex, patio home, or single-family attached, then a minimum side yard shall be 100 feet between individual residential lot & multifamily structures. Where applicable, off-site & on-site existing pipeline & utility easements may apply toward buffer yards. Refer to exhibits A & B.
- d. Minimum rear yard setback (ft): 15 feet. If adjacent to any of the following residential uses: single family, duplex, patio home, or single-family attached, then a minimum rear yard shall be 100 feet between individual residential lot & multifamily structures. Where applicable, off-site & on-site existing pipeline & utility easements may apply toward buffer yards. Refer to exhibits A & B.
- e. Exceptions: Roof eaves and projected balconies may encroach any setback by a maximum of 5'.

3. Building Requirements

- a. Building height, maximum (ft): Four (4) stories or 60 feet.
- b. Building separation, minimum (ft): -One (1) story = 15 feet for building without openings. 20 feet with openings. See exhibit C below.
-Two (2) story = 20 feet for building without openings, 35 for building with openings.
-Three (3) and four (4) story = 35 feet for building with or without openings.
- c. Floor area per dwelling, minimum (ft): Efficiency unit: 500 sqft per unit
One-bedroom unit: 725 sqft per unit
Two or more bedroom: 800 sqft for the first two bedrooms, plus an additional 125 sqft for each additional bedroom
- d. Building lot coverage, maximum (ft): 50% maximum
- e. Impervious parking lot coverage: 50% maximum
- f. Total impervious improvements: 75% maximum (for independent lots/parcels/tracts) *

(Buildings, parking, sidewalks):

*On-site amenity pond, on-site recreation area, and remote detention pond areas are considered site-wide pervious cover, crediting all independent parcels proportionally.

Commercial development

1. Lot standard

- a. Minimum lot area (sq ft): 20,000
- b. Minimum lot width (ft): 100
- c. Minimum lot depth (ft): 200

2. Setbacks (When adjacent to an arterial public street)

- a. Minimum front yard setback: 25 feet. 35 feet when adjacent to an arterial street.
- b. Minimum side street setback: 15 feet, 25 feet when adjacent to an arterial street.
- c. Minimum side yard setback: 5 feet, 25 feet when adjacent to property zoned for single-family residential.
- d. Minimum rear yard setback: 15 feet

3. Building Requirements

- a. Building height: 70 feet
- b. Building floor area, maximum: 1:1 FAR
- c. Building lot coverage, maximum: 50%
- d. Impervious (surface lot) coverage, maximum: 85% (for independent lots/parcels/tracts) *
*On-site amenity pond, on-site recreation area, and remote detention pond areas are considered site-wide pervious cover, crediting all independent parcels proportionally.
- e. Outside storage lot coverage, maximum (sf): 5%

e. Landscaping Standards

- a. Green space / recreational areas: *Multi-family:* Area calculations inclusive of shared amenity pond & remote / dry detention. 50% of gross platted area shall be open green space and common recreational area.
Commercial: Enhanced landscape beds (plants, shrubs, groundcover, etc.) will be required where required trees are located. 10% of gross platted area shall be open green space and common recreational area. See exhibit F street scape sections.
- b. Landscape area minimum (sq ft): -Sites up to 20,000 sq ft = 5%.
-Sites of 20,000 sq ft to 200,000 = 7.5%.
-Sites over 200,000 sq ft = 10% of area not covered by building or structure.
- c. Street side landscape buffer: - 15-feet-wide along major throughfares (FM 2920 / E. Main. St & FM 2978 / Hufsmith Kohrville Rd)
- All boulevard entrances and other site entrances from FM 2920 & 2978 must be furnished with a minimum 5-foot-wide landscape strip and provide 1 large street tree every 30-linear foot of street frontage.
- d. Street trees, minimum: 1 large tree and 2 small trees for every 40-linear foot of street frontage

- e. Tree requirements, minimum (in addition to required street trees)
 - Sites less than 3,000 sqft = 3
 - Sites of 3,001 to 7,000 sqft = 4
 - Sites of 7,001 to 10,000 sqft = 5
 - Sites of 10,001 to 20,000 sqft = 6
 - Sites of 20,001 to 30,000 sqft = 7
 - Sites of 30,001 to 40,000 sqft = 8
 - Sites over 40,000 sqft = per 20,000 sqft = 3
- f. Parking lot trees, minimum:

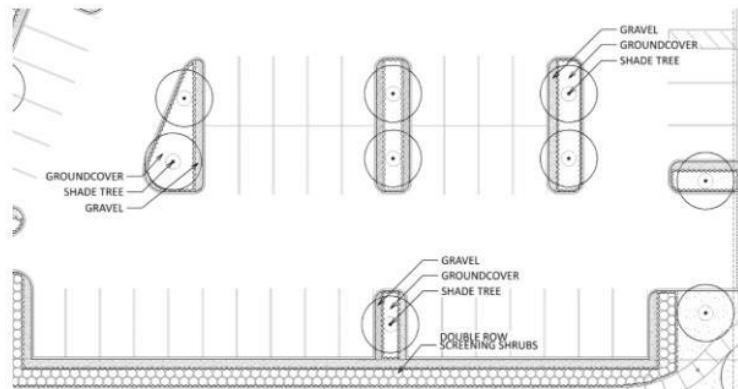
1 tree shall be planted in the parking area for every (10) parking spaces, for parking lots with more than 20 spaces. Enhanced landscape beds (plants, shrubs, groundcover, etc.) will be required where trees are located. See section F for more detail on parking lot landscape requirement.

f. Parking lot landscaping

Parking areas for pad sites must be connected to parking areas of adjacent parcels and structures with a connecting driveway. A continuous double hedge row of shrubs planted with triangular spacing along the parking lot boundary adjacent to a street (major throughfare, throughfare, boulevard entrance, etc.) is required. The shrubs shall be a minimum of five (5) gallon size of thirty-six (36") in height, planted thirty inches (30") on center and maintained at a uniform height of forty-two inches (42").

At areas where monument signage may be installed a temporary interruption in continuity (up to 20') may be warranted for signage visibility. One nine by nineteen-foot (9'x19') landscape island is required for every ten (10) parking spaces. Landscape Island may include a 6" perimeter concrete curb within the required 9'x19' area. Each island shall contain a minimum of one (1) three-inch (3") caliper canopy tree with the remaining planted area consisting of a low shrub or groundcover. An 18" strip of gravel contained by steel edging shall be located directly adjacent to any length of parking stall. No sod or hydromulch shall be permitted within the island extents. Each island corner shall consist of a three-foot (3') radius along the driving isle. Each bay of parking must be separated from the end drive aisles by a landscape island consisting of the required parking lot island landscaping. A typical parking lot planting scenario can be found below:

Parking lot landscape exhibit



g. Buffering / Fencing

An opaque screening wall not less than 7 feet nor more than 8 feet, shall be erected on the property line separating zoning district in the following cases:

1. When non-residential or multi-family use sides / backs up to a single-family, two-family, or residential PD district.
2. When commercial use is on a tract less than 15 acres and sides / back up to a multi-family district. Unless in special areas where visibility is encouraged.
3. When commercial or multi-family use is adjacent to a residential area, a 15-foot landscape buffer is required to be installed incorporating walking trails and site trees at a rate of 1 three-inch (3") tree per 40' of property boundary. Tree species will vary, including Oak, Pine, and low shrubs to gain vertical screening as illustrated in exhibit A and exhibit B.

