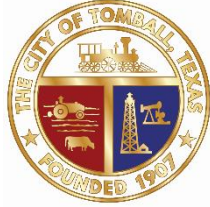


**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR  
MEETING  
CITY OF TOMBALL, TEXAS**



**Monday, June 12, 2023  
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, June 12, 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 May 8, 2023.
- 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.
- 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.

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.

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.

G. 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 9th day of June 2022 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](http://www.ci.tomball.tx.us).

# Planning & Zoning Commission Meeting Agenda Item Data Sheet

Meeting Date: June 12, 2023

**Topic:**  
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 8, 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, MAY 8, 2023**



**6:00 P.M.**

A. The meeting was Called to Order by Chairwoman Tague at 6:00 p.m. Other Members present were:

- Commissioner Tana Ross
- Commissioner Scott Moore
- Commissioner Susan Harris
- Commissioner Richard Anderson

Others present:

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

**draft**

**A.1 Election Vice Chairman**

Commissioner Anderson nominated Tana Ross as Vice Chair.

Chairwoman Tague nominated Susan Harris as Vice Chair.

Motion was made by Commissioner Moore, second by Commissioner Anderson, to approve the nominations for Vice Chairman.

Roll call vote was called by Commission Secretary Kim Chandler.

Chair Tague	<u>Susan Harris</u>
Commissioner Harris	<u>Susan Harris</u>
Commissioner Ross	<u>Tana Ross</u>
Commissioner Moore	<u>Susan Harris</u>
Commissioner Anderson	<u>Tana Ross</u>

Motion approved to appoint Commission Harris as Vice Chairwoman (3 Votes Harris, 2 Votes Ross).

B. No Public Comments were received.

C. Reports and Announcements:

- Nathan Dietrich, Community Development Director, announced the following:
  - Staff and City Council discussed the City of Tomball Noise Ordinance regarding the scheduling of an upcoming workshop for possible changes.
  - Seven Oaks and Winfrey Estates Subdivisions moving forward to begin building New Single Family Residential Homes in the next couple of months.

D. Approval of Minutes:

- D1. Motion was made by Commissioner Ross, second by Commissioner Moore, to approve the Revised Minutes of the Regular Planning and Zoning Commission Meeting of March 13, 2023 to include conditions outlined by staff.

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

Motion Carried unanimously.

- D2. Motion was made by Commissioner Harris, second by Commissioner Anderson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of April 10, 2023.

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

Motion Carried unanimously.

B. New Business Non-Action Items:

- E.1 Minor Plat of **GARZA RANCH:** Being a subdivision of 4.3321 acres of land situated in the Joseph House Survey, Abstract 34, City of Tomball, Harris County, Texas.
- E.2 Minor Plat of **MEDICAL COMPLEX AT HUFSMITH KOHRVILLE:** A subdivision of 1.8379 acre tract, (80,060.00 Square Feet), being a replat of Reserve “C” of Calvary Baptist of Tomball Subdivision as recorded in Film Code No.520133, Harris County Map Records, situated in the Jesse Pruitt Survey, A-629, City of Tomball, Harris County, Texas.

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

C. New Business:

C.1 Conduct a Public Hearing and consideration to approve **Zoning Case Z23-04**: Request by Rosehill Estates, LLC represented by George Jarquesy 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.

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

George Jarquesy, representing Rosehill Estates, LLC, (1820 S. Cherry Street, Tomball, TX 77375), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:14 p.m.

Hearing no comments, the Public Hearing was closed at 7:16 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve **Zoning Case Z23-04**.

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

Vote was as follows:

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

Motion Carried Unanimously.

C.2 Conduct a Public Hearing and consideration to approve **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.

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

Patrick Rummel, Engineer representing Mike Matheson, (14111 Kimberley Ln., Houston, TX 77079), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:24 p.m.

Hearing no comments, the Public Hearing was closed at 6:25 p.m.

Motion was made by Commissioner Moore, second by Commissioner Anderson, to approve **Zoning Case Z23-06.**

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

Vote was as follows:

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

Motion Carried Unanimously.

C3 Conduct a Public Hearing and consideration to approve **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.

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

Chris Campbell, (26402 I-45, Spring, TX 77386), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:34 p.m.

Hearing no comments, the Public Hearing was closed at 6:35 p.m.

Motion was made by Commissioner Moore, second by Commissioner Anderson, to approve **Zoning Case Z23-03.**

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

Vote was as follows:

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

Motion Failed (1 Vote Aye, 4 Votes Nay).

C4 Conduct a Public Hearing and consideration to approve **Case CUP23-03**: Request by Chris & Tiona Campbell, for a Conditional Use Permit to allow “Residential Use” within General Retail (GR) zoning. Affecting approximately 4.94 acres of land legally described as being a portion of Lot 48 in Tomball Townsite. The property is generally located within the 11100-11200 blocks (east side) of Rudolph Road, within the City of Tomball, Harris County, Texas.

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

Chris Campbell, (26402 I-45, Spring, TX 77386), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:49 p.m.

Hearing no additional comments, the Public Hearing was closed at 6:50 p.m.

Motion was made by Commissioner Harris, second by Commissioner Anderson, to approve **Case CUP23-03**.

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

Vote was as follows:

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

Motion Failed (1 Vote Aye, 4 Votes Nay).



C5 Conduct a Public Hearing and consideration to approve **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.

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

Sam Jackson, representing Black Mountain Energy Storage II, LL., (700 E. 11<sup>th</sup> Street, Austin, Texas 78701), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:58 p.m.

Shannon Latrell, (823 Lizzie Ln. Tomball, TX 77375), spoke in opposition of the request.

Ben Brown, (30620 Holly Oaks, Magnolia, TX 77375), spoke in favor of the request.

Michael Kirtley, (15714 Oxenford Drive, Tomball, TX 77377), Spoke in favor of the request.

Kim Kirtley, (15714 Oxenford Drive, Tomball, TX 77377), Spoke in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 7:05 p.m.

Motion was made by Commissioner Harris, second by Commissioner Ross, to approve **Zoning Case Z23-05**.

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

Vote was as follows:

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

Motion Failed (2 Votes Aye, 3 Votes Nay).

C6 Conduct a Public Hearing and consideration to approve **Case CUP23-04**: Request by Michael Kirtley, represented by Sam Jackson of Black Mountain Energy Storage II LLC., for a Conditional Use Permit to allow an “Electric Storage System” within Light Industrial (LI) zoning. Affecting land legally described as being all of Lot 265 in Tomball Townsite. The property is generally located within the 900-1000 blocks (west side) of S. Pitchford Road, within the City of Tomball, Harris County, Texas.

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

Sam Jackson, representing Black Mountain Energy Storage II, LL., (700 E. 11<sup>th</sup> Street, Austin, Texas 78701), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:55 p.m.

Samuel Latrell, (823 Lizzie Ln. Tomball, TX 77375), spoke in opposition of the request.

Seth Crawford, Vice President (425 Houston Street, Fort Worth, Tomball, TX 76102), spoke in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 7:58 p.m.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve **Zoning Case CUP23-04**.

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

Vote was as follows:

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

Motion Failed Unanimously.

D. 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 8:00 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: 06/12/2023

**Topic:**

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.

**Background:**

**Origination:**

**Recommendation:**

Staff recommends approval

**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: Grand Boudreaux Business Park Plat Type: Minor

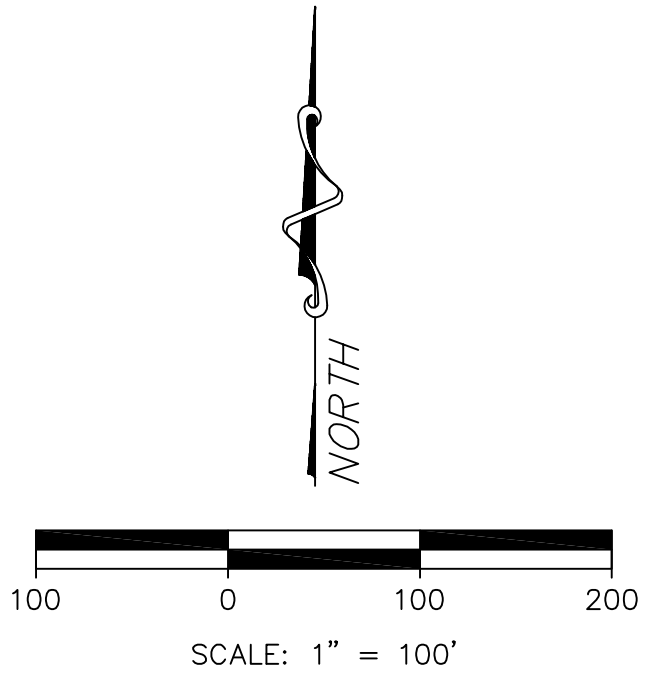
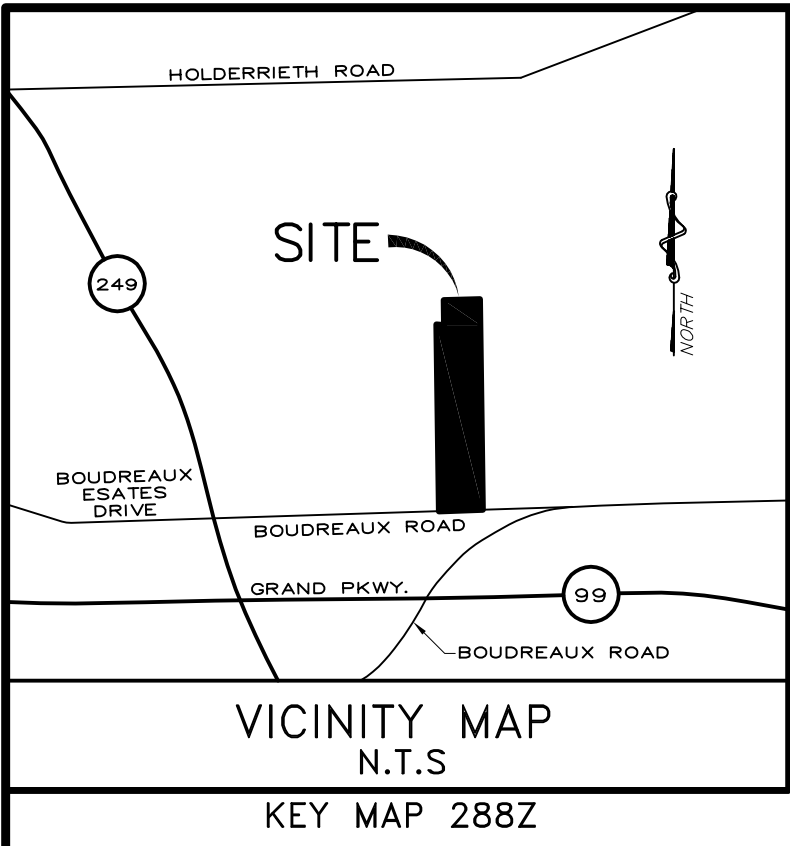
Construction Drawings for Public Facilities required? Yes  No  N/A

Plat within City Limits  Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: June 12, 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:



CAROLYN ANN LANG  
Residue of Called 46.75 Acres  
C.F. No. H468089, H.C.O.P.R.R.P.

HARRIS COUNTY FLOOD CONTROL DISTRICT  
Residue of Called 85.4536 Acres  
C.F. No. S826278, H.C.O.P.R.R.P.

CITY OF TOMBALL  
Called 8.288 Acres  
C.F. No. RP-2020-71382, H.C.O.P.R.R.P.

CITY OF TOMBALL  
Called 0.509 Acre  
C.F. No. 20130570736, H.C.O.P.R.R.P.

GOWER CONSTRUCTION COMPANY  
Called 21.2733 Acres  
C.F. No. M496517, H.C.O.P.R.R.P.

W. USENER SURVEY PARTITION  
SHARE NO. 9  
Called 2.1252 Acres  
Vol. 13, Pg. 27, H.C.M.R.

GOWER CONSTRUCTION COMPANY  
Called 21.2733 Acres  
C.F. No. M496517, H.C.O.P.R.R.P.

W. USENER SURVEY PARTITION  
SHARE NO. 9  
Called 2.1252 Acres  
Vol. 13, Pg. 27, H.C.M.R.

Block 1

Reserve "A"  
(Unrestricted)  
24.472 ACRES  
(1,066,000 Sq. Ft.)

DONALD ALFRED WOTTRICH  
Called 24 Acres  
C.F. No. F098954, H.C.O.P.R.R.P.

PAMELA A. HOFFER, ET AL.  
Residue of Called 146.711 Acres  
C.F. No. R646617, H.C.O.P.R.R.P.