Fencing material may be treated wood, masonry, reinforced concrete, or similar suitable materials without openings, unless in special areas where visibility is encouraged.

All refuse containers must be screened on three sides by a minimum 6-foot solid masonry wall and include an opaque metal gate.

h. Sidewalks and Trails

Sidewalks:

1. Minimum 5-foot-wide sidewalks shall be provided along either or both sides of local residential and collector streets. As illustrated in exhibit F – Streetscape.
2. Minimum 6-foot-wide multi-use paths/trails shall be included within the boundaries of this planned development, providing ample connectivity between residential, commercial and future land uses. As identified in exhibit G – Amenity Pond.
3. All sidewalks shall be paved with concrete for primary connections.

Connectivity:

1. All commercial and multi-family components must be interconnected with the overall site.
2. All building entries to be accessible via pedestrian pathways via public roads (FM 2920 / E. Main. St & FM 2978 / Hufsmith Kohrville Rd) or as required by the City of Tomball Ordinances.
3. Crosswalk will be strategically placed based on a final pedestrian sidewalk / trail plan.

Materials

1. Concrete or pavers recommended as primary sidewalk materials.
2. Special areas such as the amenity pond against the commercial retail, alternative materials allowed such as gravel, crushed granite, fiber cement decking to create a cohesive composition for a recreational area. As illustrated exhibit G – Amenity Pond.

i. Signage

Retail center developers shall be required to submit a comprehensive signage plan including all sign types for the center and pad sites. Every pad site is limited to one (1) single tenant or dual tenant monument sign, or one (1) monument sign every 150 linear feet. See exhibit D for a comprehensive signage site plan for proposed and monument signage designs. Front pads bordering access drives with access to rear tracts will be required to allocate a signage easement area against the access drive and the front property line for the rear users' signage see exhibit D for proposed location. No signage approval shall proceed without a comprehensive signage plan. All signage design must conform with the City of Tomball Ordinance. Where guidelines below conflict with City of Tomball regulations, the city code will govern.

All sign designs are subject to review and approval by the Developer. Detailed plans and specifications of any sign must be submitted for review prior to installation. All signs must be fabricated and installed in compliance with all applicable codes, ordinances, and local official approval.

Monument signs are to be located behind the street side landscape buffer (ten feet off the property line) and shall be authorized within City of Tomball public utility easements (encroachment agreement is likely necessary). Utility line location to be confirmed and maintained unobstructed. Refer to exhibit D and E for signage location and type.

In general, it is prohibited to use signage which by its location, size, shape, color, lighting, subject or sound, may be harmful to the appearance of the locality, public street, site, view, or constitute a threat to road traffic. Specifically prohibited signs include rotating, trailer, animated, oscillating, iridescent or dayglo painted signs, signs which make noise, incandescent or fluorescent illuminated signs, and laser lights. Also prohibited are "canned" signs constructed of a light box frame with a single panel backlit sign which includes the logo and sign copy applied to the building surface. Other prohibited signs include changeable message. Banners, flags, and single-pole signages are prohibited. Pylon signs, where approved per exhibit D, must have 2 poles and be clad to be architecturally cohesive w/ the development architecture. Balloons, streamers, pennants, bunting, search lights, signs with exposed or flashing lights, signs with moveable parts, or any other such fixtures or items deemed to be inconsistent with the intent of these Guidelines are prohibited. The use of exposed neon is discouraged and not acceptable in most cases subject to Developer approval.

Building mounted signs:

Tenants shall have signs designed as an integral element of the storefront design, with letter form size and location appropriately scaled and proportioned to the overall storefront design. All Tenant sign designs submitted to be subject to approval.

One building identifier will be permitted for each Tenant having an exterior public entrance. The maximum span of the Tenant's sign shall not exceed 75% of the store frontage width. Tenants with 5,000 square feet or less may have building signage not to exceed a maximum of 36" in height and tenants in a lease space greater than 5,000 feet may have signage up to 48" tall. For spaces larger than 10,000 square feet, the signs must be an integral part of the store front design, with letter size and location appropriately scaled and proportioned to the overall store front design. The information on the sign will consist of the name of the Tenant in a typeface of their choice. The use of pictorial logos or symbols may be considered for nationally recognized tenant's trademarked logos. The message will typically appear as one horizontal line of copy. Two lines are allowed if the tenant's name will not fit on one line.

j. Minor Modifications

The following minor modifications of the PD are allowed provided that such modifications shall be reviewed for compliance with the applicable City of Tomball Ordinances, and this approved by the City Planner or Community Development Director.

1. Modifications to internal street patterns are allowed.
2. Modifications to the location of land use provide that such relocations meet the minimum area and land use regulations set forth within this document.
3. Modifications to lot sizes / property line locations are allowed provided that such lots shall meet the minimum area regulations set forth in this document.
4. Modifications to the total acreage provided for each land use set for in the site exhibit area allowed. If needed signage location can be revised following the standard from this document.
5. Boardwalk/Restaurant Patio area site plan design shows a general intent to enhance the pedestrian & restaurant customer experience with programmed amenities to further engage the edge condition of the amenity pond with place-making, interactive/engaging amenity elements. Within that broad goal, the specific concept design may evolve & change from what is currently included in this document with something greater or equal in quality.

k. Architectural Criteria

These recommendations and standards are meant to foster a sense of design continuity that creates a sense of place in the master planned mixed-use land development. The following Architectural Criteria is intended to make the building designer aware of the architectural context, not to inhibit or limit unique design.

1. Building façade criteria and features:
 - a. Building facades shall include offsets, changes in building materials, colors, textures, and architectural detailing that creates shade and cast shadows.
 - b. facades greater than 100 feet in length shall incorporate offsets having a minimum depth of at least 2 feet and extending at least 20% of the length of the façade. No uninterrupted length of a façade shall exceed 100 feet. This Regulation applies to all building facades within the PD except for the building rear façade.
 - c. Canopies, arcades, or recessed entries shall be provided at pedestrian entrances to the building. Canopies and arcades shall be structural extensions of the building and cover a ground area of at least 20 feet. A recessed entry shall be at least 40 square feet in size.
 - d. The front façade of the multi-tenant retail building facing FM2920 and facing FM2978 shall be at least 60% transparent by means of storefronts, entrances, and display windows.
 - e. Facades of all buildings within the PD shall be of similar architectural design, colors, and materials.
 - f. The developer or city planner may approve alternative canopy or façade treatments not specified herein if equal or better than a specified requirement in quality, durability, and appearance and the use thereof will not violate any provision of this article.
 - g. Columns should be simple in form and are encouraged to appear as raw materials such as steel & concrete. No ornate trim or capitals around columns.
 - h. All rooftop equipment shall be screened so as not to be visible from the finished elevation of the parking area and common amenity space.
2. Building façade finishes and materials:
 - a. Usage of raw materials & finishes are encouraged (exposed steel (painted), architectural steel, metal cladding, aluminum, composite aluminum panels, corten steel, decorative CMU (Concrete Masonry Unit) blocks, brick masonry, concrete (raw, board-formed, or form-liner concrete) wood, fiber cement).
 - b. A consistent palette of materials appropriate to the regional context should be employed for exterior materials. A range of natural earth tones is recommended.
 - c. Accent colors and/or painted graphics/art may be permitted when deemed to add value to overall project and community aesthetic.
 - d. Prior to plan submittal, ALL building elevation/material plans will be subject to final review/approval by the developer and/or representative authorized to act on behalf of the developer in accordance with applicable restrictions.

The photos provided below are examples for massing, scale, proportion, and building materials to aid in understanding the intended community style. The following photos reflect the broad architectural style meant to be expressed and not one single image captures the exact look.

The multifamily architectural design style must be compatible with the design intent for the overall project. Multifamily developer will present building designs to the City Council at a future date.

Restaurant/Boardwalk - style inspiration



Multi-family – style inspiration



Multi-tenant retail & Pad retail – style inspiration



l. Lighting

This planned development provides recommendations for a coordinated family of site lighting and materials for use in Tomball Boardwalk. Parking lot lighting must be designed in an attempt to maximize pedestrian and vehicular safety and in accordance with Illuminating Engineering Society of North America (IESNA) recommended standards. Additionally, parking lighting should be shielded with sharp cut-off in order to promote “dark sky” concepts and limit intrusion into adjacent properties and on a house meter. Photometric calculations and drawing documentation are required for each project assuring minimal light trespass into or onto adjacent properties and the sky-dome. All light fixtures must LED or low-energy / high efficiency and to be submitted with cut sheets for developer approval.

Parking Lot Lights:

Color – Black or dark bronze, complimenting metal trims selections in development.

Pole Height – ±25'

Base – ±3' tall concrete base

Additional lighting specifications must be provided per photometric study and site-specific design needs.

m. Amenities

The following amenities are required within the common amenity pond area:

1. Detention pond / amenity pond. The development will be anchored by the enhanced detention amenity pond with up to three (3) water fountains, observation decks and at least one (1) wood or similar material pedestrian bridge.
2. Pedestrian pathway constructed of concrete or pavers (minimum of 5 feet in width) connecting the different tracts to the amenity pond area.
3. Shade structures (minimum 2), along pedestrian pathways.

- 4. Designated public plaza courtyard covered, with architectural concrete or pavers. Surrounding restaurant patio areas and boardwalk frontage.
- 5. Furniture, such as benches and / or low masonry seating walls.
- 6. Open lawn / picnic area.
- 7. Kids playground area / playscape.

n. Exhibits

Exhibit A / Section A illustrates the northwest boundary parallel to FM2920 abutting the single-family project accounting all the easements, building lines and boundaries location to show a worst-case scenario of the building's proximity.

A 35' building line will be enough to accommodate 115' between the structures. See exhibit C for master site plan layout.

Exhibit A – Building separation (Section A – See exhibit C)

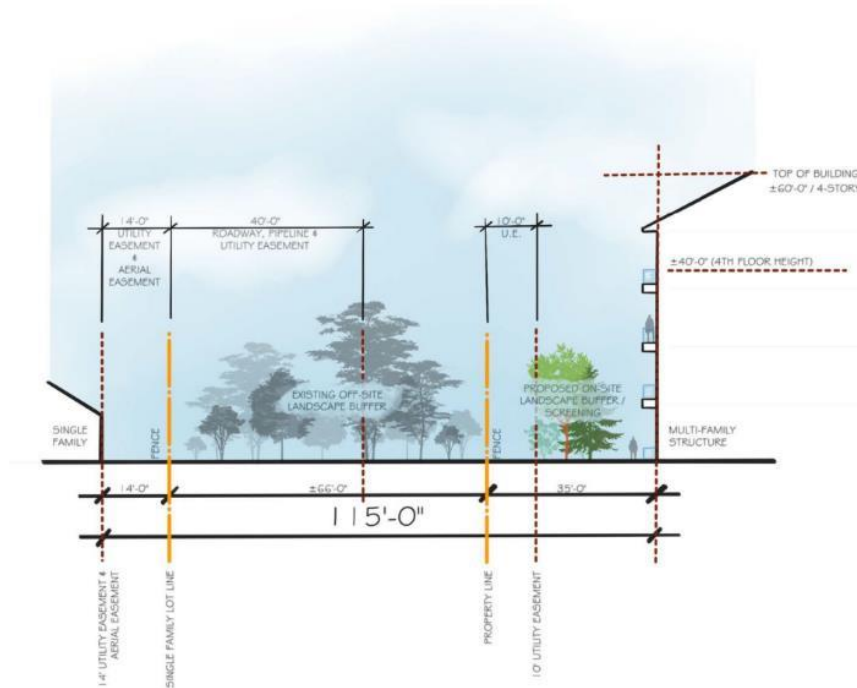


Exhibit B / Section B illustrates the northwest boundary parallel to FM2978 abutting the single-family project accounting all the easements, landscape setbacks, parking layout and boundary location to show a worst-case scenario of the building's proximities.

This section displays the worst-case scenario where the property pinches showing a 114'-6" separation going up to ±200' in building's separation.

Exhibit B – Building separation (Section B – See exhibit C)

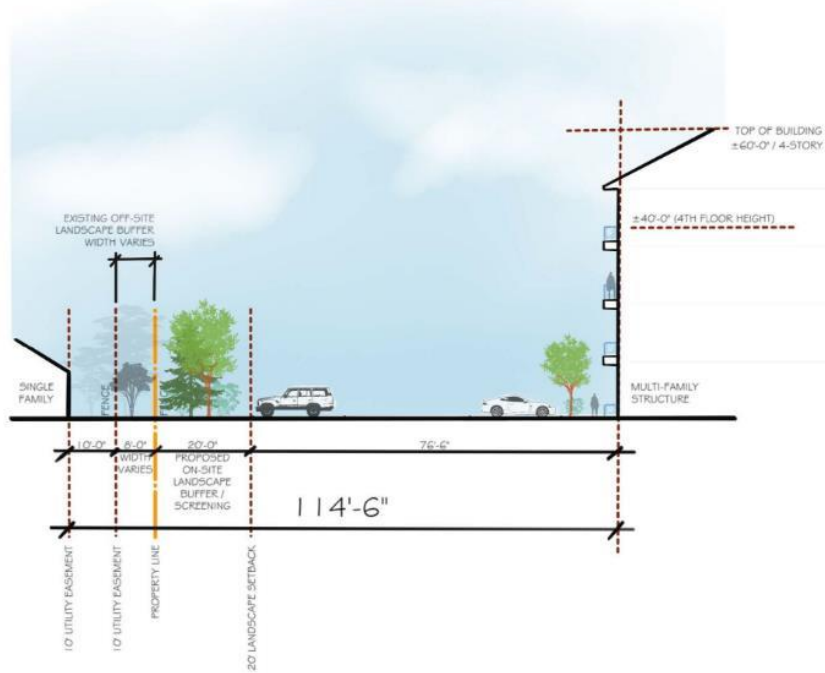


Exhibit C – Proposed Uses
 Zoning diagram illustrate the uses for project and building locations.