**LEGEND:**

- I.R. - IRON ROD
- I.P. - IRON PIPE
- VOL. - VOLUME
- PG. - PAGE
- C.F. - CLERK'S FILE
- F.C. - FILM CODE
- B.L. - BUILDING LINE
- NO. - NUMBER
- SQ. FT. - SQUARE FEET
- U.V.E. - UNOBSTRUCTED VISIBILITY EASEMENT
- N.T.S. - NOT TO SCALE
- FND. - FOUND
- R.O.W. - RIGHT-OF-WAY
- H.C.M.R. - HARRIS COUNTY MAP RECORDS
- H.C.D.R. - HARRIS COUNTY DEED RECORDS
- H.C.O.P.R.R.P. - HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

**LINE TABLE**

NO.	BEARING	DIST.
L1	S 85°28'20" E	84.80'

STATE HIGHWAY NO. 249  
(R.O.W. width varies)

2,050' +/-  
OLD BOUDREAUX ROAD  
(60' R.O.W.)  
(Vol. 13, Pg. 27 H.C.M.R.)

**GRAND BOUDREAUX  
BUSINESS PARK**

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.

**1 BLOCK                      1 RESERVE**

OWNER:  
**EAS BOUDREAUX, LLC,  
A TEXAS LIMITED LIABILITY COMPANY**  
2901 W. SAM HOUSTON PARKWAY N., STE. E320  
HOUSTON, TEXAS 77043  
713-956-1000

SURVEYOR:  
**THE PINNELL GROUP, LLC**  
25207 OAKHURST DRIVE  
SPRING, TEXAS 77386  
281-363-8700  
FIRM REG. #10039600

STATE OF TEXAS  
COUNTY OF HARRIS

We, EAS BOUDREAU, LLC, a Texas limited liability company, acting by and through Zain Shenwari, Partner, being an officer of EAS BOUDREAU, LLC, a Texas limited liability company, owners hereinafter referred to as Owners (whether one or more) of the 24.472 acre tract described in the above and foregoing map of GRAND BOUDREAU BUSINESS PARK, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, 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 on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and 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 ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen feet (15' 0") wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations 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.

FURTHER, Owners certify and covenant that they have complied with or will comply with existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioners' Court of Harris County.

IN TESTIMONY WHEREOF, the EAS BOUDREAU, LLC, a Texas limited liability company have caused these presents to be signed by Zain Shenwari its Partner, thereunto authorized,

this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

EAS BOUDREAU, LLC, a Texas limited liability company

By: \_\_\_\_\_  
Zain Shenwari, Partner

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Zain Shenwari, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

We, JMA LAND LLC, owner and holder of a lien against the property described in the plat known as GRAND BOUDREAU BUSINESS PARK, said lien being evidenced by instrument of record in the Clerk's File No. RP-2021-553410 of the O.P.R.O.P. of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said subdivision plat and we hereby confirm that we are the present owners of said lien and have not assigned the same nor any part thereof.

By: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

This is to certify that the Planning Commission of the City of Houston, Texas, has approved this plat and subdivision of GRAND BOUDREAU BUSINESS PARK in conformance with the laws of the State of Texas and the ordinances of the City of Houston as shown hereon and

authorized the recording of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

By: \_\_\_\_\_  
Martha L. Stein or M. Sonny Garza  
Chair Vice Chairman

By: \_\_\_\_\_  
Margaret Wallace Brown, AICP, CNU-A  
Secretary

I, Daniel N. Pinnell, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.

\_\_\_\_\_  
Daniel N. Pinnell  
Registered Professional Land Surveyor  
Texas Registration No. 5349



This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of GRAND BOUDREAU BUSINESS PARK in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and

authorized the recording of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

By: \_\_\_\_\_  
Nathan Dietrich  
Community Development Director

I, Daniel N. Pinnell, a Registered Professional Licensed Surveyor in the State of Texas, do hereby certify that the buildable areas for all or some of the residential lots are located within the 100-year floodplain as plotted from the Federal Insurance Rate Map Panel No. 48201C0240M dated October 16, 2013 and are subject to flooding. The 100-year floodplain is a flood hazard area prone to flooding, and subject to additional floodplain management regulations.

\_\_\_\_\_  
Daniel N. Pinnell  
Registered Professional Land Surveyor  
Texas Registration No. 5349



I, Milton Rahman, County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office, as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage requirements.

\_\_\_\_\_  
Milton Rahman, P.E.  
County Engineer

I, Teneshia Hudspeth, County Clerk of Harris County and ex officio clerk of the Harris County Commissioners' Court, do hereby certify that the within instrument was approved at a legally convened meeting of the Harris County Commissioners' Court held on \_\_\_\_\_, 2023 by an order entered into the minutes of the court.

\_\_\_\_\_  
Teneshia Hudspeth  
County Clerk  
of Harris County, Texas

By: \_\_\_\_\_  
Deputy

I, Teneshia Hudspeth, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office

on \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_M., and duly recorded on

\_\_\_\_\_ 2023, at \_\_\_\_\_ o'clock \_\_\_\_M., and at Film Code

Number \_\_\_\_\_ of the Map Records of Harris County for said county.

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

\_\_\_\_\_  
Teneshia Hudspeth  
County Clerk  
of Harris County, Texas

By: \_\_\_\_\_  
Deputy

GENERAL NOTES:

- 1. ALL BEARINGS AND COORDINATES SHOWN HEREON BASED ON THE TEXAS COORDINATE SYSTEM (NAD83), SOUTH CENTRAL ZONE NO. 4204. DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING THE FOLLOWING COMBINED SCALE FACTOR: 0.99996077.
- 2. UNLESS OTHERWISE INDICATED, THE BUILDING LINE (B.L.), WHETHER ONE OR MORE, SHOWN ON THIS SUBDIVISION PLAT ARE TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 42, CODE OF ORDINANCES, CITY OF HOUSTON, TEXAS IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME.
- 3. SITE DRAINAGE PLANS FOR THE FUTURE DEVELOPMENT OF THIS RESERVE MUST BE SUBMITTED TO THE HARRIS COUNTY FLOOD CONTROL DISTRICT AND HARRIS COUNTY ENGINEERING DEPARTMENT.
- 4. THIS PLAT REQUIRES COMPLIANCE WITH LANDSCAPING REQUIREMENTS PRIOR TO OCCUPANCY OF STRUCTURES AS MANDATED IN REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE.
- 5. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND paneled WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND paneled WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
- 6. A FLOODPLAIN EASEMENT IS HEREBY ESTABLISHED OVER THAT PORTION OF THE EFFECTIVE 100-YEAR FLOODPLAIN AREA AS DELINEATED FROM FIRM PANEL NO. 48201C0240M, DATED OCTOBER 16, 2013, WITHIN THE BOUNDARY OF THIS FINAL PLAT, THE LIMITS OF WHICH IMPACT THE BUILDABLE AREAS OF RESIDENTIAL LOTS, WHOLLY OR PARTIALLY, AND WITHIN SUCH AREA IS PRONE TO FLOODING. CONSTRUCTION OF ANY TYPE OF RESIDENTIAL HOUSING WITHIN A FLOODPLAIN EASEMENT IS SUBJECT TO ADDITIONAL FLOOD HAZARD AREA REGULATIONS. A FLOODPLAIN EASEMENT MAY BE ABANDONED BY HARRIS COUNTY COMMISSIONERS COURT IF THE BUILDABLE AREA OF A RESIDENTIAL LOT IS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN BY SUBMITTING COUNTY ENGINEER'S FORM 1226, WITH THE APPLICABLE DOCUMENTATION AND FEE, TO THE OFFICE OF THE COUNTY ENGINEER.
- 7. A PRIVATE PRESSURE CEMENTED WATER WELL CANNOT BE CONSTRUCTED WITHIN 50 FEET OF THE PROPERTY LINE. A PRIVATE NON-PRESSURE CEMENTED WATER WELL CANNOT BE CONSTRUCTED WITHIN 100 FEET OF THE PROPERTY LINE.
- 8. ANY NEW DEVELOPMENT WITHIN THIS SUBDIVISION PLAT SHALL OBTAIN A STORM WATER QUALITY PERMIT BEFORE THE ISSUANCE OF ANY DEVELOPMENT PERMITS.
- 9. 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 IT'S RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- 10. ACCORDING TO F.E.M.A. F.I.R.M. PANEL NO. 48201C0240M, EFFECTIVE OCTOBER 16, 2013, THIS LOT IS IN ZONE "AE" AND ZONE "X SHADED" AND IS IN THE 0.2% ANNUAL FLOOD CHANCE FLOOD PLAIN AND THE 1% ANNUAL FLOOD CHANCE FLOOD PLAIN.
- 11. OIL/GAS PIPELINE EASEMENTS WITH OWNERSHIP THROUGHOUT THE SUBDIVISION HAVE BEEN SHOWN ACCORDING TO THE CURRENT TITLE REPORT.
- 12. PER THE TEXAS RAILROAD COMMISSION GIS VIEWER, ALL OIL/GAS WELLS (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGHOUT THE SUBDIVISION HAVE BEEN SHOWN.
- 13. 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.
- 14. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- 15. A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED BY THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.

GRAND BOUDREAU  
BUSINESS PARK

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.

1 BLOCK 1 RESERVE

OWNER:  
EAS BOUDREAU, LLC,  
A TEXAS LIMITED LIABILITY COMPANY  
2901 W. SAM HOUSTON PARKWAY N., STE. E320  
HOUSTON, TEXAS 77043  
713-956-1000

SURVEYOR:  
THE PINNELL GROUP, LLC  
25207 OAKHURST DRIVE  
SPRING, TEXAS 77386  
281-363-8700  
FIRM REG. #10039600

DATE: JUNE, 2023 SCALE: 1" = 100' PROJECT NO. 21-209

# Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: 06/12/2023

**Topic:**

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.

**Background:**

The subject property is currently vacant and undeveloped. The applicant’s request is to rezone the subject property to General Retail (GR) to allow medical and retail uses.

**Origination:** Khoa Nguyen

**Recommendation:**

Staff recommends approval of Zoning Case Z23-07.

**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)  
JUNE 12, 2023  
&  
CITY COUNCIL  
JUNE 19, 2023**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 12, 2023 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, June 19, 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 Z23-07:** 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.

**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.

**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.

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, and the Public Works Buildings, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contact the City Planner, Jared Smith, at (281) 290-1491 or at [jasmith@tomballtx.gov](mailto: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 9<sup>th</sup> day of June 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](http://www.tomballtx.gov).



**City of Tomball**  
**Community Development Department**

AMERICO ENERGY REAL ESTATE HOLDINGS LTD  
7575 SAN FELIPE STE 200

HOUSTON, TX 77063-1778

**NOTICE OF PUBLIC HEARING**

**RE: Zone Change Case Number Z23-07**

**5/23/2023**

The Planning & Zoning Commission will hold a public hearing on **June 12, 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 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.

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 **June 19, 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](mailto:jasmith@tomballtx.gov)

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

**CASE #: Z23-07**

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: AMERICO ENERGY REAL ESTATE HOLDINGS LTD  
Parcel I.D.: 0352820000135  
Address: 0 RUDOLPH RD

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

Email: [jasmith@tomballtx.gov](mailto:jasmith@tomballtx.gov)

I am in favor   
Additional Comments:

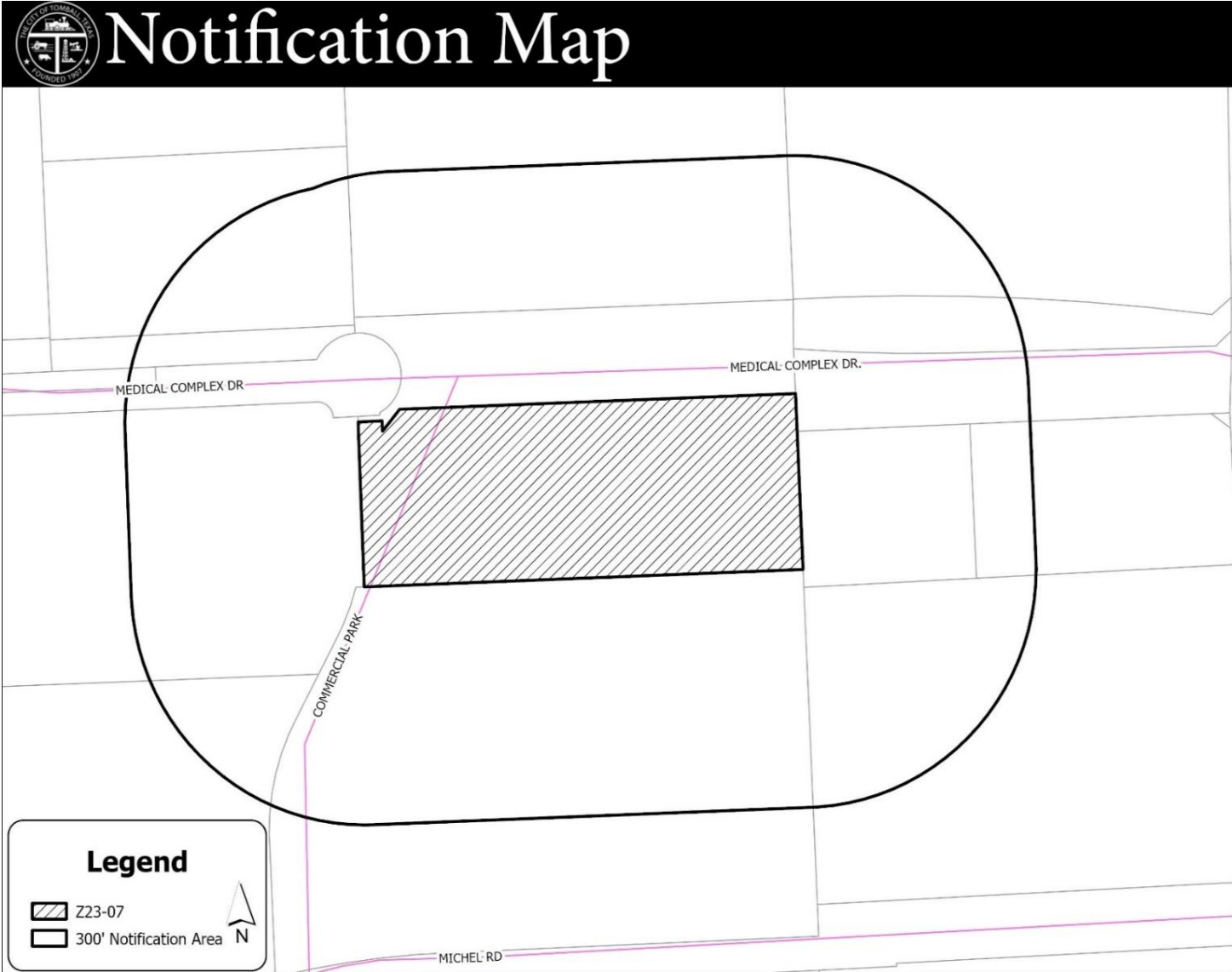
I am opposed

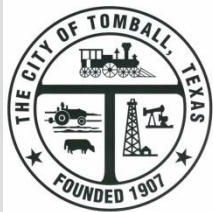
Signature: \_\_\_\_\_



*City of Tomball*  
*Community Development Department*

**Z23-07**





**Rezoning  
Staff Report**

Planning & Zoning Commission Public Hearing Date: June 12, 2023  
City Council Public Hearing Date: June 19, 2023

- Rezoning Case:** Z23-07
- Property Owner(s):** Tomball 10 Joint Venture (Louis E. Harman, III, MD)
- Applicant(s):** Khoa Nguyen
- Legal Description:** Being approximately 2.73 acres out of the William Hurd Survey, Abstract 378 (TR 12C-2 ABST 378 W HURD)
- Location:** Generally located within the 13200-13400 blocks (south side) of Medical Complex Drive, within the City of Tomball, Harris County, Texas. (Exhibit “A”)
- Area:** 2.73 acres
- Comp Plan Designation:** Medical District (Exhibit “B”)
- Present Zoning:** Agricultural (AG) (Exhibit “C”)
- Request:** Rezone from Agricultural (AG) to General Retail (GR)

**Adjacent Zoning & Land Uses:**

- North:** Medical Complex Drive and Agricultural (AG) / Vacant and Undeveloped
- South:** Agricultural (AG) / Vacant and Undeveloped
- West:** General Retail (GR) / Retirement Center
- East:** Commercial (C) / Assisted Living and Memory Care

**BACKGROUND**

The subject property is currently vacant and undeveloped. The applicant’s request is to rezone the subject property to General Retail (GR) to allow medical and retail uses.

**ANALYSIS**

**Description:** The subject property comprises about 2.73 acres, generally located within the 13200-13400 blocks (south side) of Medical Complex Drive. Currently the subject property is zoned AG and has been within this zoning classification since the City of Tomball adopted zoning in 2008.

Immediately north of the subject property is Medical Complex Drive and the area further north, zoned AG, is vacant and undeveloped. South of the subject site, zoned AG, is vacant and undeveloped. An independent and assisted living facility, Tomball Retirement Center is located in the area west of the subject property that is zoned GR. Village Green, an assisted living and memory care is located east of the subject property that is zoned GR. A nursing home called Park Manor is located south-east of the subject property, Predominantly medical and health care uses exist in the general area.

**Comprehensive Plan Recommendation:**

The subject property is designated as “Medical District” by the Comprehensive Plans Future Land Use Plan (FLUP). This category is intended to provide an emphasis on healthcare and supporting services and further capitalize on a unique, regionally-serving area of the City. The Tomball Regional Medical Center provides a significant physical and economic footprint in the community.

The FLUP designates 2 % of the area of the city (approximately 279 acres) as Medical District. One of the guiding principles of the Comprehensive Plan is to create a Medical District with complimentary land uses. The Comprehensive Plan envisions a variety of uses to create a self-serving campus with active transportation connections to Old Town and Transitional Residential areas for this district. As per the Comprehensive Plan “Open space with a pedestrian focus should be a prominent component of the district”.

The Comprehensive Plan recommends the zoning districts of Planned Development (PD), General Retail (GR), Office (O), and Mixed Use (MU) for this designation.

As per the Comprehensive Plan, appropriate land uses include hospitals, clinics, offices, lodging, long-term care, retail, and restaurants. Appropriate secondary uses include private gathering spaces, local utility services, government facilities, and transportation uses.

The proposed zoning and uses are in conformance with the Comprehensive Plan recommendation.

**Staff Review Comments:**

The request to rezone the subject property to General Retail (GR) supports new development which is consistent with the types of development pattern and character associated with the Future Land Use Plans goal and objective of establishing the Medical District land use category. Further, the requested rezoning will promote land use and development goals identified within the Comprehensive Plan, specifically by encouraging economic development through the continued growth and development of the Medical District while promoting a mixture of supportive uses within a walkable environment. Lastly, this property is located at the intersection of a Major Arterial Street (Medical Complex Dr.) and planned Collector Street (Commercial Park/Holderrieth South), intersections such as this are considered appropriate for commercial services as they provide convenient vehicular access and exposure to high volumes of traffic often necessary for commercial businesses to succeed.

**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 May 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 Z23-07.

**EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo(s)
- E. Rezoning Application

Exhibit "A"  
Aerial Location Map

 **Location Map**

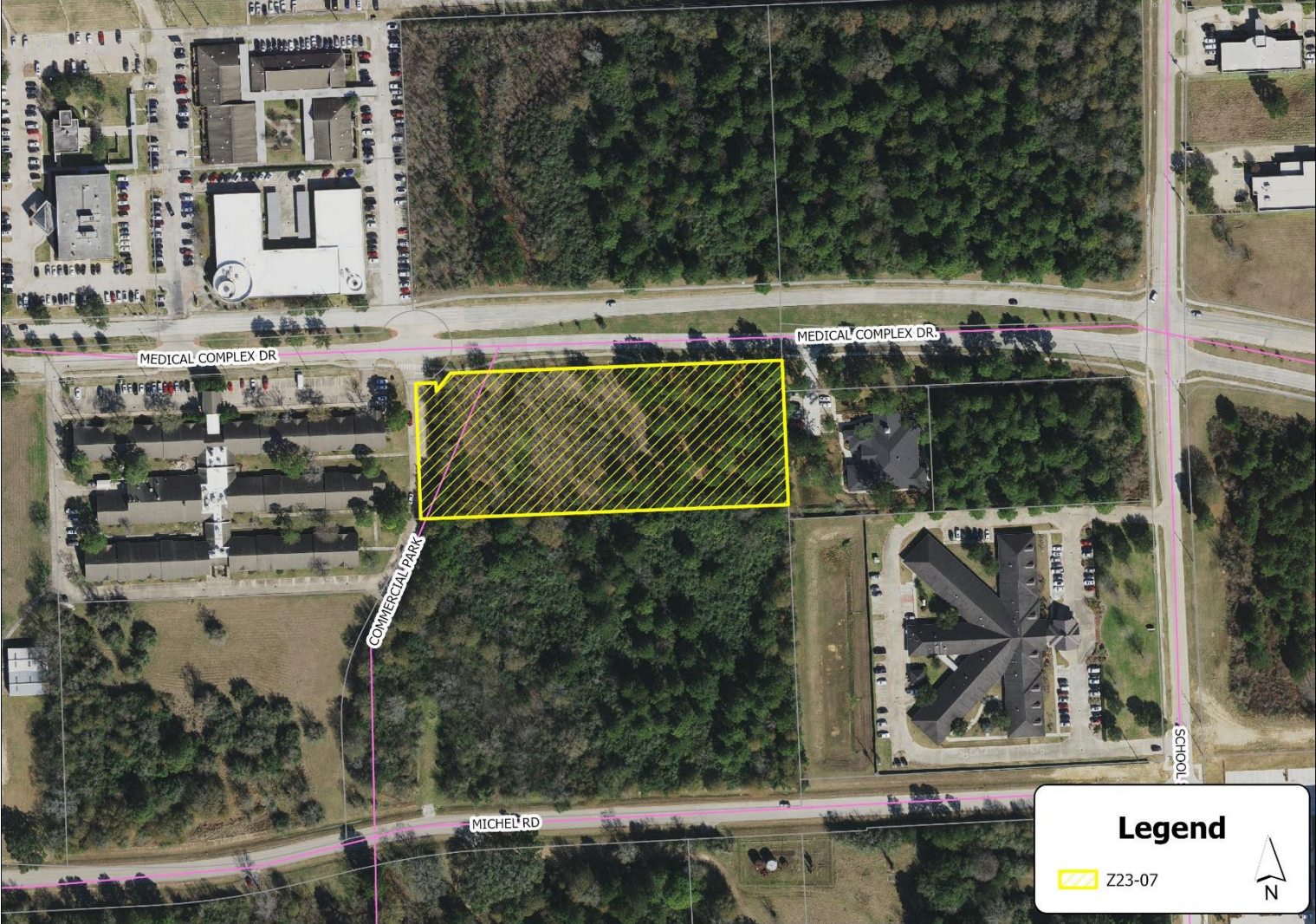
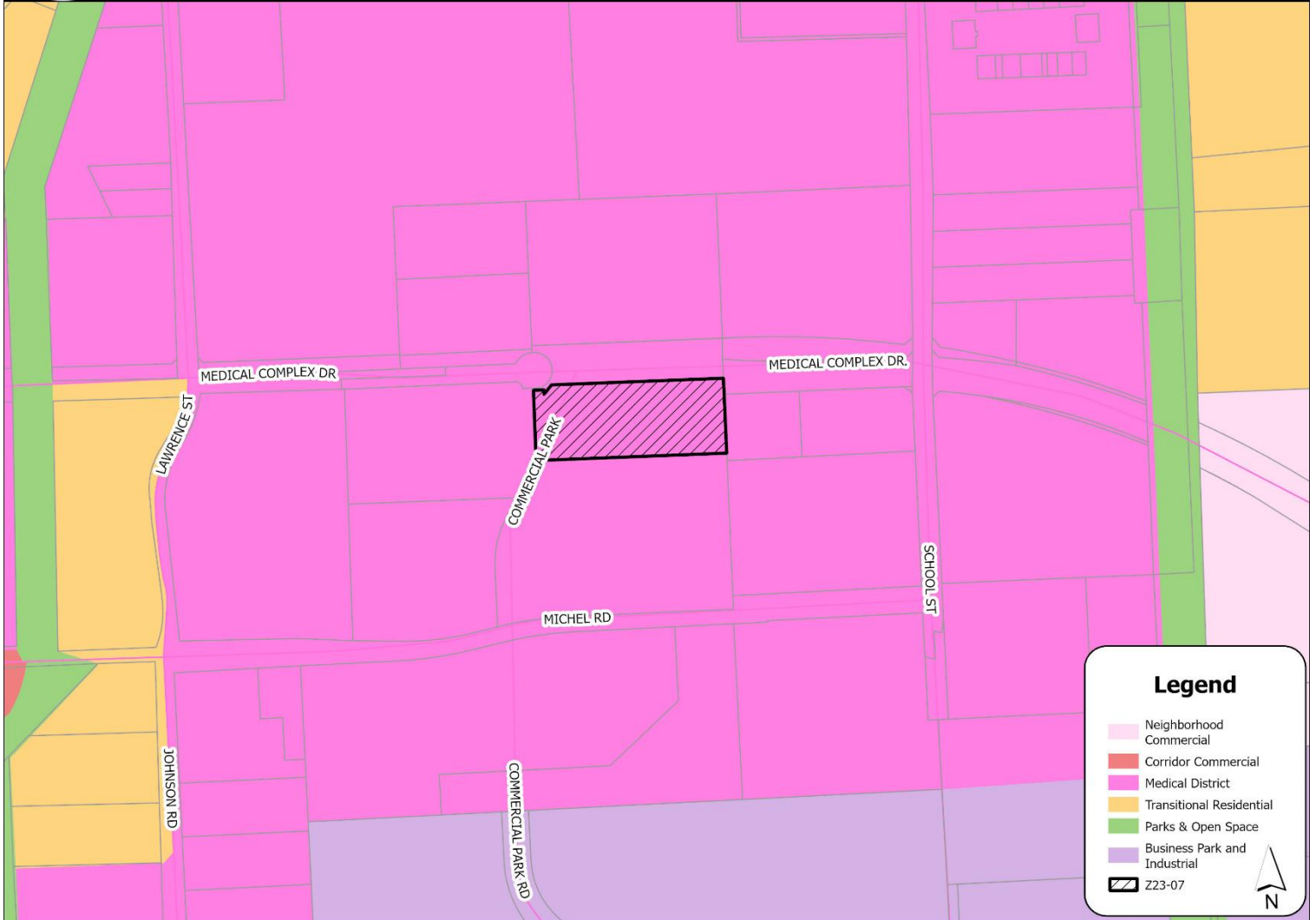