Exhibit D – Signage Location

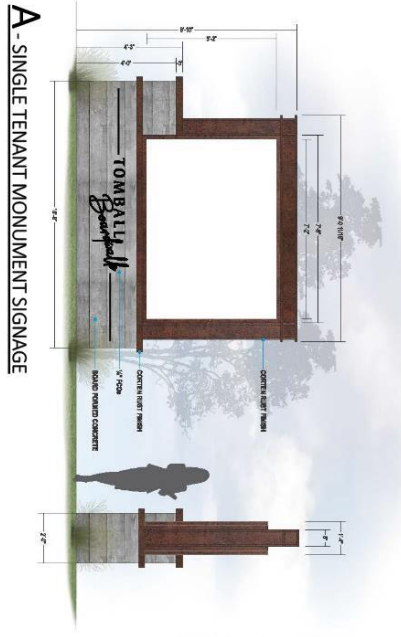
Overall master site exhibit proximate location and type for monument signage.

See exhibit C for monument signage type, shape, colors and materials

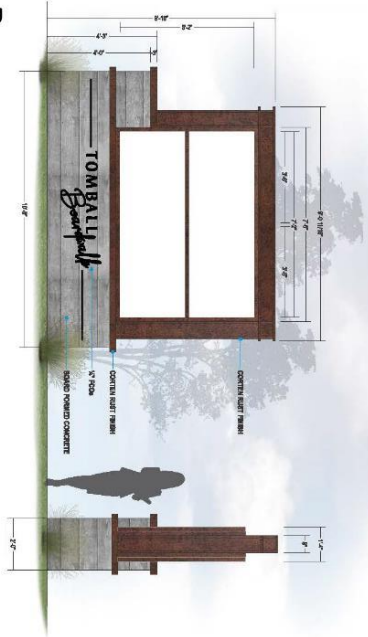


Exhibit E – Signage Type

The purpose of this section is to create a graphic environment that is individual and distinctive in identity for tenants and that is also compatible with other signs within the development. The concept should give an impression of quality, professionalism, and instill a good business image. Lettering shall be well proportioned and its design, spacing, and legibility shall be major criteria for approval.



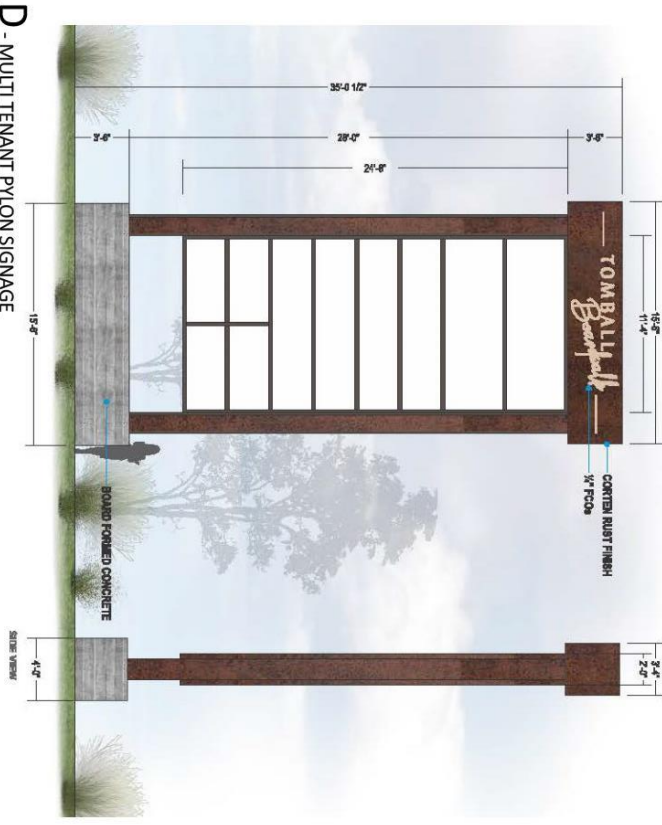
A - SINGLE TENANT MONUMENT SIGNAGE



B - DUAL TENANT MONUMENT SIGNAGE

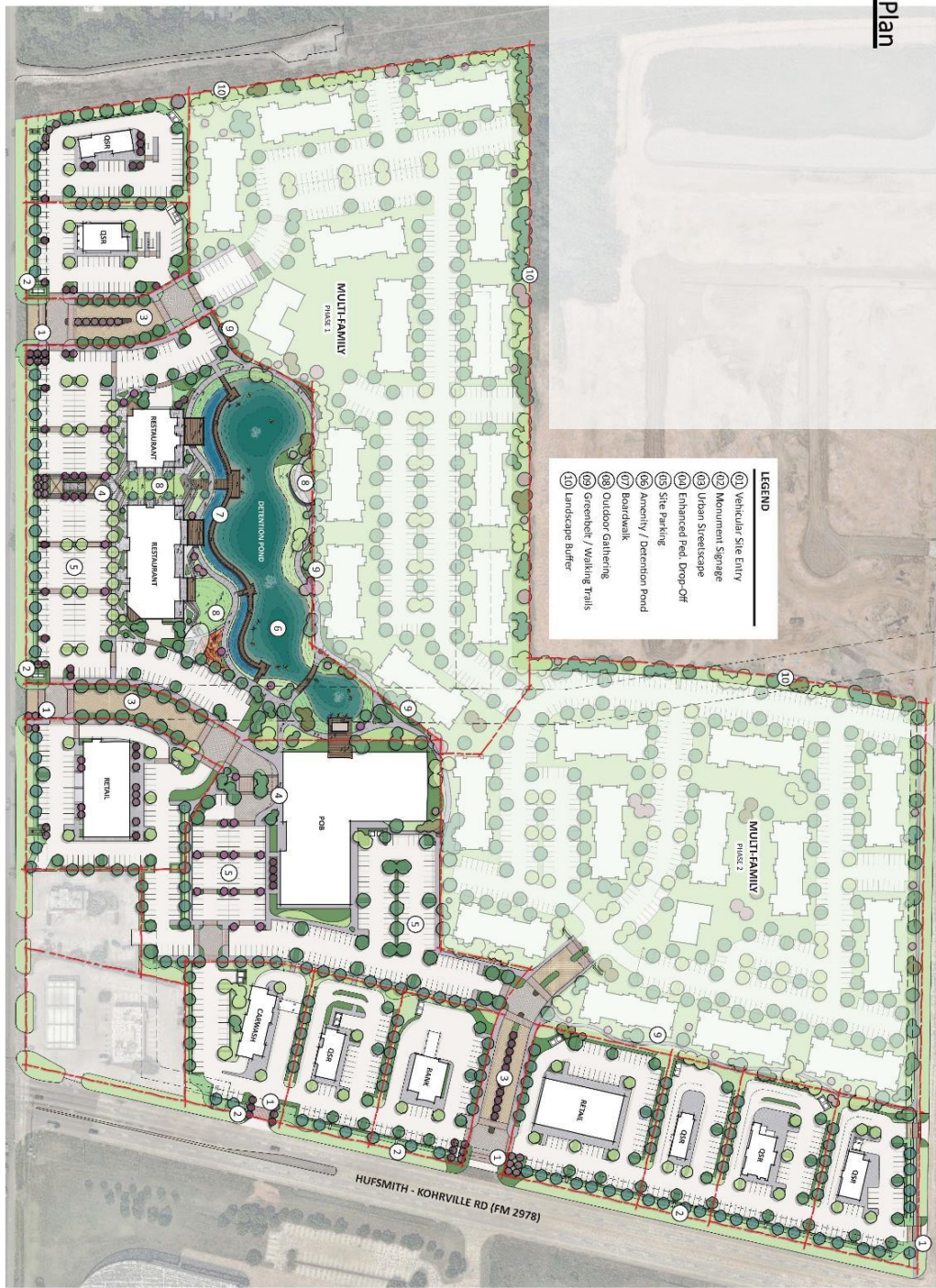


C - MULTI TENANT MONUMENT SIGNAGE



D - MULTI TENANT PYLON SIGNAGE

Exhibit F – Master Site Plan



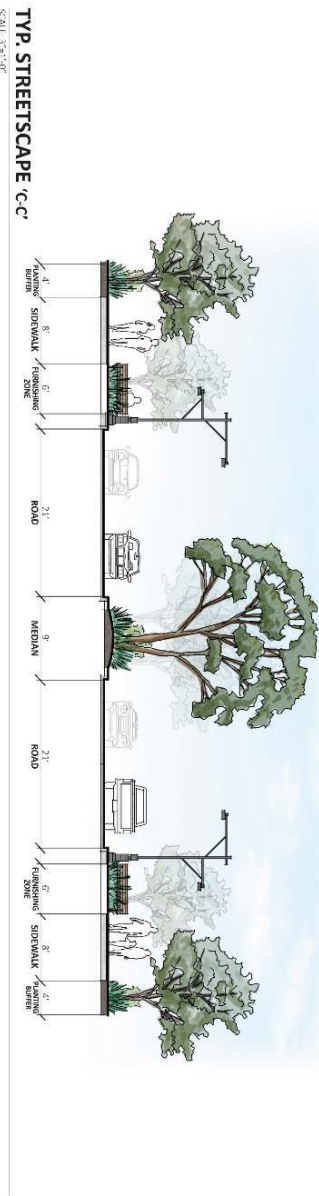
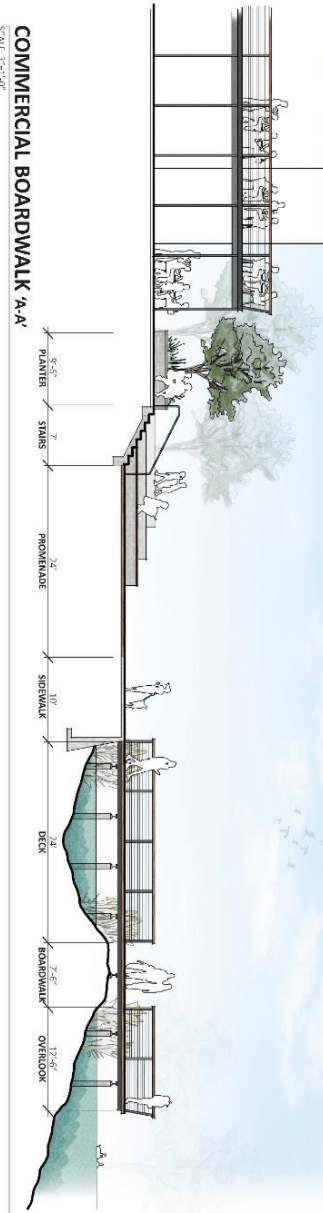
Tomball Boardwalk Planned Development

Exhibit G – Amenity Pond



Tomball Boardwalk Planned Development

Exhibit H – Sections



Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: August 14, 2023

Topic:

Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-11**: Request by ISIDROWS, LLC on behalf of Wendy Lynn Dixon to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.

Background:

The subject property encompasses two single family residences. The applicant’s request is to rezone the subject property to Light Industrial (LI) to allow office/warehouse uses.

Origination: ISIDROWS, LLC on behalf of Wendy Lynn Dixon

Recommendation:

Staff recommends approval of **Zoning Case Z23-11**.

Party(ies) responsible for placing this item on agenda: Jared Smith (City Planner)

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account: # _____ To Account: # _____

Signed: _____ **Approved by:** _____
Staff Member Date City Manager Date

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
AUGUST 14, 2023
&
CITY COUNCIL
AUGUST 21, 2023**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, August 14, 2023 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, August 21, 2023 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

Zoning Case Z23-10: Request by Nathan T. Newman on behalf of NTN Tomball Corner, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 56.1 acres of land legally described as Lot 1 & Lot 3 of Reserve at Tomball, and Lot 2 of Reserve at Tomball Partial Replat No. 1 from Single-Family 9 (SF-9) and Commercial (C) to Planned Development (PD) zoning. The property is generally located at the northwest corner of FM 2978 and FM 2920, within the City of Tomball, Harris County, Texas.

Zoning Case Z23-11: Request by ISIDROWS, LLC on behalf of Wendy Lynn Dixon to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Administrative Services Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Jared Smith, at (281) 290-1491 or at jasmith@tomballtx.gov.

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 11th day of August 2023 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith
Jared Smith
City Planner

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.tomballtx.gov.



City of Tomball
Community Development Department

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z23-11

7/24/2023

The Planning & Zoning Commission will hold a public hearing on **August 14, 2023 at 6:00 PM**, in City Council Chambers at City Hall, 401 Market Street, Tomball, Texas to recommend approval or denial to City Council on a request by ISIDROWS, LLC on behalf of Wendy Lynn Dixon to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 10 acres of land legally described as being part of Lots 372 & 373 of Tomball Outlots from Single-Family 20 Estate (SF-20-E) to Light Industrial (LI) zoning. The property is generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only that area which is bounded by the cross-hatched line on the map is being considered for **rezoning**. The solid boundary line around the subject area is only a notification area. All owners of property within 300-feet of the subject property are required to be notified. Whether approved or denied by the Planning & Zoning Commission, this case will be heard by City Council for First Reading with public hearing on **August 21, 2023 at 6:00 PM** in City Council Chambers at City Hall, 401 Market Street, Tomball, Texas.

If you have any questions, please contact Jared Smith, City Planner at telephone 281-290-1491 or by email address jasmith@tomballtx.gov

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.

CASE #: Z23-11

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name:
Parcel I.D.:
Address:

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

Signature: _____



City of Tomball
Community Development Department

Z23-11

 **Notification Map**



For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.

CASE #: Z23-11

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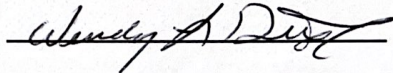
Name: DIXON WENDY LYNN
Parcel I.D.: 0352920000372
Address: 1523 S PERSIMMON ST

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

Signature: 

501 James Street • TOMBALL, TEXAS 77375

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.


CASE #: Z23-11

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.


Name: WILKERSON MELODY
Parcel I.D.: 0352920000521
Address: 21803 HUFSMITH KOHRVILLE RD

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments: 

I am opposed

Signature: 

501 James Street • TOMBALL, TEXAS 77375

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.

CASE #: Z23-11

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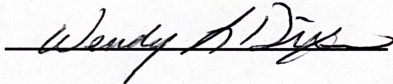
Name: EAGLEMAN ARTHUR T & KATIE
Parcel I.D.: 0352920000528
Address: 1523 S PERSIMMON ST

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

Signature: 

501 James Street • TOMBALL, TEXAS 77375

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.

CASE #: Z23-11

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: CASE JAMES & PATRICIA
Parcel I.D.: 1212190000001
Address: 1514 S PERSIMMON ST

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor

I am opposed

Additional Comments:

Signature: Patricia Case

501 James Street • TOMBALL, TEXAS 77375

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.