Exhibit "B"  
Future Land Use Plan

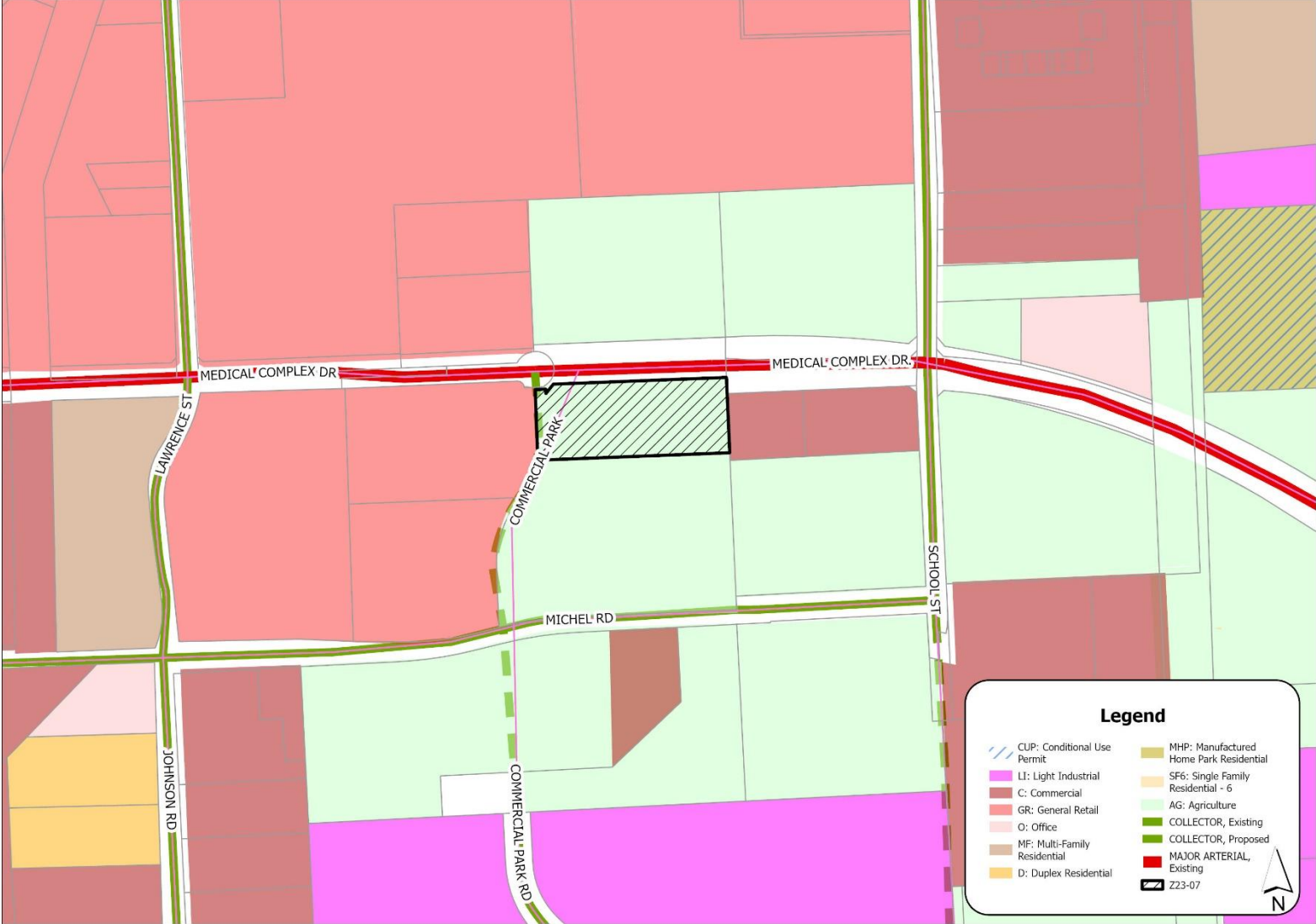


# Future Land Use Map





# Zoning Map



**Legend**

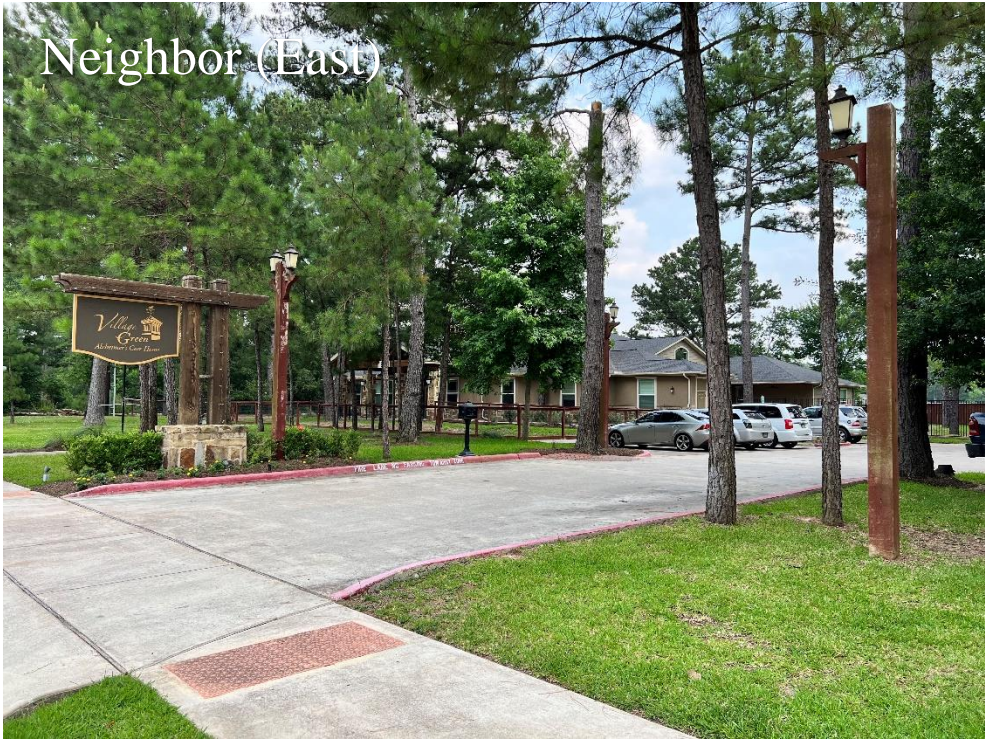
CUP: Conditional Use Permit	MHP: Manufactured Home Park Residential
LI: Light Industrial	SF6: Single Family Residential - 6
C: Commercial	AG: Agriculture
GR: General Retail	COLLECTOR, Existing
O: Office	COLLECTOR, Proposed
MF: Multi-Family Residential	MAJOR ARTERIAL, Existing
D: Duplex Residential	Z23-07

N

**Exhibit "D"**  
**Site Photo(s)**

Item F.1





Neighbor (South)



# Exhibit "E" Rezoning Application

DocuSign Envelope ID: 9C45569B-035E-4A02-8F1E-87EC9A44CC39

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/securesend](http://tomballtx.gov/securesend)  
USERNAME: [tombalcedd](mailto:tombalcedd)  
PASSWORD: Tomball

**Applicant**

Name: Khoa Nguyen Title: \_\_\_\_\_  
Mailing Address: 28527 Tomball Parkway City: Tomball State: TX  
Zip: 77375 Contact: \_\_\_\_\_  
Phone: (832) 276-1505 Email: paris.win@gmail.com

**Owner**

Name: Tomball 10 Joint Venture, Louis E. Harman, III, MD Title: Managing Partner  
Mailing Address: 5930 Royal Lane, Ste. E #322 City: Dallas State: Texas  
Zip: 75230 Contact: Dr. Louis Harman  
Phone: (214) 205-6439 Email: lehmd@sbcglobal.net

**Engineer/Surveyor (if applicable)**

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

Description of Proposed Project: Development of commercial site for medical and retail use.

Physical Location of Property: SEC of Medical Complex Dr and Holderreith S  
[General Location-- approximate distance to nearest existing street corner]

Legal Description of Property: TR 12C-2 ABST 378 W Hurd  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: Agricultural

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 [www.tomballtx.gov](http://www.tomballtx.gov)

DocuSign Envelope ID: 9C46569B-035E-4A02-8F1E-67EC9A44CC39

Revised: 10/1/2022

Current Use of Property: Vacant land


Proposed Zoning District: General retail

Proposed Use of Property: Medical and retail

HCAD Identification Number: 0430440000186      Acreage: 2.7320

**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.**

	04/13/2023
<input checked="" type="checkbox"/>	
Signature of Applicant	Date
<hr/>	
Tomball 10 Joint Venture	
<small>DocuSigned by:</small>	
<i>Louis E. Harman, III, MD</i>	
<input checked="" type="checkbox"/> By:	4/13/2023
<small>FEB10BEC1A5FF4E5...</small>	
Signature of Owner: Louis E, Harman, III, MD, Managing Partner	Date

## 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.



## 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 (1<sup>st</sup>) and third (3<sup>rd</sup>) 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.

4/19/2023

Khoa Nguyen  
Paris Industries LLC  
28527 Tomball Parkway  
Tomball, TX 77375

City of Tomball  
501 James Street  
Tomball, TX 77375

**To Whom It May Concern:**

This letter is to request the official re-zoning to general retail use. The goal is to put together a concept that meets the requirements of the city. The zoning clarification from agricultural use to general retail will help.

**Sincerely,**

Khoa Nguyen  
[Type the sender title]  
Paris Industries LLC





# Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: 06/12/2023

**Topic:**

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.

**Background:**

As per the applicant, the subject property is currently being used as a warehouse. The applicant’s request is to rezone the subject property to General Retail (GR) to allow the use of a church and childcare center to operate at this location. Churches are allowed by right within the current Light Industrial (LI) and Agricultural (AG) zoning which is applicable on the subject property. However, a childcare center is not permitted in either of these zoning districts by right.

**Origination:** Real Life Ministries Texas represented by Quiddity

**Recommendation:**

City Staff recommends approval of **Zoning Case Z23-08**.

**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)  
JUNE 12, 2023  
&  
CITY COUNCIL  
JUNE 19, 2023**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 12, 2023 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, June 19, 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 Z23-07:** 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.

**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.

**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.

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, and the Public Works Buildings, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contact the City Planner, Jared Smith, at (281) 290-1491 or at [jasmith@tomballtx.gov](mailto: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 9<sup>th</sup> day of June 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](http://www.tomballtx.gov).



**City of Tomball**  
**Community Development Department**

AMERICO ENERGY REAL ESTATE HOLDINGS LTD  
7575 SAN FELIPE STE 200

HOUSTON, TX 77063-1778

**NOTICE OF PUBLIC HEARING**

**RE: Zone Change Case Number Z23-08**

**5/23/2023**

The Planning & Zoning Commission will hold a public hearing on **June 12, 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 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.

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 **June 19, 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](mailto:jasmith@tomballtx.gov)

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

**CASE #: Z23-08**

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: AMERICO ENERGY REAL ESTATE HOLDINGS LTD  
Parcel I.D.: 0352820000135  
Address: 0 RUDOLPH RD

Email: [jasmith@tomballtx.gov](mailto:jasmith@tomballtx.gov)

I am in favor   
Additional Comments:

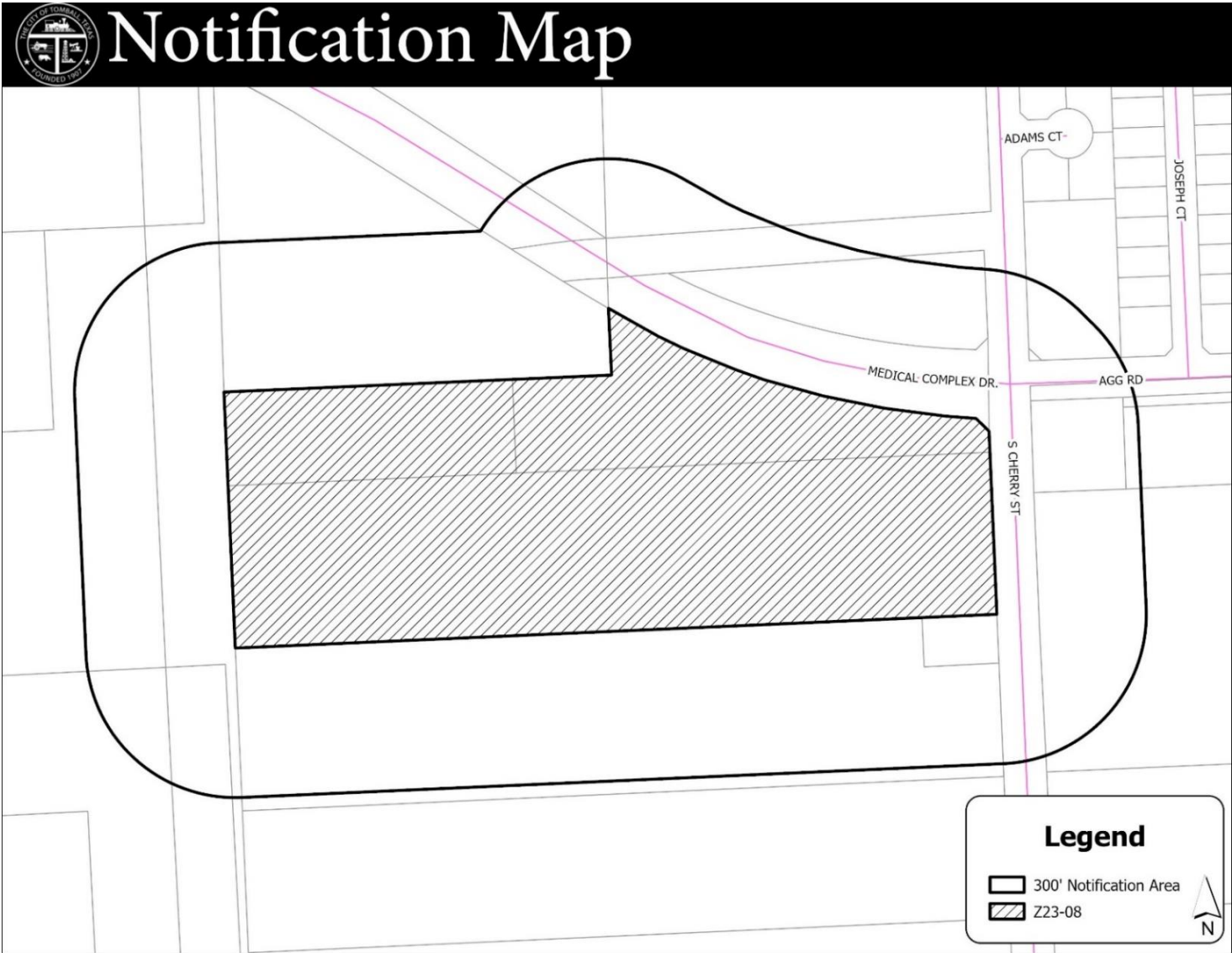
I am opposed

Signature: \_\_\_\_\_

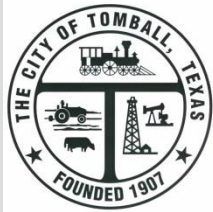


*City of Tomball*  
*Community Development Department*

**Z23-08**







# Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: June 12, 2023  
City Council Public Hearing Date: June 19, 2023

- Rezoning Case:** Z23-08
- Property Owner(s):** Real Life Ministries Texas (Tommy Roberson)
- Applicant(s):** Quiddity (Cameron Miller)
- Legal Description:** 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
- Location:** Generally located within the 1600 block (west side) of S. Cherry Street, within the City of Tomball, Harris County, Texas. (Exhibit “A”)
- Area:** 6.09 acres
- Comp Plan Designation:** Neighborhood Commercial and Business Park and Industrial (Exhibit “B”)
- Present Zoning:** Light Industrial (LI) and Agricultural (AG) (Exhibit “C”)
- Request:** Rezone from Light Industrial (LI) and Agricultural (AG) to General Retail (GR)

**Adjacent Zoning & Land Uses:**

- North:** Medical Complex Drive, Agricultural (AG), and General Retail (GR) / Vacant and Undeveloped
- South:** Light Industrial (LI) and Single Family Residential - 9 (SF-9) / Vacant and Undeveloped and Single Family Residential
- West:** Agricultural (AG) and Commercial/ Drainage Channel and Diagnostic Imaging and Treatment Services
- East:** S. Cherry Street, Single Family Residential - 20 Estate (SF-20-E), and Office (O) / Single Family Residential, Office Building

**BACKGROUND**

As per the applicant, the subject property is currently being used as a warehouse. The applicant’s request is to rezone the subject property to General Retail (GR) to allow the use of a church and

childcare center to operate at this location. Churches are allowed by right within the current Light Industrial (LI) and Agricultural (AG) zoning which is applicable on the subject property. However, a childcare center is not permitted in either of these zoning districts by right.

## **ANALYSIS**

**Description:** The subject property comprises about 6.09 acres, generally located within the 1600 block (west side) of S. Cherry Street. Currently the subject property is zoned Agricultural and Light Industrial and has been within these zoning classifications since the City of Tomball adopted zoning in 2008. In 2022, the vacant portion of the property subject to this request was considered for rezoning to Commercial (C). During the consideration of this request the City Council shared concerns regarding the uses that would be permitted by the requested Commercial zoning district and suggested that the applicant at the time downgrade their request to General Retail. However, the previous applicants were unable to utilize the property as they intended under a General Retail zoning classification and ultimately the request to rezone to C was denied and the project did not proceed. Immediately north of the subject property is Medical Complex Drive and the area further north, was recently rezoned to GR in March of 2023, this property is vacant and undeveloped. South of the subject site, zoned LI, is vacant and undeveloped. A small area to the south that is zoned SF-9 contains a single-family residence. The area west of the subject property that is zoned AG is a drainage channel. Memorial MRI & Diagnostic is located further west of the subject parcel and is zoned C. East of the subject site is S. Cherry Street. The area further east contains a single family residential (zoned SF-20 E) and a vacant commercial building (zoned O).

### **Comprehensive Plan Recommendation:**

A portion of the property (front) that abuts the Medical Complex Drive is designated as Neighborhood Commercial and the rear is designated as Business Park and Industrial by the Comprehensive Plan's Future Land Use Map (FLUM).

#### **Neighborhood Commercial:**

The Neighborhood Commercial category is intended for commercial uses that are developed with the appropriate context, scale and design to complement residential development. They are intended to be accessible by both vehicles and pedestrians. Restaurants, retail, professional services, clinics, and offices are appropriate for this category. Recommended secondary uses are places of assembly or event venues, local utility services, and government facilities. Recommended zoning categories are Office (O), General Retail (GR), Planned Development (PD).

#### **Business Park & Industrial:**

This category is intended to be located near adequate thoroughfares which provide convenient access for vehicular traffic including freight. 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).

### **Staff Review Comments:**

The proposed zoning category of GR is in conformance with the Comprehensive Plan for the area designated as Neighborhood Commercial (located along the Medical Complex Drive). The proposed zoning category of GR is not in conformance with the Comprehensive Plan for the area designated as Business Park & Industrial (rear of the subject parcel). Although this is the case, the conditions on the ground and planned use of the existing facility as a childcare center and church as opposed to its former warehouse use warrants consideration for General Retail in this location.

Particularly given that the property is located on the corner of Medical Complex Drive (a major arterial street) and S. Cherry Street (a minor arterial street) this location provides convenient access to the proposed supporting land uses for nearby residential communities and employees/visitors of the medical district. The requested rezoning may be viewed as an expansion of the current planned Neighborhood Commercial land use category at the intersection of Medical Complex Drive and S. Cherry Street. Furthermore, the location being at the intersection of a major arterial street and minor arterial street is ideally suited to support the volume of traffic that the proposed land uses would 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 May 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 Z23-08.

### **EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Rezoning Application

Exhibit "A"  
Aerial Location Map


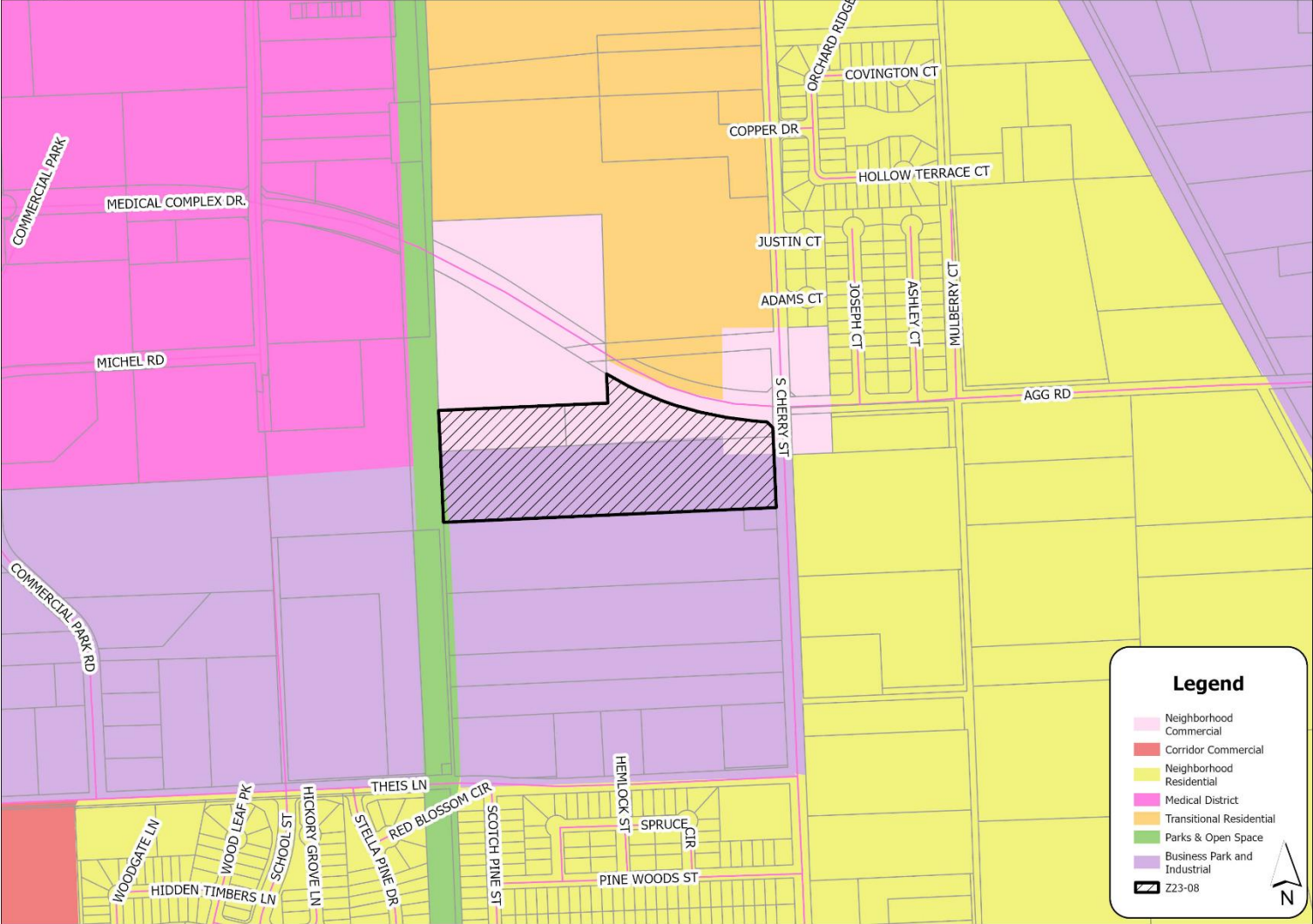
 **Location Map**



Exhibit "B"  
Future Land Use Plan



# Future Land Use Map



**Legend**

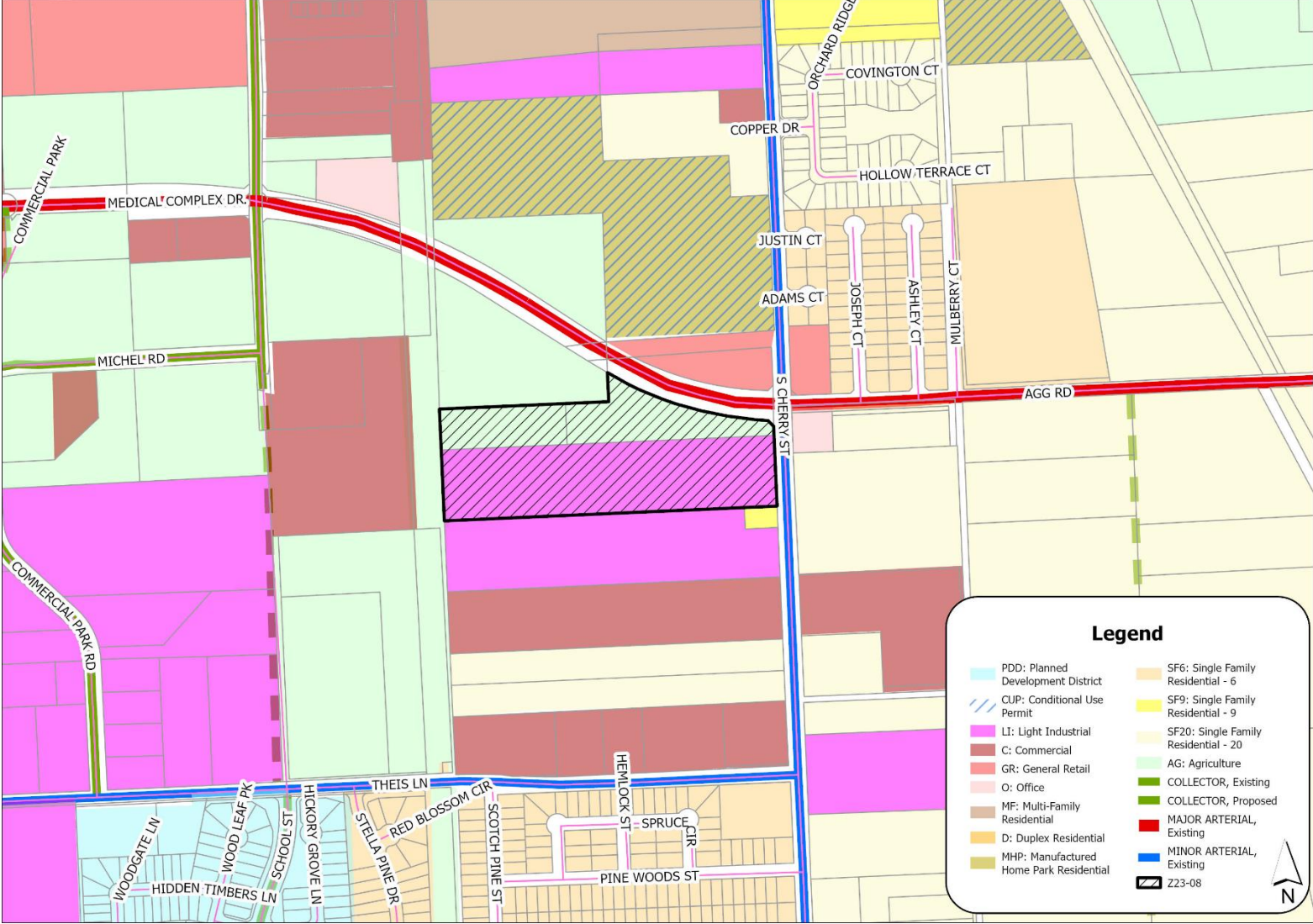
- Neighborhood Commercial
- Corridor Commercial
- Neighborhood Residential
- Medical District
- Transitional Residential
- Parks & Open Space
- Business Park and Industrial
- Z23-08

Exhibit "C"  
Zoning Map

Item F.2



# Zoning Map



**Exhibit "D"**  
**Site Photo(s)**

Item F.2









# 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](http://tomballtx.gov/secure/send)  
**USERNAME:** [tomballedd](mailto:tomballedd)  
**PASSWORD:** TomballI

**Applicant**

Name: Cameron Miller Title: Project Manager  
Mailing Address: 1575 Sawdust Rd. City: Spring State: Texas  
Zip: 77380 Contact: Cameron Miller  
Phone: (346)813-3844 Email: cmiller@quiddity.com

**Owner**

Name: Tommy Roberson Title: Executive Pastor  
Mailing Address: 1222 W Main Street City: Tomball State: Texas  
Zip: 77375 Contact: Tommy Roberson  
Phone: (972)201-2976 Email: deltarobo@icloud.com

**Engineer/Surveyor (if applicable)**

Name: Cameron Miller Title: Project Manager  
Mailing Address: 1575 Sawdust Rd. City: Spring State: Texas  
Zip: 77380 Contact: Cameron Miller  
Phone: (346)813-3844 Fax: ( ) Email: cmjller@quiddity.com

**Description of Proposed Project:** Proposed Real Life Ministries. Project consists of remodeling existing warehouse. Added parking, soccer field, play ground and associated drainage

**Physical Location of Property:** 1626 S Cherry Street, Tomball, Texas 77375

[General Location – approximate distance to nearest existing street corner]  
Legal Description of Property: Lot 1, Block 1, Devasco International F.C. No. 615009 H.C.M.R., Tract 1, 3.5879 acres of land south remainder fo that certain called 7.56 acres tract recorded under H.C.C.F. No. 2012027296; Tract 2, 2.5043 acres of land, being all of that certain called 2.5 acers tract recorded under H.C.C.F. No. 20130397880.  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

**Current Zoning District:** Light Industrial and Agricultural

Revised: 10/1/2022

Current Use of Property: Warehouse - Light Industrial

Proposed Zoning District: General Retail

Proposed Use of Property: Assembly - Church

HCAD Identification Number: 1299580010001, 0352860000172, 0352860000412 Acreage: 17.54

**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 CM. Miller 5/2/23  
Signature of Applicant Date

X [Signature] 5/2/23  
Signature of Owner Date



6330 West Loop South, Suite 150  
Bellaire, Texas 77401  
Tel: 713.777.5337  
www.quiddity.com

May 2, 2023

City of Tomball Planning & Zoning  
501 James Street  
Tomball, Texas 77675

Re : Real life Ministries Re-zoning

To Whom it May Concern:

On behalf of Real Life Ministries, Quiddity Engineering is requesting to re-zone the property listed in the application from light industrial and agricultural to general retail. It is our understanding that, for future development and proposed parking within the agricultural zone, a conditional use permit is required. Because the existing building occupancy will be switching from a warehouse to a church assembly in the future, the City has recommended to rezone the properties to general retail in lieu of the conditional use permit.

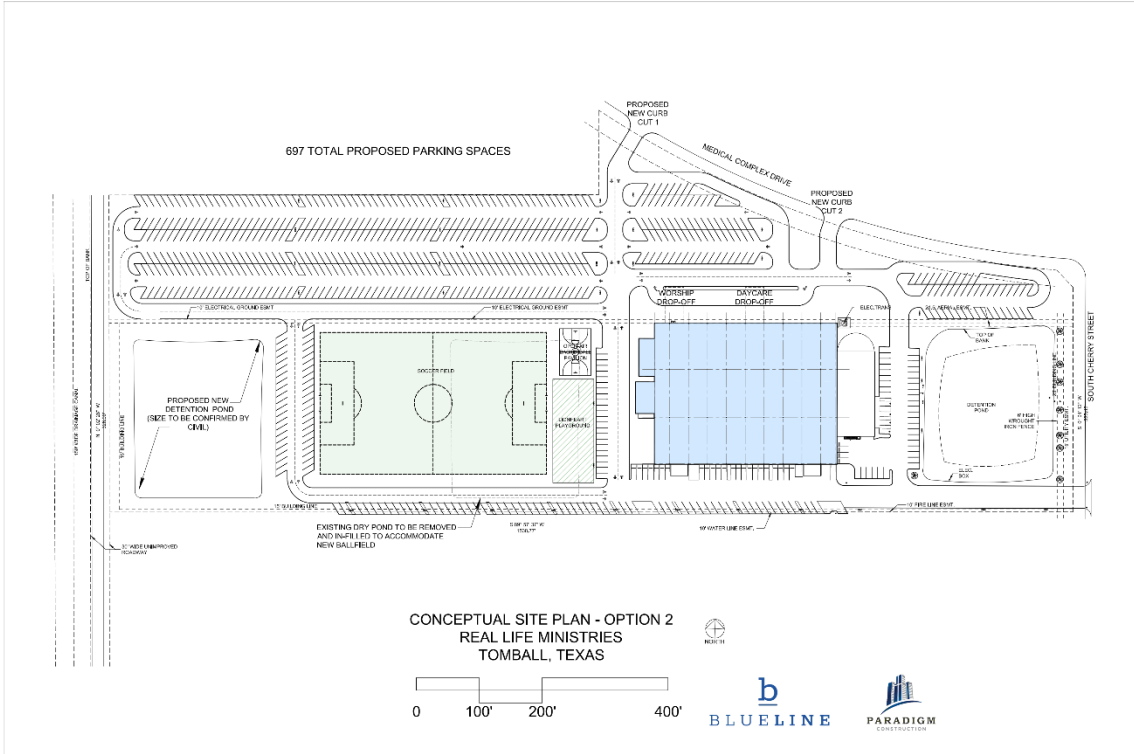
Sincerely,

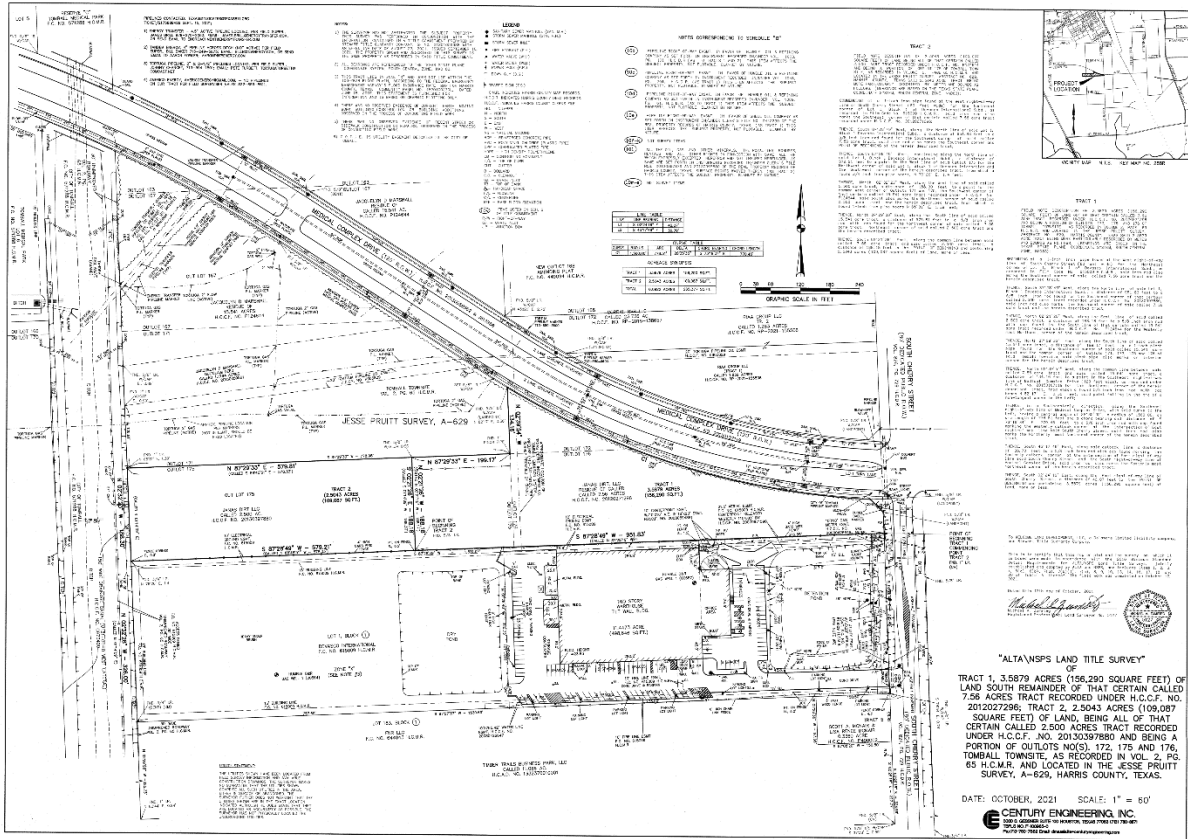
A handwritten signature in black ink that reads "C.M. Miller".

Cameron M. Miller, PE  
Project Manager

CMM/jrd  
K:\18075\18075-0001-00 Real Lift Ministries - Tomball\Project Management\Deliverables\SENT 05-02-2023 Rezoning Application\Real Life Ministries.docx  
Enclosures  
By certified mail

Texas Board of Professional Engineers and Land Surveyors Registration Nos. F-23290 & 10046100





# Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: 06/12/2023

**Topic:**

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.

**Background:**

The subject property is currently vacant and undeveloped. The applicant’s request is to rezone the subject property to Light Industrial (LI) to allow office, warehouse, and storage buildings.

**Origination:** Tim Littlefield

**Recommendation:**

Staff recommends approval of Zoning Case Z23-09.

**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)  
JUNE 12, 2023  
&  
CITY COUNCIL  
JUNE 19, 2023**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, June 12, 2023 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, June 19, 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 Z23-07:** 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.

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**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 9<sup>th</sup> day of June 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](http://www.tomballtx.gov).



**City of Tomball  
Community Development Department**

AMERICO ENERGY REAL ESTATE HOLDINGS LTD  
7575 SAN FELIPE STE 200

HOUSTON, TX 77063-1778

**NOTICE OF PUBLIC HEARING**

**RE: Zone Change Case Number Z23-09**

**5/23/2023**

The Planning & Zoning Commission will hold a public hearing on **June 12, 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 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.

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 **June 19, 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](mailto:jasmith@tomballtx.gov)

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

**CASE #: Z23-09**

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: AMERICO ENERGY REAL ESTATE HOLDINGS LTD  
Parcel I.D.: 0352820000135  
Address: 0 RUDOLPH RD

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

Email: [jasmith@tomballtx.gov](mailto:jasmith@tomballtx.gov)

I am in favor   
Additional Comments:

I am opposed

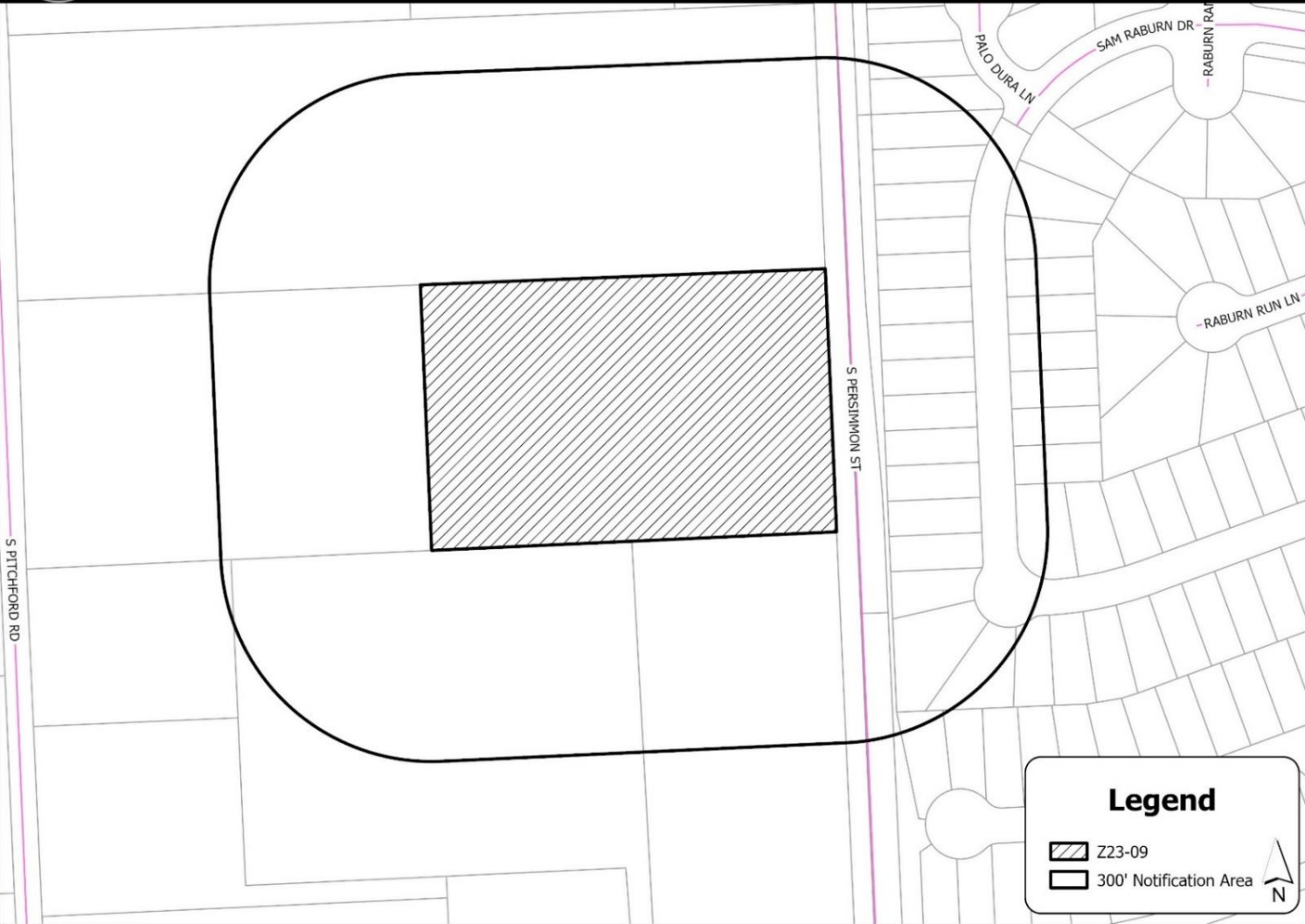
Signature: \_\_\_\_\_

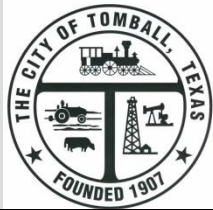


*City of Tomball*  
*Community Development Department*

**Z23-09**

 **Notification Map**





*Community Development  
Department  
Rezoning  
Staff Report*

Planning & Zoning Commission Public Hearing Date: June 12, 2023  
City Council Public Hearing Date: June 19, 2023

- Rezoning Case:** Z23-09
- Property Owner(s):** Tim Littlefield
- Applicant(s):** Tim Littlefield
- Legal Description:** Tomball Townsite Outlot 281
- Location:** Generally located within the 1100-1400 blocks (west side) of S. Persimmon Street, within the City of Tomball, Harris County, Texas. (Exhibit “A”)
- Area:** 5.001 acres
- Comp Plan Designation:** Neighborhood Residential (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:** MHP - Manufactured Home District (MHP) / Mobile Home Park

**South:** Light Industrial (LI) and Single Family Residential Estate – 20 (SF-20-E) / Vacant and Undeveloped and Warehouse

**West:** Commercial (C) / Barn

**East:** S. Persimmon Street, Planned Development District / Single Family Residential

**BACKGROUND**

The subject property is currently vacant and undeveloped. The applicant’s request is to rezone the subject property to Light Industrial (LI) to allow office, warehouse, and storage buildings.

**ANALYSIS**

**Description:** The subject property comprises about 5.001 acres, generally located within the 1100-1400 blocks (west side) of S. Persimmon Street. Currently the subject property is zoned Single Family Residential Estate – 20 (SF-20-E) and has been within this zoning classification since the City of Tomball adopted zoning in 2008. Sutton Place Park Mobile Home Park is located north of

the subject property that is zoned MHP. South of the subject site, zoned LI, is vacant and undeveloped. The area to the south that is zoned SF-20-E contains a warehouse building. The area west of the subject property that is zoned C contains a barn that appears to be a residential accessory building. East of the subject site is S. Persimmon Street. The area further east is the PDD for the Raburn Reserve single family residential development.

### **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 (LI) is in conformance with the Future Land Use Plans goal and objective of establishing the Business Park & Industrial land use. The approval of the requested zoning will promote a new development that is consistent with the type of development pattern and character endorsed by the Future Land Plan for this area. Furthermore, the subject property is situated along S. Persimmon Street, which is a thoroughfare that is designated as a Minor Arterial Street. Roadways such as this (when fully built out) are designed to accommodate the volume and character of traffic that may be expected within a Light Industrial district. It is worth mentioning, this segment of S. Persimmon Street is not fully improved, currently it is approximately 20-feet-wide as opposed to the 40-foot-wide pavement width planned for Minor Arterial Streets. During the review of the development plans for this parcel there is the potential that the City Engineer may require a Traffic Impact Analysis (TIA). Based on findings from this analysis, subsequent street improvements may be required prior to the parcels development to better serve the parcel and alleviate potential traffic concerns that may be generated by the proposed development. Ultimately, this information is to provide background and should not hold any bearing on the decision as to whether Light Industrial zoning is appropriate. The specifics regarding public improvements associated with the development are to be determined at the time of development.

### **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 May 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 Z23-09.

**EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Rezoning Application

Exhibit "A"  
Location Map

Item F.3

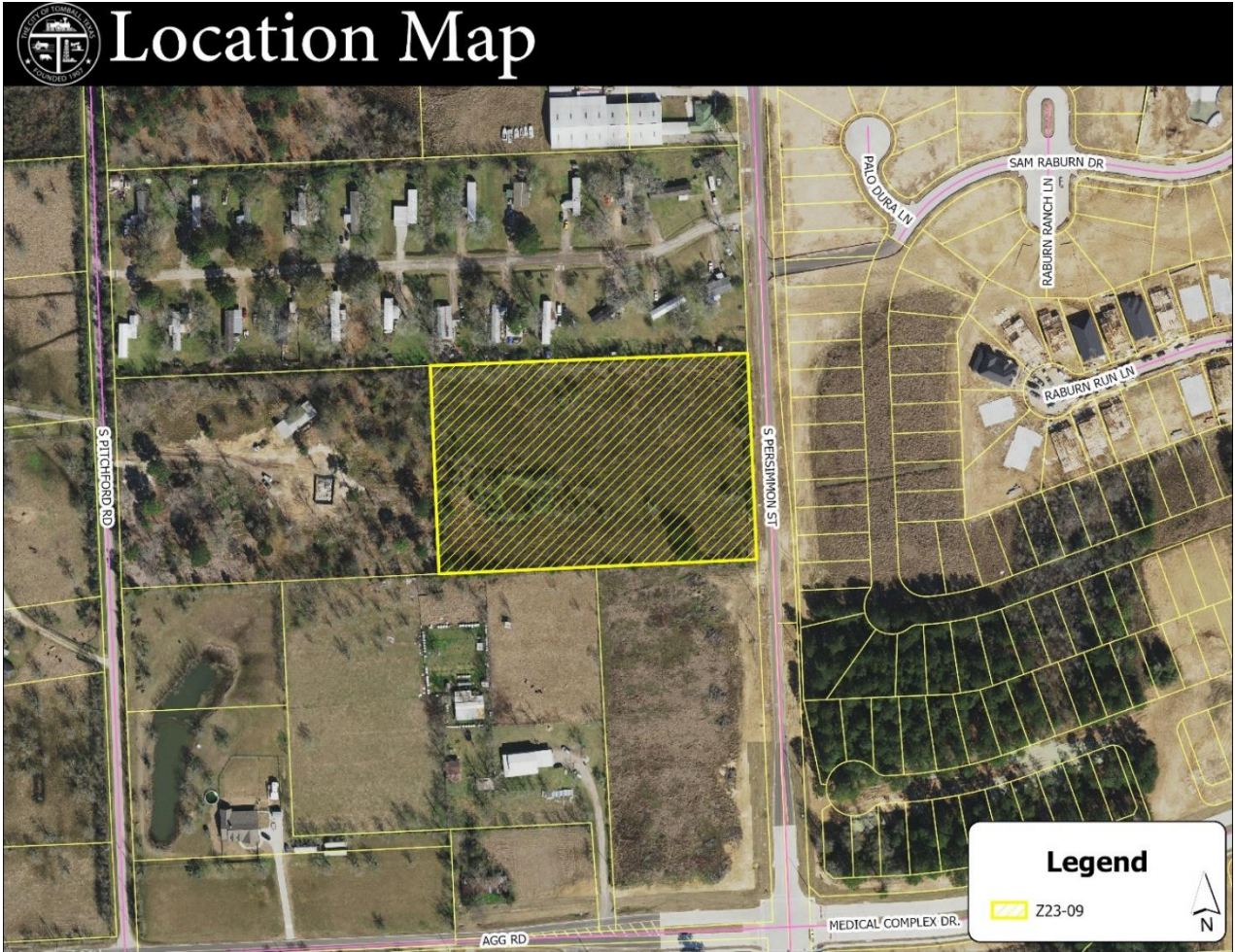
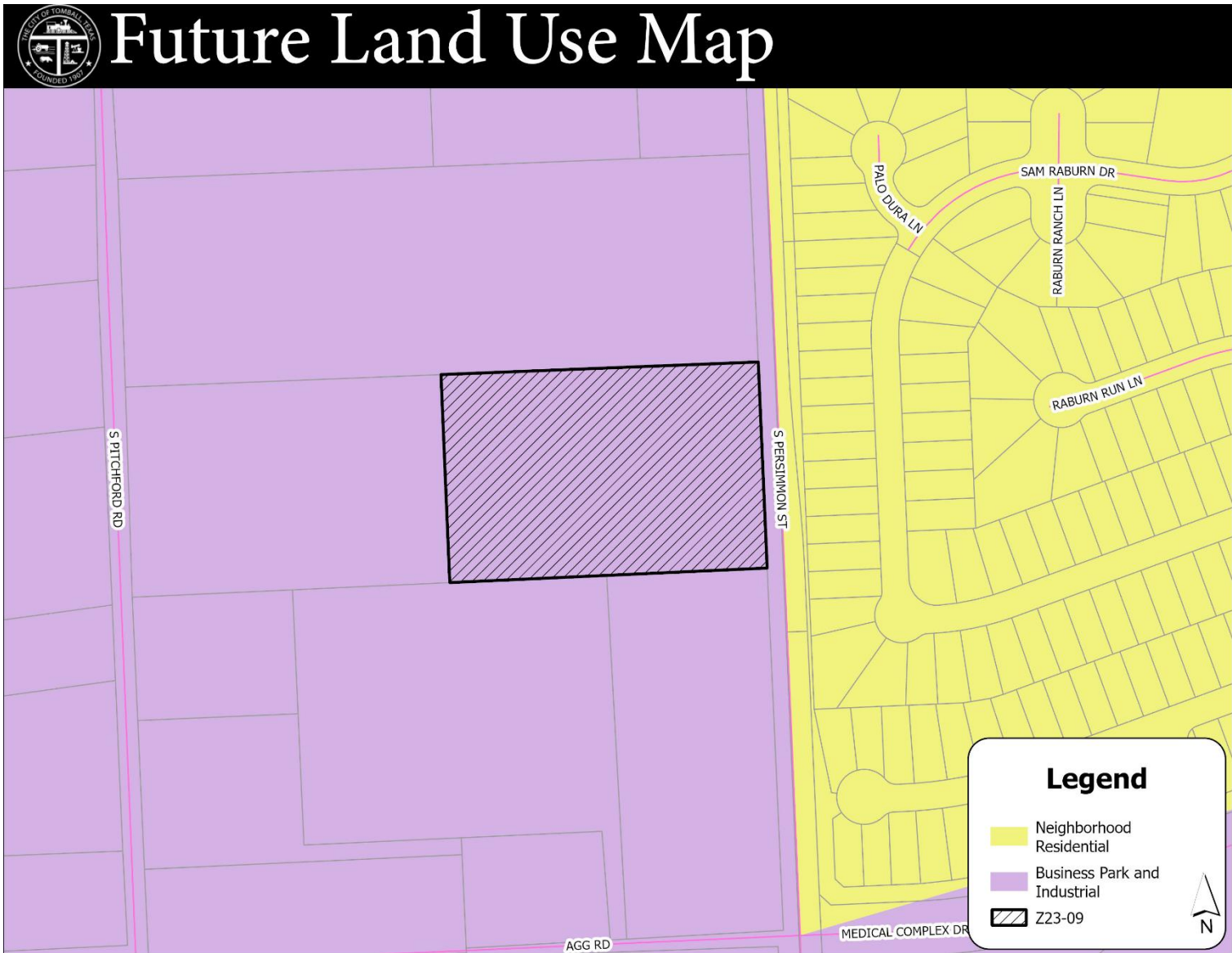


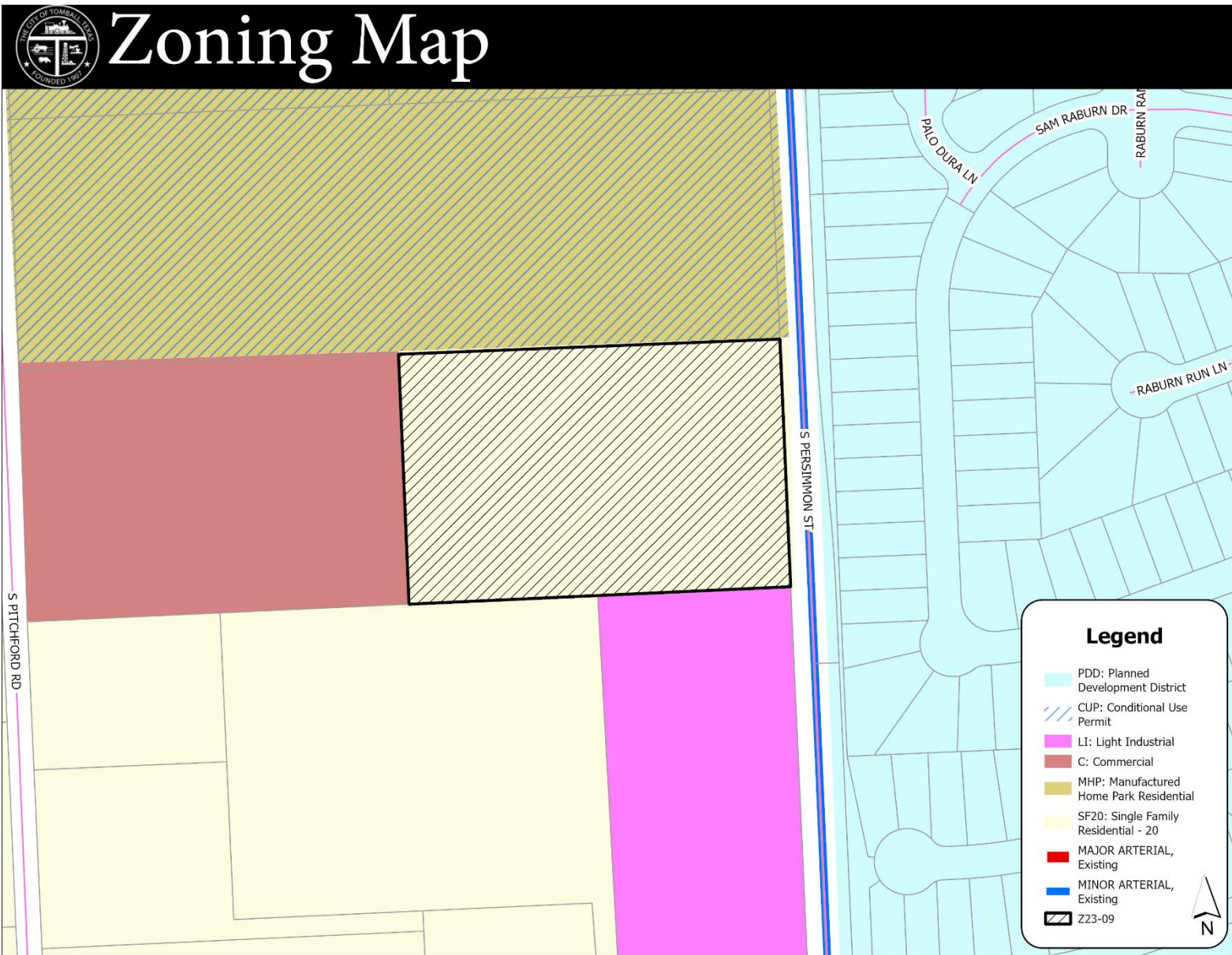
Exhibit "B"  
Future Land Use Plan



# Future Land Use Map



Exhibit "C"  
Zoning Map



**Exhibit "D"**  
**Site Photo(s)**

Subject Site



Neighbor (West)







# Exhibit "E" Rezoning Application

Revised: 4/13/2020



## APPLICATION FOR RE-ZONING

Community Development Department  
Planning Division

**APPLICATION SUBMITTAL:** 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.

### Applicant

Name: Tim Littlefield LLC, Tim Littlefield Title: Owner  
Mailing Address: 9618 Kirkstone Terrace Dr City: Spring State: TX  
Zip: 77379 Contact: Tim Littlefield  
Phone: (281) 723-7344 Email: tim@littlefieldbrothers.com

### Owner

Name: Tim Littlefield LLC, Tim Littlefield Title: Owner  
Mailing Address: 9618 Kirkstone Terrace Dr City: Spring State: TX  
Zip: 77379 Contact: Tim Littlefield  
Phone: (281) 723-7344 Email: tim@littlefieldbrothers.com

### Engineer/Surveyor (if applicable)

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

Description of Proposed Project: Office/Warehouse and/or Storage Buildings

Physical Location of Property: Situated in the Jessie Pruitt Survey, Abstract # 629 in Harris County - Outlot 281 on Persimmon St.

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

Legal Description of Property: Being 5.001 Acres in the Jessie Pruitt Survey, Abstract #629, Outlot 281, Recorded in Volume 4, Page 75 of map records of Harris County recorded under county clerk's file # RP-2020-189624 of the official public records of Harris County

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

Current Zoning District: SF-20-E Single - Family 20 Estate District

Current Use of Property: NONE (empty lot)

Proposed Zoning District: LI - Light Industrial

Proposed Use of Property: Office/Warehouse and/or Storage Buildings


HCAD Identification Number: \_\_\_\_\_ Acreage: 5.001

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

Revised: 4/13/2020

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.

 4-10-23

X \_\_\_\_\_  
Signature of Applicant Date

X \_\_\_\_\_  
Signature of Owner Date

401 Market Street  
401 Market Street  
Tomball, TX 77375  
(281) 351-5484

DATE : 4/26/2023 1:53 PM  
OPER : SM  
TRBY : SM  
TERM : 6  
REC# : R01356740

130.0000 PLANNING AND ZONING 1000.00  
Jim Littlefield LLC . 1000.00

Paid By: Jim Littlefield LLC .  
2-CK 1000.00 REF:w 2284

APPLIED 1000.00  
TENDERED 1000.00  
CHANGE 0.00

Revised: 4/13/2020

## 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.**

- Completed application form
- \*Copy of Recorded/Final Plat
- Check for \$400.00 + \$10.00 per acre (Non-Refundable)
- Letter stating reason for request and issues relating to request
- Conceptual Site Plan (if applicable) *N/A - HAVE NOT GOT THAT FAR.*
- 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

Revised: 4/13/2020

## 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 (200) 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 (1<sup>st</sup>) and third (3<sup>rd</sup>) 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.





FEBRUARY 21, 2023

BEING 5.001 ACRES OF LAND, SITUATED IN THE JESSIE PRUITT SURVEY, ABSTRACT NUMBER 629 IN HARRIS COUNTY, TEXAS AND BEING ALL OF OUTLOT 281 OF THE CORRECTED MAP OF TOMBALL OUTLOTS, A SUBDIVISION ACCORDING TO THE MAP AND OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 75 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND BEING THE SAME TRACT CALLED 5.006 ACRE TRACT AS CONVEYED IN DEED TO MENDOZA HOME BUILDERS, LLC., RECORDED UNDER COUNTY CLERK'S FILE NUMBER RP-2020-189624 OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS; SAID 5.001 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83), ALL DISTANCES SHOWN ARE GROUND:

BEGINNING at a 5/8 inch iron rod, found for the Southeast corner of the herein described, being the Southeast corner of said Outlot 281, being the Northeast corner of Outlot 284, being the Northeast corner of a called 4.393 acre tract conveyed in deed to Tim Littlefield LLC., recorded under County Clerk's File Number RP-2021-132294 of the Official Public Records of Harris County, Texas and being in the West line of Persimmon Road, as recorded in Volume 2, Page 65, Volume 4, Page 75, in Film Code 692320 of the Map Records of Harris County, Texas and recorded in Volume 1037, Page 710 of the Deed Records of Harris County, Texas and recorded under County Clerk's File Number 2020-222647 of the Official Public Records of Harris County, Texas;

THENCE South 87°36'04" West (Deed call: North 89°51'00" West), along the South line of said Outlot 281, The North line of said Outlot 284 and the North line of said 4.393 acre tract, passing at a distance of 11.23 feet a 5/8 inch iron rod found in the West line of a called 0.2547 acre tract conveyed to the City of Tomball recorded under County Clerk's File Number RP-2020222647 of the Official Public Records of Harris County, Texas, continuing along said line, passing at a distance of 292.20 feet a 1/2 inch iron rod, found for the Northwest corner of said 4.393 acre tract and being the Northeast corner of a called 6.21 acre tract conveyed in deed to Francisco Lopez and Veronica Beltran recorded under County Clerk's File Number 2015-0114381 of the Official Public Records of Harris County, Texas and continuing, in all, a total distance of 577.24 feet (Deed call: 577.51 feet) to a 1/2 inch iron rod, found for the Southwest corner of the herein described tract, being the Northeast corner of Outlot 283 and being the Southeast corner of Outlot 280 called 5.002 acre tract conveyed in deed to Michael R. Brown recorded under County Clerk's File Number RP-2022-403731 of the Official Public Records of Harris County, Texas


THENCE North 02°17'18" West, (Deed call: North 00°13'27" West), along the West line of said Outlot 281 and the East line of said Outlot 280, a distance of 377.46 feet (Deed call: 377.60 feet) to 1/2 inch iron rod, found for the Northwest corner of the herein described tract, being the Northeast corner of said Outlot 280, being the Southeast corner of Outlot 276, being the Southwest corner of Outlot 277 and

being in the South line of a called 10.0148 acre tract as conveyed in deed to BK Resources, LLC., recorded under County Clerk's File Number 20140340605 of the Official Public Records of Harris County, Texas

THENCE North 87°35'25" East (Deed call: South 89°51'00" East), along the above mentioned line and the South line of said Outlot 277, a distance of 576.89 feet (Deed call 577.51 feet) to a 5/8 inch iron rod, found for the Northeast corner of the herein described tract, being the Southeast corner of said Outlot 277, being the Southeast corner of said 10.0148 acre tract and being in the West line of said Persimmon Road;

THENCE South 02°20'30" East (Deed call: South 00°13'27" West), along the above mentioned line a distance of 377.56 feet (Deed call: 377.60 feet), back to the Point of Beginning and containing 5.001 acres of land, based on the survey and plat prepared by Jeffrey Moon and Associates, Inc., dated February 21, 2023.

Job. No: 23-T-28 (5.001 Acres)

  
Taren Hanks  
Registered Professional  
Land Surveyor No. 6787