CASE #: Z23-11

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Name: CASE JAMES & PATRICIA
Parcel I.D.: 0352880000289
Address: 1514 S PERSIMMON ST

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

Signature: James Case

501 James Street • TOMBALL, TEXAS 77375

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1491 if you have any questions about this notice.


CASE #: Z23-11

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Mailing To: Community Development Department
501 James St., Tomball TX 77375

Name: WILMOTH JAMES ESTATE OF
Parcel I.D.: 0352920000134
Address: 21801 HUFSMITH KOHRVILLE RD

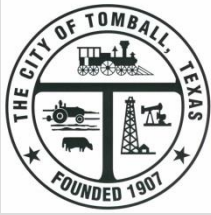
Email: jasmith@tomballtx.gov

I am in favor
Additional Comments: 

I am opposed

Signature: 

501 James Street • TOMBALL, TEXAS 77375



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: August 14, 2023
City Council Public Hearing Date: August 21, 2023

- Rezoning Case:** Z23-11
- Property Owner(s):** Wendy Lynn Dixon
- Applicant(s):** ISIDROWS, LLC
- Legal Description:** Lots 372 & 373 of Tomball Outlots
- Location:** Generally located within the 1500 block (east side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas. (Exhibit “A”)
- Area:** 10 acres (approximately)
- Comp Plan Designation:** Business Park and Industrial (Exhibit “B”)
- Present Zoning:** Single Family Residential Estate – 20 (SF-20-E) (Exhibit “C”)
- Request:** Rezone from Single Family Residential Estate – 20 (SF-20-E) to Light Industrial (LI)

Adjacent Zoning & Land Uses:

- North:** Single Family Residential Estate – 20 (SF-20-E)/Single Family Residence with Agricultural Exemption
- South:** Single Family Residential Estate – 20 (SF-20-E)/Single Family Residence with Agricultural Exemption
- West:** S. Persimmon Street, Single Family Residential Estate – 20 (SF-20-E)/ Vacant Land with Agricultural Exemption
- East:** Single Family Residential Estate – 20 (SF-20-E)/Single Family Residence with Agricultural Exemption

BACKGROUND

The subject property encompasses two single family residences. The applicant’s request is to rezone the subject property to Light Industrial (LI) to allow office/warehouse uses.

ANALYSIS

Description: The subject property comprises about 10 acres, generally located within the 1500 block (east side) of S. Persimmon Street. Currently the subject property is zoned SF-20-E and has been within this zoning classification since the City of Tomball adopted zoning in 2008. Parcels on the north, south, and east of the subject property are zoned SF-20-E and contain single family residences (homestead). The property west of S. Persimmon Street is zoned SF-20-E and is vacant.

Comprehensive Plan Recommendation:

The subject property is designated as Business Park and Industrial by the Comprehensive Plan's Future Land Use Map (FLUM). This category is intended to be located near adequate thoroughfares which provide convenient access for vehicular traffic including freight. Recommended land uses include office, warehousing, light manufacturing (with indoor operations), breweries/distilleries, equipment sales, contractor services, and corporate campuses. Recommended secondary uses are utility services, government facilities, and transportation/freight uses. Recommended zoning categories are Light Industrial (LI), Commercial (C), Office (O), and Planned Development (PD).

The proposed zoning category of LI is in conformance with the Comprehensive Plan recommendation.

Staff Review Comments:

The request to rezone the subject property to Light Industrial is in direct alignment with the goals and objectives of the Comprehensive Plan and specifically the Future Land Use Plan map's objective of establishing the "Business Park & Industrial" land use category for this area. Given the proximity of the subject property to the existing Tomball Business and Technology Park to the south, rezoning to Light Industrial will also promote the Comprehensive Plans goal of encouraging the continued growth and development of business parks and corporate campuses in Tomball. Finally, the subject property is located along a minor arterial street (S. Persimmon St.) and is near the intersection of this minor arterial and an existing major arterial street (Medical Complex Drive). Major thoroughfares such as these are routinely considered appropriate to carry large volumes of traffic. These thoroughfares are also designed to accommodate the large vehicles and freight traffic that the planned warehouse use may generate.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site were mailed notification of this proposal on July 26, 2023. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case Z23-11.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan

- C. Zoning Map
- D. Site Photo(s)
- E. Rezoning Application

Exhibit "A"
Aerial Location Map

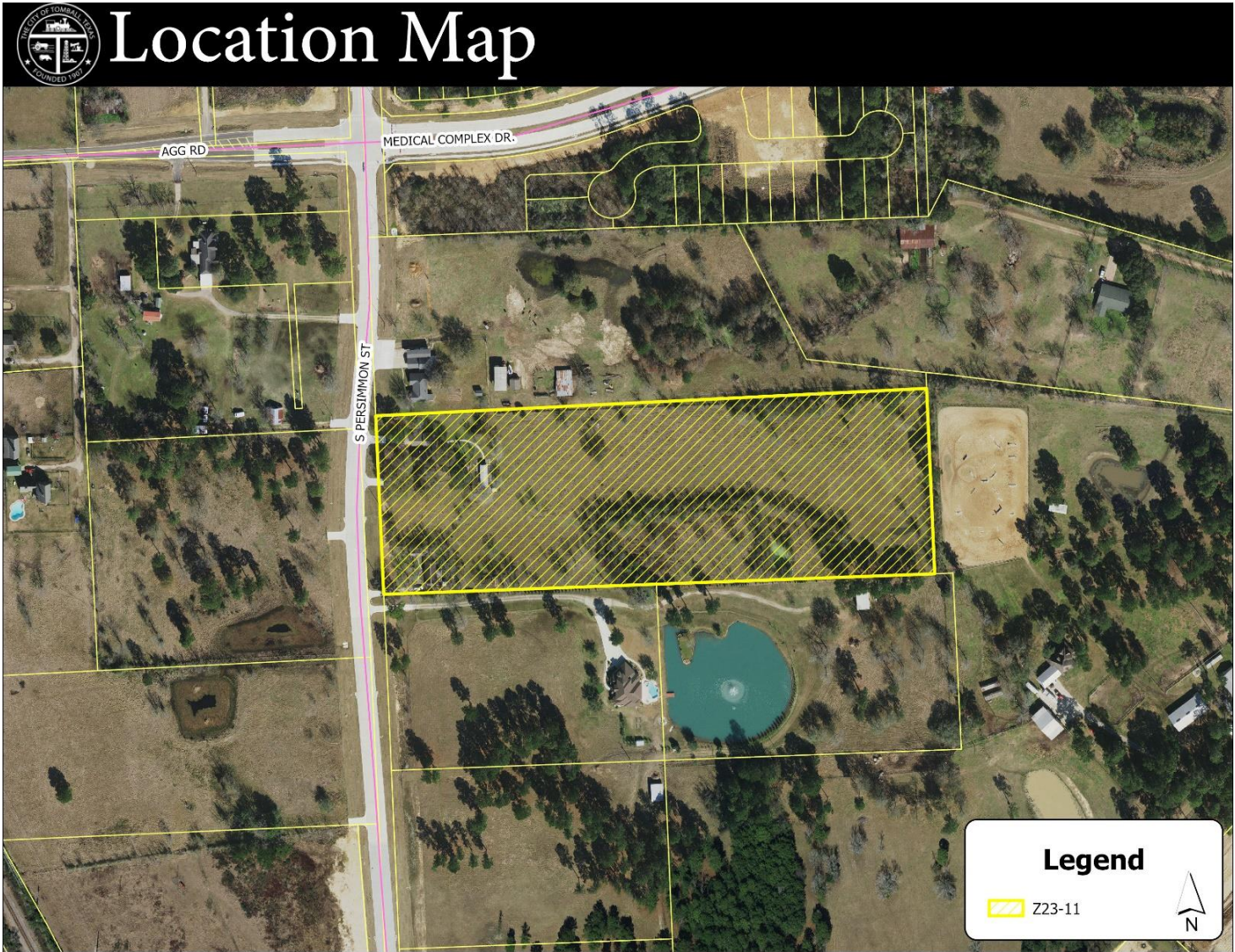


Exhibit "B"
Future Land Use Plan



Future Land Use Map

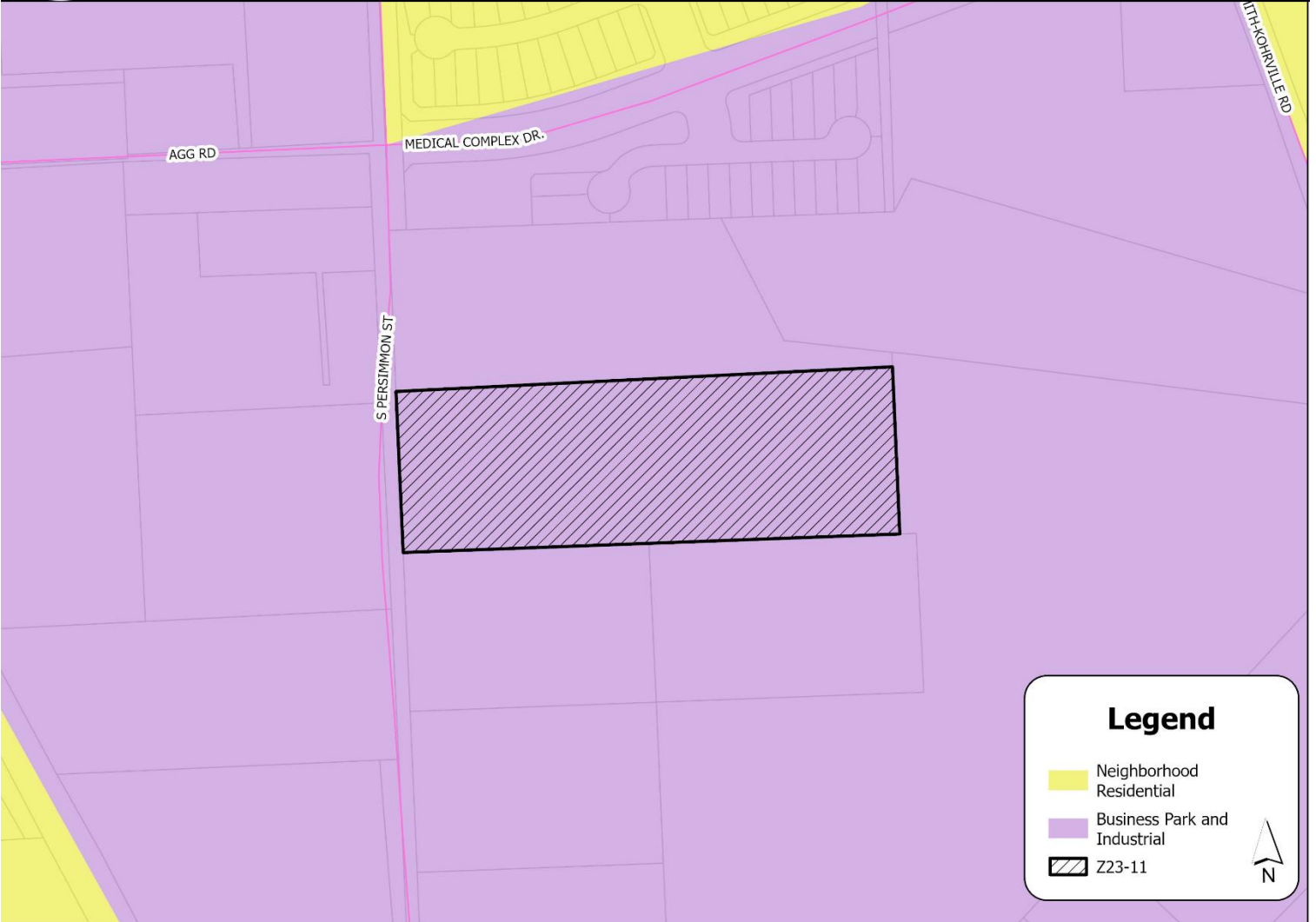
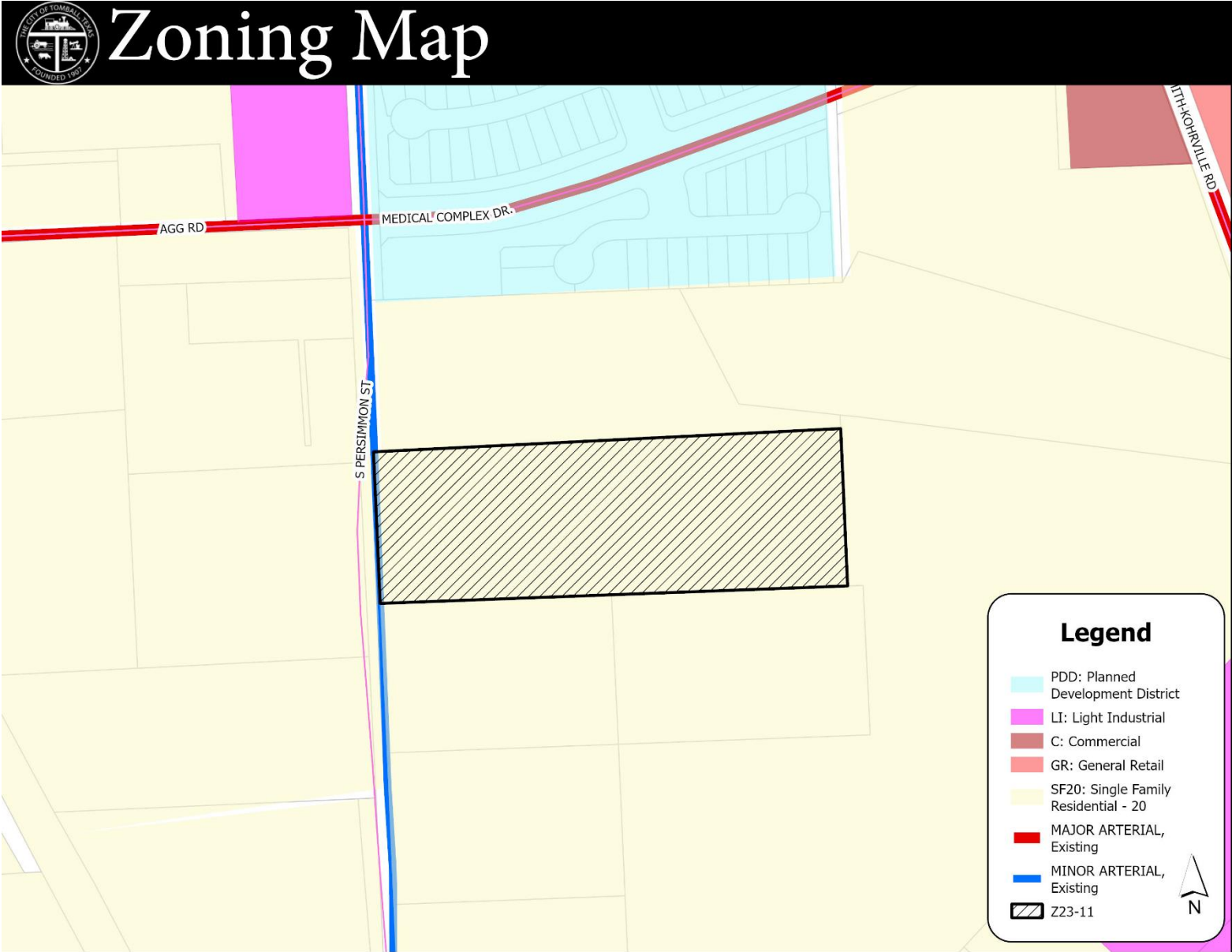


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo(s)**

Subject Site



Neighbor (West)



Neighbor (East)

Item E.3



Neighbor (North)



Neighbor (South)



Exhibit "E" Rezoning Application

Revised: 10/1/2022



APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION REQUIREMENTS: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

There is a \$1,000.00 application fee that must be paid at time of submission or the application will not be processed.

DIGITAL PLAN SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY IN A SINGLE PDF BY FOLLOWING THE WEBSITE BELOW:

WEBSITE: tomballtx.gov/secure/send
USERNAME: tombalcedd
PASSWORD: Tomball

Applicant

Name: ISIDROWS LLC Title: _____
Mailing Address: 1808 SNAKE RIVER ROAD STE. A KATY State: TX
Zip: 77449 Contact: MARGOS PATRONELLI
Phone: (346) 507-9154 Email: isidrowsllc@gmail.com

Owner

Name: WENDY LYNN DIXON Title: _____
Mailing Address: 1523 S PERSIMMON ST City: TOMBALL State: TX
Zip: 77375 Contact: WENDY LYNN DIXON
Phone: (417) 274-4622 Email: wldixon@richardsschool.k12.mo.us

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____ Contact: _____
Phone: () _____ Fax: () _____ Email: _____

Description of Proposed Project: OFFICE WAREHOUSE

Physical Location of Property: 1523 S PERSIMMON ST, TOMBALL TX
[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: PT LTS 372 & 373 (HOMESITE) TOMBALL OUT LOTS
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: RESIDENTIAL USE

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Revised: 10/1/2022

Current Use of Property: RESIDENTIAL
Proposed Zoning District: LIGHT INDUSTRIAL
Proposed Use of Property: OFFICE WAREHOUSE
HCAD Identification Number: 035-292-000-0372 Acreage: 10 ACRES

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

X [Signature] 06-28-2023
Signature of Applicant Date
X _____
Signature of Owner Date

Revised: 10/1/2022

Submittal Requirements

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

- **Application Fee: \$1,000.00**
- **Completed application form**
- ***Copy of Recorded/Final Plat**
- **Letter stating reason for request and issues relating to request**
- **Conceptual Site Plan (if applicable)**
- **Metes & Bounds of property**
- **Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below:**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

***Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an unplatted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Scanned with CamScanner

Revised: 10/1/2022

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (300) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

FAILURE TO APPEAR: It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.

3
Deed
w

RP-2017-407706
09/15/2017 RP1 \$24.00

TRANSFER ON DEATH DEED

Date: _____

PROPERTY OWNER MAKING DEED: ARTHUR THOMAS EAGLEMAN

MAILING ADDRESS OF PROPERTY OWNER: 1523 S. PERSIMMON ST.
Tomball TX 77375

Legal Description of Property: SEE ATTACHMENT "A"

Primary Beneficiary THOMAS EDWARD EAGLEMAN
Is Surviving Spouse son: I am not married or I am married to NA
and I want all of my interest in this property to become their/her/his property upon my death.

Primary Beneficiary's Mailing Address: 2815 HARD ROCK CIRCLE
BRYAN, TX 77807

Alternate Beneficiaries: If the primary beneficiary dies before me, I want following named person(s) to own my property upon my death: These persons are my children: MY DAUGHTER

WENDY LYNN DIXON, in equal shares, etc 1cc
share and share alike. etc

Alternate Beneficiary's Mailing Address: 5041 ST. RT. CC
WEST PLAINS, MO 65775

TRANSFER ON DEATH: At my death, I convey and give to the primary beneficiary, THOMAS EDWARD EAGLEMAN all of my interest in the property described above, to have and hold forever. If my primary beneficiary dies before I do, then I Grant, Give and Convey to the listed and named alternate beneficiaries, all my interest in the property to Have and Hold forever, in equal shares, share and share alike.

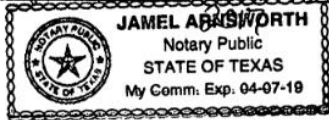
Signature of Property Owner: Arthur Thomas Eagelman 10R
ARTHUR THOMAS EAGLEMAN

RP-2017-407706

Sept. 14, 2017
Date

THE STATE OF TEXAS)
COUNTY OF HARRIS)

This instrument was acknowledged before me on this 14th day of September, 2016 by Arthur Thomas Eggleman.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

ARTHUR THOMAS EGGLEMAN ✓
1523 S. PERSIMMON ST.
TOMBALL, TX 77375

RP-2017-407706

UNOFFICIAL COPY

2 of 3

ATTACHMENT "A"

the following described property located in the County of Harris, State OF TEXAS.

Ten (10) acres of land, more or less, consisting of all of Tract 372 and 373, of the Tomball Townsite Five-Acre Outlots, according to the map or plat thereof, recorded in Vol. 2, Page 65, Map Records, Harris County, Texas, reference to same being more particularly made for all purposes, said 10 acres, more or less, being more particularly described by metes and bounds as follows, to-wit:

D

COMMENCING at an iron pipe found marking the Southeast corner of said Outlot 373, in the West right-of-way line of 30 foot wide dedicated roadway, as per map recorded in Vol. 2, Page 65, Harris County Map Records;

THENCE South 89 deg. 43 min. West, along the south line of Outlot 373 and then the South line of Outlot 372, a distance of 1172.10 feet to an iron rod found marking the Southwest corner of said Outlot 372, on the center line of 60 foot wide public roadway;

THENCE North 0 deg. 02 min. East, along said center line, a distance of 377.60 feet to an iron rod found marking the Northwest corner of said Outlot 372;

THENCE North 89 deg. 43 min. East, along the North line of Outlot 372, and then the North line of Outlot 373, a distance of 1172.10 feet, to an iron rod found marking the Northeast corner of said Outlot 373, on the West line of said 30 foot public roadway;

THENCE South 0 deg. 02 min. West, along said line, a distance of 377.60 feet to the PLACE OF BEGINNING, containing 10 acres of land, more or less.

RP-2017-407706

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED FOR RECORD

10:56:05 AM

Friday, September 15, 2017

Stan Stewart

COUNTY CLERK, HARRIS COUNTY, TEXAS

RP-2017-407706

UNOFFICIAL COPY

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED; in the Official Public Records of Real Property of Harris County Texas

Friday, September 15, 2017



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS