

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



**Monday, April 08, 2024
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, April 08, 2024 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 March 11, 2024.
- E. New Business Non-Action Items
 - E.1 Minor Plat of **Breaux Tracts**: Being a subdivision of 4.915 acres of land and being a replat of Lot 19 of Tomball Outlots, a subdivision per plat recorded under Volume 2, Page 65 of the Harris County Map Records, situated in the Ralph Hubbard Survey, Abstract 383, City of Tomball, Harris County, Texas.
- F. New Business
 - F.1 Consideration to approved Final Plat of **Holderrieth Business Park**: A subdivision of 11.9902 acres of land, located in the Elizabeth Smith League, A-70, & Claude N. Pillot Survey, A-632, Harris County, Texas.

- F.2 Consideration to approved Final Plat of **Six Star Center**: A subdivision of a 1.5551 acre tract, (67,740.15 Square Feet), being a replat out of Lots 24, 30 and 24 of Tomball Outlots subdivision as recorded in Volume 2, Page 56, Harris County Map Records, situated in the Ralph Hubbard Survey, A-383, City of Tomball, Harris County, Texas.
- F.3 Conduct a Public Hearing and Consideration to Approve **Zoning Case Z24-03**: Request by Ken & Betty Vairin, represented by META Planning & Design, Inc., to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.
- F.4 Conduct a Public Hearing and Consideration to Approve **Zoning Case Z24-04**: Request by Houston Deco Balloons LLC, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg Road, 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 5th day of April 2024 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kimberly Chandler
Community Development Coordinator

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

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

Planning & Zoning Commission Meeting Agenda Item Data Sheet

Meeting Date: April 8, 2024

Topic:

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of March 11, 2024.

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, MARCH 11, 2024



6:00 P.M.

draft

- A. The meeting was Called to Order by Chairwoman Tague at 6:00 p.m. Other Members present were:
Commissioner Scott Moore
Commissioner Susan Harris
Commissioner Richard Anderson

Commissioner Tana Ross – Excused Absence

Others present:

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

- B. No Public Comments were received.

- C. Reports and Announcements:

Jared Smith, City Planner announced the following:

- City Council Approved, **Zoning Case Z24-01**: Request by ESP Enterprises Inc., represented by Phlex Properties LLC. to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 6.87 acres of land legally described as being a portion of the W Hurd Survey, Abstract 378 from Agricultural (AG) to Office (O) zoning. The property is located within the 100 block (west side) of School Street, within the City of Tomball, Harris County, Texas.
- There will be a UDC Joint Workshop with Planning & Zoning Commission and City Council on Monday, April 1, 2024 @ 5:00 p.m.
- Next Planning & Zoning Commission Meeting will be held on Monday, April 8, 2024 @ 6:00 p.m.

D. Approval of Minutes:

Motion was made by Commissioner Harris, second by Commissioner Moore, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of February 12, 2024.

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

Motion Carried unanimously.

E. New Business Non-Action Items:

- E.1 Minor Plat of **DL Bledsoe Acres**: Being a 12.3558 acre tract and a 1.9009 acre tract of land situated in the Ralph Hubbard Survey, 383, in Harris County, Texas, being a replat of portions of Lots 56 and 60, and all of Lots 63 and 67 of the Tomball Townsite, a subdivision as recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas.

Jared Smith, City Planner, presented with Staff Approval with no conditions.

F. New Business:

- F.1 Consideration to approve Final Plat of **Christian Brothers Tomball**: A subdivision of 2.6070 acres, (113,562.23 Sq. Ft.), situated in the Joseph House League, Abstract No. 34, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented with Staff Approval with the following conditions:

1. The legal instrument for the 30-foot-wide pipeline & access easement illustrated along the eastern property boundary must be recorded at the county clerk's office and appropriate reference to the legal instrument number must be provided on the final mylar submitted for signature and recordation.
2. Prior to the final approval and recordation of this plat, public infrastructure plans must be submitted to the City Engineer for review and approval.
3. Prior to recording of this plat all public infrastructure associated with the plat must be installed in accordance with the approved public infrastructure plans and accepted by the City of Tomball and/or a suitable financial guarantee must be furnished to the City of Tomball covering the overall costs of the required public infrastructure improvements.

Motion was made by Commissioner Anderson, second by Commissioner Harris, to approve with conditions.

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

Motion Carried unanimously.

G. Adjournment

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

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

Motion Carried unanimously.

The meeting adjourned at 6:08 p.m.

PASSED AND APPROVED this _____ day of 2024.

Kim Chandler
Community Development Coordinator/
Commission Chair Commission Secretary

Barbara Tague
Commission Chair

CITY OF TOMBALL

Plat Name: Breaux Tracts

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: April 8, 2024

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 conditions:

STATE OF TEXAS
COUNTY OF HARRIS

WE GARY BREAUX AND RAYE LYNN BREAUX, OWNERS OF THE 4.915 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF BREAUX TRACTS, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE 20 FEET ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-INCH DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND 15 FEET WIDE ON EACH SIDE OF THE CENTERLINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED AND DEPICTED UPON IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF TOMBALL, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGEWAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGEWAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING, AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

WITNESS MY HAND IN THE CITY OF TOMBALL, TEXAS, THIS ____ DAY OF _____, 202__.

OWNER: GARY BREAUX

OWNER: RAYE LYNN BREAUX

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GARY BREAUX, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGMENT TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 202__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RAYE LYNN BREAUX, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGMENT TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 202__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL HAS APPROVED THIS PLAT AND SUBDIVISION OF BREAUX TRACTS IN CONFORMANCE WITH THE LAWS OF THE STATE AND THE ORDINANCES OF THE CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ____ DAY OF _____, 202__.

CRAIG T. MEYERS, P. E., CFM
COMMUNITY DEVELOPMENT DIRECTOR

I, TENESHIA HUDSPETH, COUNTY CLERK OF HARRIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON ____ 202__ AT ____ O'CLOCK ____ M., AND DULY RECORDED ON ____ 202__ AT ____ O'CLOCK ____ M., AND AT FILM CODE NUMBER ____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HARRIS COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

TENESHIA HUDSPETH
COUNTY CLERK
OF HARRIS COUNTY

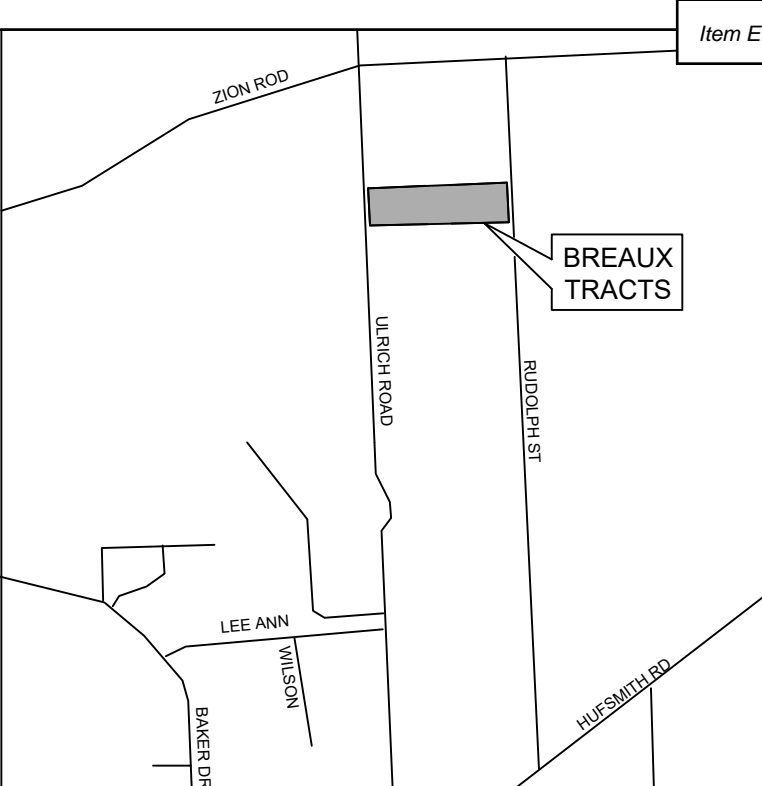
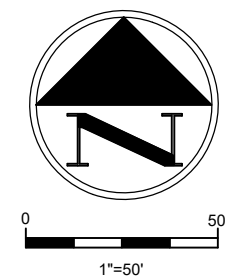
BY: _____
DEPUTY

I, SEAN CONLEY, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS INCH AND A LENGTH OF NOT LESS THAN THREE FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

SEAN CONLEY
TEXAS REGISTRATION NUMBER 6739



LEGEND	
B.L.	BUILDING LINE
C.O.T.U.E.	CITY OF TOMBALL UTILITY EASEMENT
F.C. NO.	FILM CODE NUMBER
FND.	FOUND
H.C.C.F. NO.	HARRIS COUNTY CLERK'S NUMBER
H.C.M.R.	HARRIS COUNTY MAP RECORDS
I.	IRON
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
Ⓢ	SET 5/8" IRON ROD W/ CONLEY RPLS 6739 CAP



VICINITY MAP
NOT TO SCALE
KEY MAP 288D



NOTES

- BEARING ORIENTATION IS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.
- ACCORDING TO FEMA FIRM PANEL NO. 48201C0230L (EFFECTIVE DATE 06/18/2007), THIS PROPERTY IS IN ZONE "X" AND IS NOT IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- THIS SURVEY WAS MADE IN RELIANCE OF THAT CERTAIN CITY PLANNING LETTER ISSUED BY INTEGRITY TITLE, JOB NO. 2443268A, DATED EFFECTIVE FEBRUARY 26, 2024.
- 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 PROCLAIMING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS, BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.

BREAUX TRACTS
BEING A SUBDIVISION OF
4.915 ACRES OF LAND
AND BEING A REPLAT OF LOT 19
OF TOMBALL OUTLOTS,
A SUBDIVISION PER PLAT
RECORDED UNDER VOLUME 2, PAGE 65
OF THE HARRIS COUNTY MAP RECORDS
SITUATED IN THE
RALPH HUBBARD SURVEY, ABSTRACT 383
CITY OF TOMBALL
HARRIS COUNTY, TEXAS

1 BLOCK, 2 LOTS
SCALE: 1" = 50'
DATE: MARCH, 2024

OWNER
GARY BREAUX AND RAYE LYNN BREAUX
1412 ULRICH ROAD
TOMBALL, TX 77375

SURVEYOR
CONLEY LAND SERVICES, LLC
11003 BUTTWOOD CREEK TRAIL
TOMBALL, TX 77375
TEL: 832-729-4997
CONLEYLAND.COM
TBPELS FIRM NO. 10194732

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: April 8, 2024

Topic:

Consideration to approve Final Plat of **Holderrieth Business Park**: A subdivision of 11.9902 acres of land, located in the Elizabeth Smith League, A-70, & Claude N. Pillot Survey, A-632, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff recommends approval with conditions

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

FUNDING (IF APPLICABLE)

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

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

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

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

CITY OF TOMBALL

Plat Name: Holderrieth Business Park

Plat Type: Final

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

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: April 8, 2024

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 conditions:

- Prior to the final approval and recording of this subdivision plat, engineered construction plans (“Public Infrastructure Plans”) must be submitted to and approved by the City of Tomball illustrating how all required public improvements associated with this development will be constructed (specifically being a Water Main across Holderrieth)
- Prior to the recording of this subdivision plat, all required public improvements associated with this development must be installed in accordance with the approved construction plans **and/or** suitable financial guarantee provided covering the overall costs improvements as deemed acceptable by the City Engineer.

STATE OF TEXAS
COUNTY OF HARRIS

We, HH 11701 Properties, LLC, a Texas limited liability company, acting by and through _____ and attested by _____ being officers of HH 11701 Properties, LLC, a Texas limited liability company, owners in this section after referred to as owners of the 11,990.2 acre tract described in the above and foregoing plat of HOLDERRIETH BUSINESS PARK, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

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

IN TESTIMONY WHEREOF, HH 11701 Properties, LLC, a Texas limited liability company, has caused these presents to be signed by _____ thereunto authorized, attested by _____ 2024.

HH 11701 Properties, LLC, a Texas limited liability company,

By: _____
Print:
Title:

Attest: _____
Print:
Title:

STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2024

Notary Public in and for the State of Texas
Print Name

My Commission expires: _____

We, AMERICAN BANK, N.A., owners and holders of a lien against the property described in the plat known as HOLDERRIETH BUSINESS PARK, said lien being evidenced by instrument of record in the Clerk's File No. RP-2023-410556 of the O.P.R.O.R.P. of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said subdivision plot and we hereby confirm that we are the present owners of said lien and have not assigned the same nor any part thereof.

AMERICAN BANK, N.A.

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 they executed the same for the purposes and considerations therein expressed

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2024

Notary Public in Harris County and for the State of Texas
Print Name

My Commission expires: _____

I, Daniel Villa, Jr., am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and 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 Villa, Jr. PE, RPLS
Texas Registration No. 6751

This is to certify that the Planning and Zoning Commission of the City of Tomball has approved this plat and subdivision of HOLDERRIETH BUSINESS PARK in conformance with the laws of the state and the ordinances of the city as shown hereon and authorized the recording of this plat this _____ day of _____, 2024

By: _____
Barbara Tague
Chairman

I, Tanesha 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 _____, 2024, at _____ o'clock _____ M., and duly recorded on _____, 2024, at _____ o'clock _____ M., and at Film Code No. _____ of the Map Records of Harris County for said county.

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

Tanesha Hudspeth
County Clerk
of Harris County, Texas

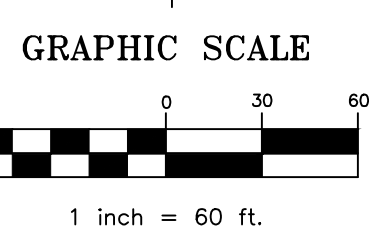
By: _____
Deputy

ABBREVIATIONS LEGEND

- A ABSTRACT
- A.E. AERIAL EASEMENT
- B.L. BUILDING LINE
- FND FOUND
- H.C.C.F. No. HARRIS COUNTY CLERK'S FILE NUMBER
- H.C.D.R. HARRIS COUNTY DEED RECORDS
- H.C.M.R. HARRIS COUNTY MAP RECORDS
- I.R. IRON ROD
- R.O.W. RIGHT OF WAY
- SQ. FT. SQUARE FEET
- VOL. VOLUME
- PG. PAGE
- U.E. UTILITY EASEMENT
- UNABLE TO SET
- U.T.S.

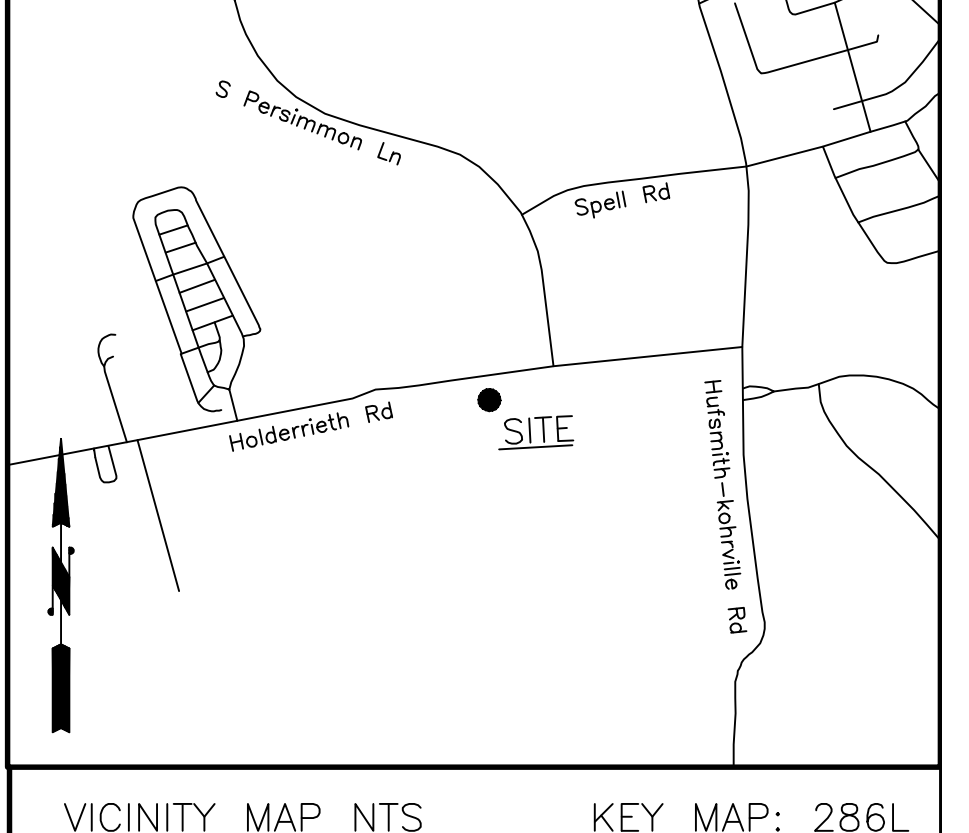
SYMBOLS LEGEND

- IRON ROD FOUND
- 1/2" I.R. W/ "VILLA 6751" CAP SET

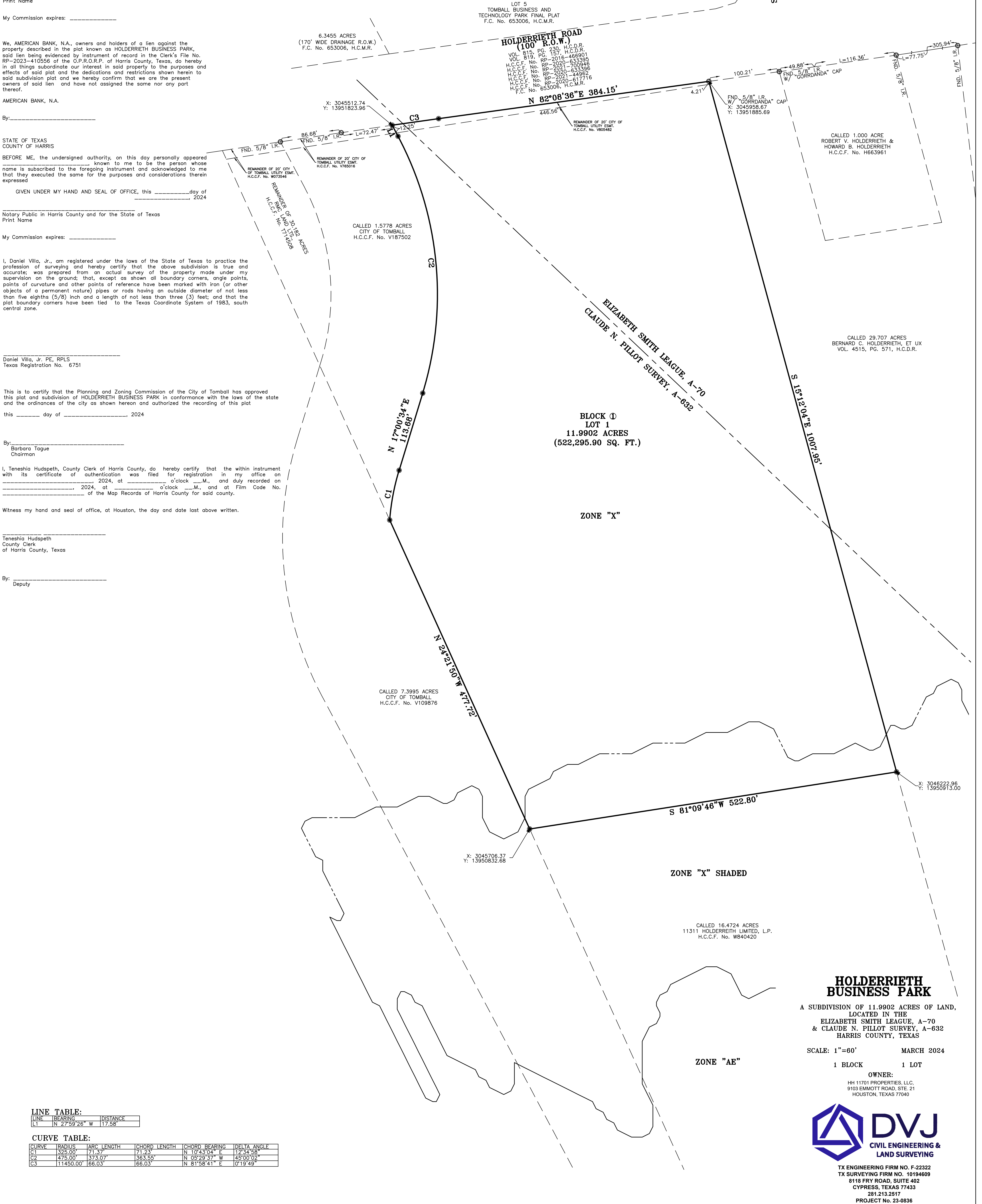


NOTES:

1. All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
2. All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
3. No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
4. This plat does not attempt to amend or remove any valid covenants or restrictions.
5. According to FEMA Firm Panel No. 48201C0230L, dated June 18, 2007, this property is in Zone "X", areas determined to be outside the 0.2% annual chance floodplain and in Zone "X" shaded, areas determined to be within the 0.2% annual chance floodplain. Subject to LOMR 15-06-0921P, dated June 29, 2016.
6. Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
7. A ten foot wide City of Tomball utility easement is hereby dedicated to this plat and is centered on the gas main extension from the City of Tomball right-of-way or City of Tomball utility easement up to and around the gas meter.



SOUTH PERSIMMON STREET (WIDTH VARIES) F.C. No. 653006, H.C.M.R.



LINE TABLE:

LINE	BEARING	DISTANCE
LT	N 27°59'26" W	17.58'

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	325.00'	71.37'	71.23'	N 10°43'04" E	12°34'58"
C2	475.00'	373.07'	363.55'	N 05°29'37" W	45°00'02"
C3	11450.00'	166.03'	166.03'	N 81°58'41" E	0°19'49"

HOLDERRIETH BUSINESS PARK

A SUBDIVISION OF 11.9902 ACRES OF LAND, LOCATED IN THE ELIZABETH SMITH LEAGUE, A-70 & CLAUDE N. PILLOT SURVEY, A-632 HARRIS COUNTY, TEXAS

SCALE: 1"=60' MARCH 2024

1 BLOCK 1 LOT

OWNER:
HH 11701 PROPERTIES, LLC
9103 EMMOTT ROAD, STE. 21
HOUSTON, TEXAS 77040

DVJ
CIVIL ENGINEERING & LAND SURVEYING

TX ENGINEERING FIRM NO. F-22322
TX SURVEYING FIRM NO. 10194609
8118 FRY ROAD, SUITE 402
CYPRESS, TEXAS 77433
281.213.2517
PROJECT NO. 23-0836

Planning & Zoning Commission Agenda Item Data Sheet

Meeting Date: April 8, 2024

Topic:

Consideration to approve Final Plat of **Six Star Center**: A subdivision of a 1.5551 acre tract, (67,740.15 Square Feet), being a replat out of Lots 24, 30 and 24 of Tomball Outlots subdivision as recorded in Volume 2, Page 56, Harris County Map Records, situated in the Ralph Hubbard Survey, A-383, City of Tomball, Harris County, Texas.

Background:

Origination:

Recommendation:

Staff recommends approval with conditions

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

FUNDING (IF APPLICABLE)

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

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

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

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

CITY OF TOMBALL

Plat Name: Six Star Center

Plat Type: Final

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

Plat within City Limits

Within Extraterritorial Jurisdiction

Planning and Zoning Commission Meeting Date: April 8, 2024

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 conditions:

- Prior to the final approval and recording of this subdivision plat, engineered construction plans (“Public Infrastructure Plans”) must be submitted to and approved by the City of Tomball illustrating how all required public improvements associated with this development will be constructed (specifically being Water Main & Sewer Main across E. Hufsmith Road).
- Prior to the recording of this subdivision plat, all required public improvements associated with this development must be installed in accordance with the approved construction plans **and/or** suitable financial guarantee provided covering the overall costs improvements as deemed acceptable by the City Engineer.

STATE OF TEXAS
COUNTY OF HARRIS
WE, JORDAN WADE RODANO AND TAYLOR LEE RODANO, OWNER, HERINAFTER REFERRED TO AS OWNERS (WHETHER ONE OR MORE) OF THE 1.5552 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF SIX STAR CENTER, 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 TO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE 20 FEET ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT 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 ADJUTING 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.

FURTHER, OWNERS HEREBY CERTIFY THAT THIS REPLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS.

WITNESS OUR HANDS IN THE CITY OF TOMBALL, TEXAS, THIS _____ DAY OF _____, 2024.

BY: _____ By: _____
JORDAN WADE RODANO, OWNER TAYLOR LEE RODANO, OWNER

STATE OF TEXAS
HARRIS COUNTY
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JORDAN WADE RODANO AND TAYLOR LEE RODANO, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: _____

MY COMMISSION EXPIRES: _____

WE, FIRST NATIONAL BANK, OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS SIX STAR CENTER, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. RP-2022-392596 OF THE O.P.O.R.P. OF MONTGOMERY 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 LIENS AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

FIRST NATIONAL BANK

BY: _____

PRINT NAME: _____

TITLE: _____

STATE OF TEXAS
HARRIS COUNTY

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 THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: _____

MY COMMISSION EXPIRES: _____

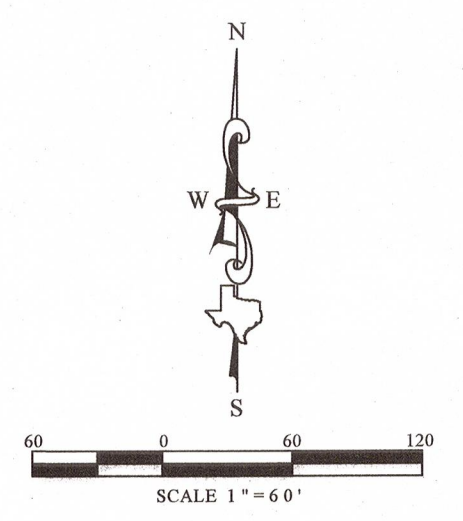
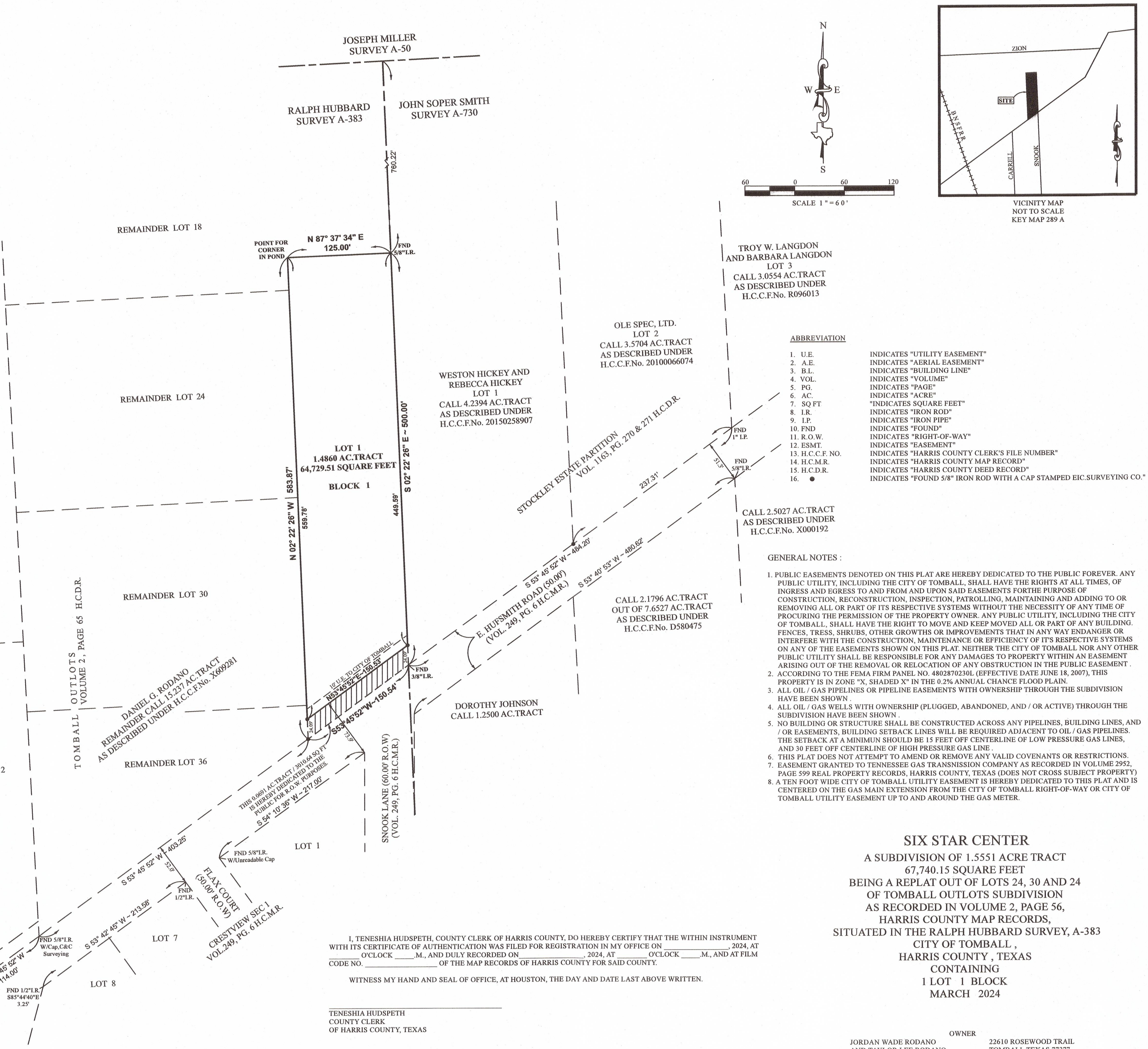
I, CRAIG A. LANEY, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTERS INCH (3/4") AND A LENGTH OF NOT LESS THAN THREE FEET (3'), AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

CRAIG A. LANEY, R.P.L.S.
TEXAS REGISTRATION NO. 4507



THIS IS TO CERTIFY THAT THE CITY OF TOMBALL, TEXAS, IS APPROVED THIS PLAT AND MAP OF THE SIX STAR CENTER IN CONFORMANCE WITH THE STATE OF TEXAS AND ORDINANCE OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THE PLAT, THIS _____ DAY OF _____, 2024.

BARBARA TAGUE, CHAIR SUSAN HARRIS, VICE CHAIR



TROY W. LANGDON AND BARBARA LANGDON
LOT 3
CALL 3.0554 AC. TRACT AS DESCRIBED UNDER H.C.C.F.No. R096013

ABBREVIATION

1. U.E.	INDICATES "UTILITY EASEMENT"
2. A.E.	INDICATES "AERIAL EASEMENT"
3. B.L.	INDICATES "BUILDING LINE"
4. VOL.	INDICATES "VOLUME"
5. PG.	INDICATES "PAGE"
6. AC.	INDICATES "ACRE"
7. SQ.FT.	"INDICATES SQUARE FEET"
8. I.R.	INDICATES "IRON ROD"
9. I.P.	INDICATES "IRON PIPE"
10. FND	INDICATES "FOUND"
11. R.O.W.	INDICATES "RIGHT-OF-WAY"
12. ESMT.	INDICATES "EASEMENT"
13. H.C.C.F. NO.	INDICATES "HARRIS COUNTY CLERK'S FILE NUMBER"
14. H.C.M.R.	INDICATES "HARRIS COUNTY MAP RECORD"
15. H.C.D.R.	INDICATES "HARRIS COUNTY DEED RECORD"
16. ●	INDICATES "FOUND 5/8\"/>

CALL 2.5027 AC. TRACT AS DESCRIBED UNDER H.C.C.F.No. X000192

- GENERAL NOTES :
- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHTS AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
 - ACCORDING TO THE FEMA FIRM PANEL NO. 4802870230L (EFFECTIVE DATE JUNE 18, 2007), THIS PROPERTY IS IN ZONE "X, SHADED X" IN THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
 - ALL OIL / GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 - ALL OIL / GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND / OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
 - NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND / OR EASEMENTS, BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL / GAS PIPELINES. THE SETBACK AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINE.
 - THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
 - EASEMENT GRANTED TO TENNESSEE GAS TRANSMISSION COMPANY AS RECORDED IN VOLUME 2952, PAGE 599 REAL PROPERTY RECORDS, HARRIS COUNTY, TEXAS (DOES NOT CROSS SUBJECT PROPERTY)
 - A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND THE GAS METER.

SIX STAR CENTER
A SUBDIVISION OF 1.5551 ACRE TRACT
67,740.15 SQUARE FEET
BEING A REPLAT OUT OF LOTS 24, 30 AND 24
OF TOMBALL OUTLOTS SUBDIVISION
AS RECORDED IN VOLUME 2, PAGE 56,
HARRIS COUNTY MAP RECORDS,
SITUATED IN THE RALPH HUBBARD SURVEY, A-383
CITY OF TOMBALL,
HARRIS COUNTY, TEXAS
CONTAINING
1 LOT 1 BLOCK
MARCH 2024

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 _____, 2024, AT _____ O'CLOCK _____ M., AND DULY RECORDED ON _____, 2024, AT _____ O'CLOCK _____ M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

TENESHIA HUDSPETH
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

OWNER
JORDAN WADE RODANO AND TAYLOR LEE RODANO
22610 ROSEWOOD TRAIL
TOMBALL TEXAS 77377
(817) 507 - 8181

SURVEYOR
E.I.C. SURVEYING COMPANY
FIRM NO. 10033400
12345 JONES ROAD #270
HOUSTON, TEXAS 77070
(281) 955-2772

Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: April 8, 2024

Topic:

Conduct a Public Hearing and Consideration to Approve **Zoning Case Z24-03**: Request by Ken & Betty Vairin, represented by META Planning & Design, Inc., to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.

Background:

The subject property is presently undeveloped. The applicants are requesting to rezone the subject property to Single Family Residential – 6 (SF-6) to allow the development of a single-family residential subdivision. This SF-6 zoning district would allow a subdivision comprised of lots being a minimum of 6,000 square feet in area.

Origination: Ken & Betty Vairin, represented by META Planning & Design, Inc.

Recommendation:

Staff recommends approval of **Zoning Case Z24-03**.

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)
APRIL 8, 2024
&
CITY COUNCIL
APRIL 15, 2024**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, April 8, 2024 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, April 15, 2024 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 Z24-03: Request by Ken & Betty Vairin, represented by META Planning & Design, Inc., to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.

Zoning Case Z24-04: Request by Houston Deco Balloons LLC, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg Road, within the City of Tomball, Harris County, Texas.

Zoning Case Z24-05: Request by FLS Development LLC, represented by Shawn & Shonna Speer, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 49.30 acres of land legally described as being portions of Lots 489 through 498 of Tomball Outlots as well as all of Lot 1 & Reserve A in Block 1 of Brandt Holdings subdivision from Commercial (C) & Agricultural (AG) to Planned Development (PD) zoning. The properties are generally located within the 2100 – 2200 blocks (east side) of Hufsmith-Kohrville Road, within the City of Tomball Harris County, Texas

Zoning Case Z24-06: Request by Peter & Sylvia Hildreth, represented by Quadros Migl & Crosby PLLC. to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 6.97 acres of land legally described as being a portion of the J. House Survey, Abstract 34, as well as all of Lots 36, 43, 44, 45 & Reserve D in Block 4 of Tomball Hills Addition from Commercial (C) and Single Family Residential – 9 (SF-9) to Planned Development (PD) zoning. The properties are generally located within the 30700 block (east side) of SH 249, within the City of Tomball, Harris County, Texas.

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

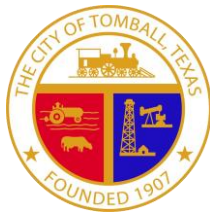
CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 5th day of April 2024 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith
City Planner

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



**City of Tomball
Community Development Department**

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z24-03

03/21/2024

The Planning & Zoning Commission will hold a public hearing on **April 8, 2024 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 Ken & Betty Vairin, represented by META Planning & Design, Inc., to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery Road, 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 **April 15, 2024 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@tomballtxgov

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

CASE #: Z24-03

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

Name:
Parcel I.D.:
Address:

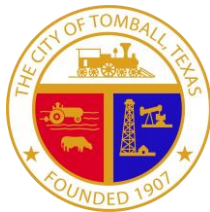
Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

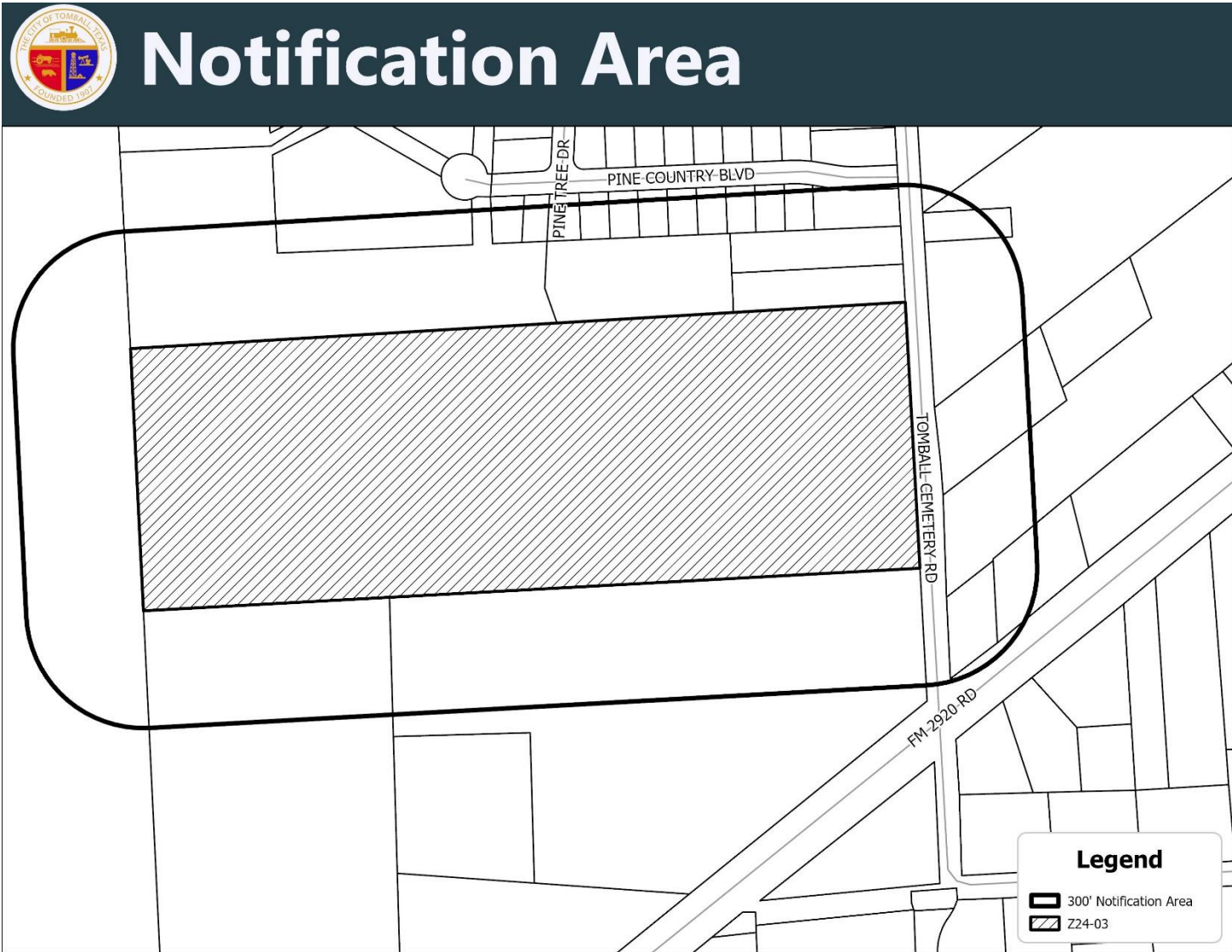
I am opposed

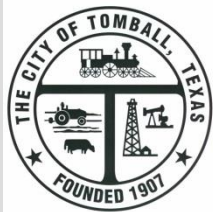
Signature: _____



City of Tomball
Community Development Department

Z24-03





Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: April 8, 2024
City Council Public Hearing Date: April 15, 2024

- Rezoning Case:** Z24-03
- Property Owner(s):** Ken and Betty Vairin
- Applicant(s):** META Planning & Design, Inc.
- Legal Description:** Portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311
- Location:** 22100 block (west side) of Tomball Cemetery Road (Exhibit “A”)
- Area:** 31.12 acres
- Comp Plan Designation:** Neighborhood Residential / Corridor Commercial (Exhibit “B”)
- Present Zoning:** Agricultural (AG) District (Exhibit “C”)
- Request:** Rezone from the Agricultural (AG) to the Single-Family Residential – 6 (SF-6) district

Adjacent Zoning & Land Uses:

- North:** Agricultural (AG) and Single Family – 9 (SF-9) / Single-family residence(s)
- South:** Planned Development (PD) #18 / Undeveloped Multifamily
- West:** Unincorporated parcel / Outside City Limits and ETJ
- East:** Commercial (C) District and ETJ

BACKGROUND

The subject property is presently undeveloped. The applicants are requesting to rezone the subject property to Single Family Residential – 6 (SF-6) to allow the development of a single-family residential subdivision. This SF-6 zoning district would allow a subdivision comprised of lots being a minimum of 6,000 square feet in area.

ANALYSIS

Description: The subject property comprises approximately 31.12 acres, located in the 22100 block on the west side of Tomball Cemetery Road. Currently, the subject property is located within the Agricultural zoning district and has been within this zoning classification since the City of Tomball adopted zoning in 2008. Immediately north of the subject property are existing single-family residences located on varying sized lots within Agricultural and Single Family – 9 zoning, the properties which are zoned Single Family Residential – 9 (SF-9) were approved for rezoning in 2014. South of the subject site is Planned Development District #18 (Undeveloped), which was created in 2021 for multi-family residential. In addition to this PD there is an unincorporated parcel that is undeveloped. West of the subject property is a large tract of unincorporated land with a single-family residence present. East of the subject property on the east side of Tomball Cemetery Road are properties located within the Commercial (C) zoning district and within the City of Tomball’s Extra Territorial Jurisdiction (ETJ) with single-family residences present.

Comprehensive Plan Recommendation: Much of this property is designated as “Neighborhood Residential” by the Comprehensive Plans Future Land Use Map with a small portion of the property being within the “Corridor Commercial” land use category. The neighborhood residential category is intended for areas predominantly comprised of single-family detached housing. While this area is primarily served by the automobile, the inclusion of sidewalks is important for both improved access and safety. The lot size of neighborhood residential should be influenced by surrounding land uses, with smaller lots being in close proximity to supporting amenities, and recreation opportunities.

According to the Comprehensive Plan, land uses should focus on promoting safe and desirable neighborhoods, with single-family detached residential being the primary use. Secondary uses that are appropriate include parks, schools, and other public facilities. Limited commercial services and single-family attached residential that do not require large parking lots would be appropriate where residential collector streets meet arterials.

The Comprehensive Plan recommends the zoning districts of: Single Family Estate Residential - 20 (SF-20-E), Single Family Residential - 9 (SF-9), Single Family Residential - 6 (SF-6), or Planned Developments (PD) for the neighborhood residential land use category.

The Comprehensive Plan emphasizes the importance of transitioning or buffering land uses by “stepping down” land uses from more intense to less intense uses. The requested SF-6 zoning district will promote a single-family residential subdivision which will function as an effective transitional land use between the planned multi-family residential development south of the subject property and the existing medium/large lot single-family residential subdivisions north of the subject property which are comprised of lots being 9,000 square feet in area or greater. Furthermore, the requested zoning establishes a range of housing opportunities which promotes the goals and objectives of the Comprehensive Plan. Particularly providing the opportunity to facilitate the development of a new neighborhood that will integrate with the surrounding environment and provide options for citizens of Tomball to find housing in all stages of life.

Staff Review Comments:

The request to rezone the subject property to Single Family Residential – 6 (SF-6) is in direct alignment with the goals and objectives of the Neighborhood Residential land use category identified within the Future Land Use Plan. Additionally, this requested rezoning will facilitate the goals/objectives of the Comprehensive Plan, particularly by establishing suitable transitional land

use and encourage a range of housing opportunities within the city. Lastly, the subject property is located near the intersection of a major arterial street (FM 2920) and collector street (Tomball Cemetery Road). Roadways such as these are often considered appropriate for carrying the volume of traffic which is likely to be generated by additional residential homes being developed within this area.

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 March 19 ,2024. 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 Z24-03.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Map
- C. Zoning Map
- D. Site Photo(s)
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location

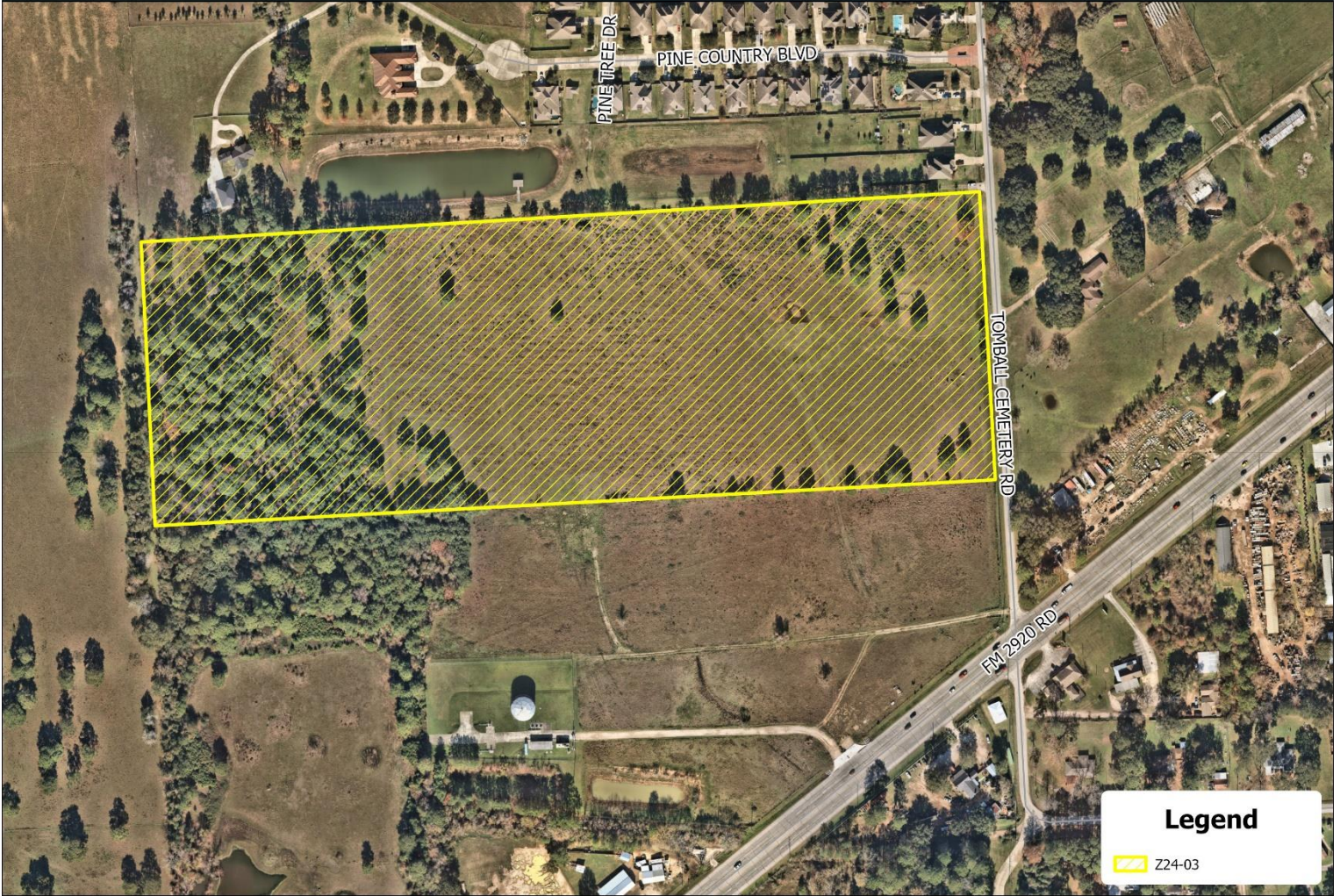
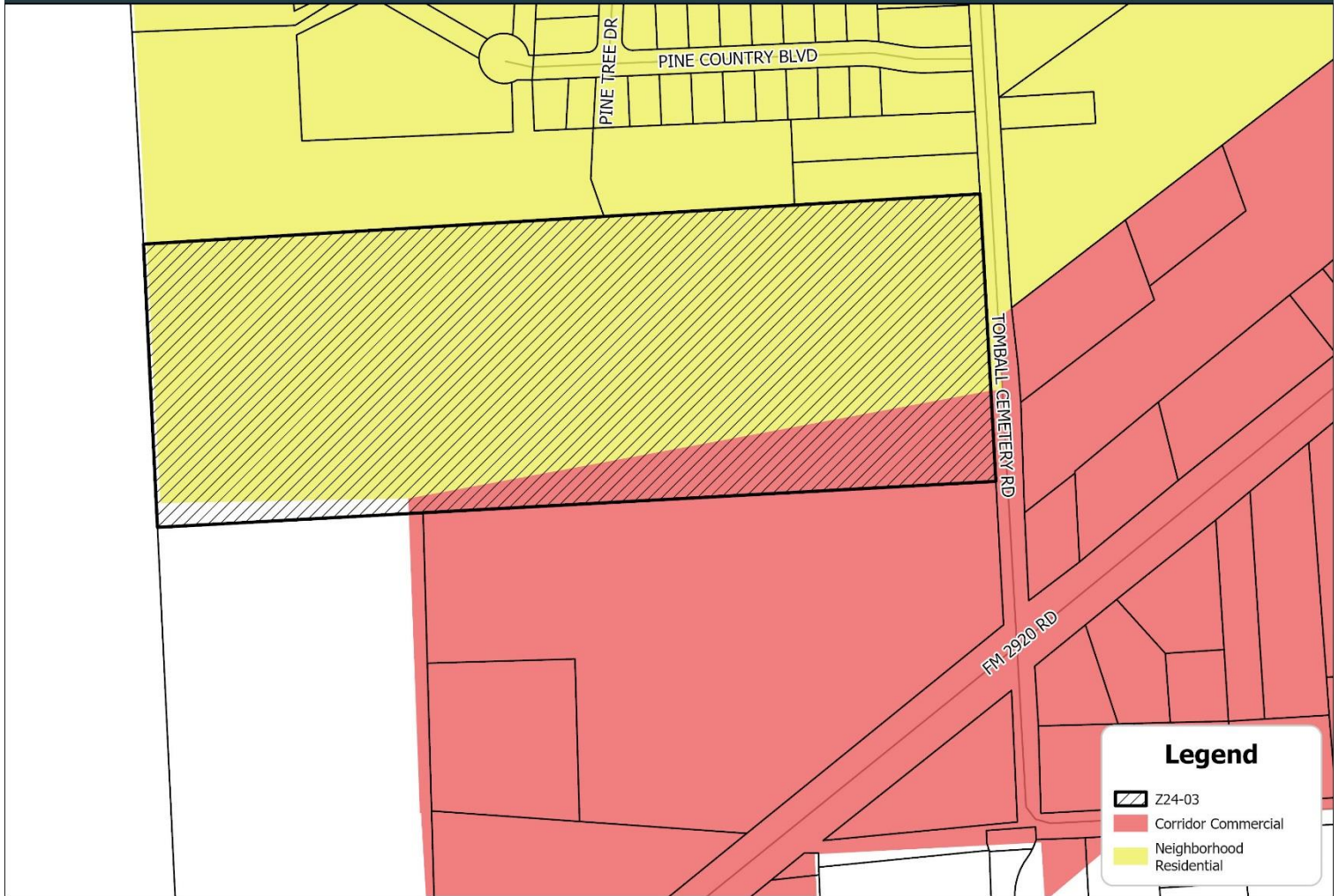


Exhibit "B"
Future Land Use Plan

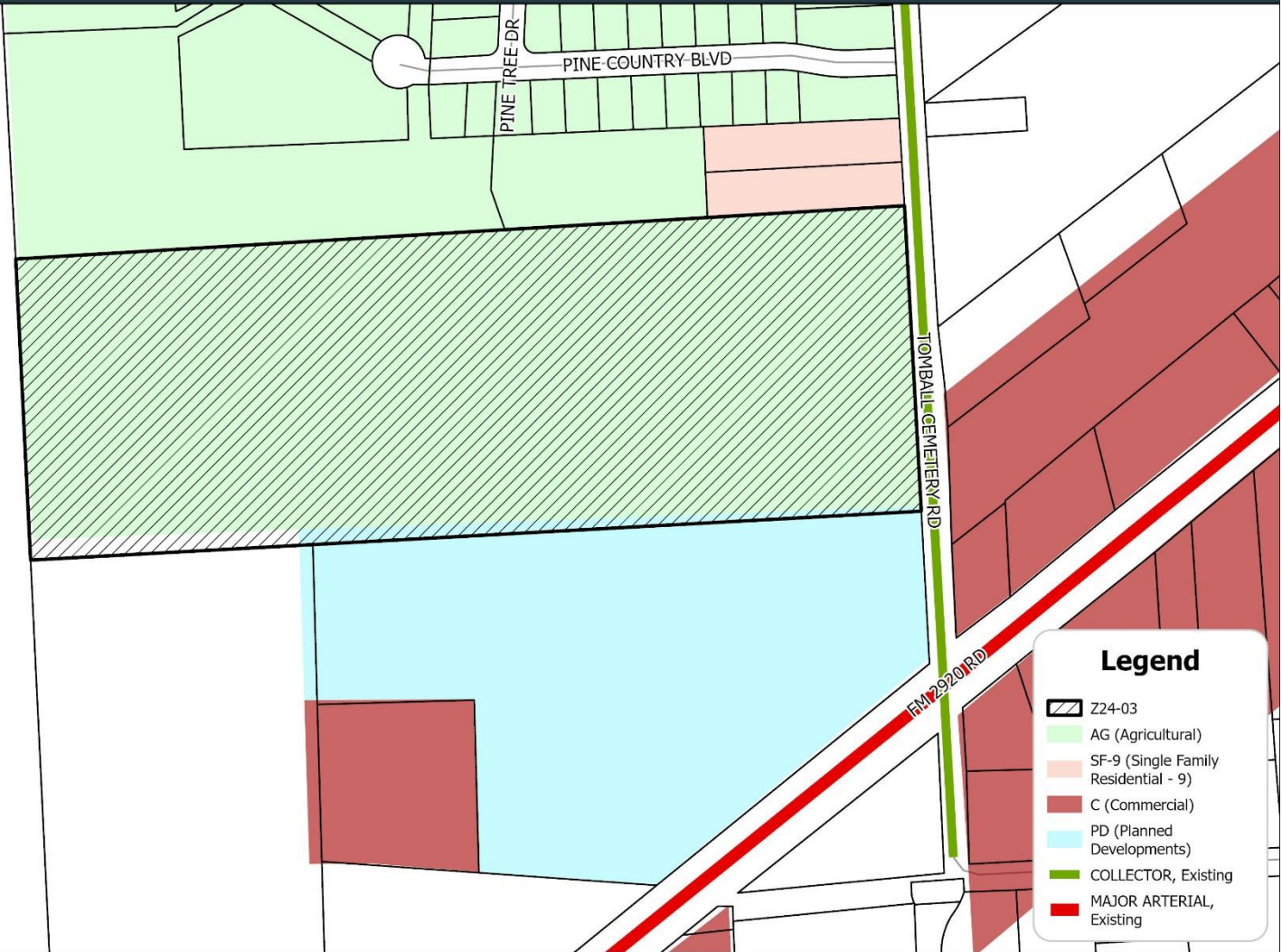


Future Land Use





Zoning



Legend

- Z24-03
- AG (Agricultural)
- SF-9 (Single Family Residential - 9)
- C (Commercial)
- PD (Planned Developments)
- COLLECTOR, Existing
- MAJOR ARTERIAL, Existing

Exhibit "D"
Site Photo(s)

Subject Site



Neighbor (West)



Neighbor (East)

Item F.3



Neighbor (North)



Neighbor (North)



Neighbor (North)



Neighbor (South)



Exhibit "E" Rezoning Application

Revised 5/19/15



APPLICATION FOR REZONING 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: Caitlin King (META Planning + Design) Title: Planner
Mailing Address: 24285 Katy Freeway, Suite 525, City: Katy State: TX
Zip: 77494
Phone: (281) 810-7228 Fax: () Email: cking@meta-pd.com

Owner

Name: Betty Vairin Title: _____
Mailing Address: 26 Teakettle City: Hitchcock State: TX
Zip: 77563
Phone: (832) 797-8987 Fax: () Email: vairins@yahoo.com

Engineer/Surveyor (if applicable)

Name: n/a Title: n/a
Mailing Address: n/a City: n/a State: n/a
Zip: n/a
Phone: () n/a Fax: () n/a Email: n/a

Description of Proposed Project: Single family development

Physical Location of Property: Just north of FM 2920; south of Pine Country Blvd, and east of Tomball Cemetery Road
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: TRS 1C & 2D & TR 17D ABST 20 J H EDWARDS ABST 311 C GOODRICH
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: AG (Agricultural)

Current Use of Property: Undeveloped land

Proposed Zoning District: SF-6 (Single Family Residential -6)

Proposed Use of Property: Single family development

HCAD Identification Number: 0421810000178 Acreage: 31.122

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

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 Castlin King 02-27-2023
Signature of Applicant Date

X Betty Vairin by Laura Vairin POA 2-27-2024
Signature of Owner 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 delivered to the City 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)
- 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 un-platted 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 (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 (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

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



February 27, 2024

City of Tomball
Planning and Zoning Commission and City Council
c/o City of Tomball Planning Department
501 James Street,
Tomball, Texas, 77375

RE: Tomball Cemetery Road Rezone Application

Dear Commissioners and Councilpersons,

On behalf of Beazer Homes, we, META Planning + Design, LLC, respectfully request for a rezoning of a ±31.1-acre tract of land located within the northwestern portion of the City of Tomball. The subject tract (HCAD number 0421810000178) is located just north of FM 2920, just south of the Pine Country of Tomball development, and just east of Tomball Cemetery Road. Currently, this tract is zoned as AG (Agricultural), but it is being requested that this tract be rezoned to the SF-6 (Single Family Residential -6) zone.

The subject tract is bounded by PD #18 (a proposed multi-family development) to the south and a single-family residential development that is zoned as AG to the north. These adjacent developments exemplify that this area is a prime location for single-family residential development. Additionally, per the City of Tomball's Comprehensive Plan, the future land use for this tract (and the residential neighborhood to the north) is designated as Neighborhood Residential. Rezoning this tract from AG to SF-6 would be in line with the goals of the City of Tomball, as a compatible zoning district for Neighborhood Residential is SF-6. The SF-6 zoning district will allow detached, single-family residential units with a minimum lot area of 6,000 square feet (a minimum lot width of 50' and a minimum lot depth of 100'). Please find the preliminary land plan attached. Please note that the land plan is for graphical representation only and is subject to change.

Beazer Homes is working with the seller to develop this tract in accordance with the rules and regulations of the SF-6 zone. As the subject tract is abutted by single-family and multi-family residential and the City of Tomball has identified the subject tract's future land use as Neighborhood Residential, we feel that the subject tract is in a prime location for the SF-6 zone.

Please contact me if you have any questions.

Sincerely,

Caitlin King

24285 Katy Freeway, Suite 525 | Katy, Texas 77494 | 281-810-1422

PEA GROUP



16060 Dillard Drive, Suite 250
Houston, TX 77040

713.688.3530
peagroup.com

Page 1 of 2

LEGAL DESCRIPTION

Being 31.122 acres or 1,355,691 square feet of land situated in the John Edwards Survey, Block 3, Abstract Number 20 and the Chancey Goodrich Survey, Abstract Number 311, Harris County, Texas, being all of that certain called 31.159 acres of land described in deed recorded in Harris County Clerk File Number V256093, Texas, and more particularly described as follow (Bearings and coordinate are based on the Texas Coordinate System of 1983, South Central Zone, all distances shown hereon are surface distances and may be converted to grid by applying the following combined scale factor: 0.9999443881);

COMMENCING at a found 5/8 inch iron rod with cap stamped "TONY P. SWONKE RPLS" having grid coordinates X: 3,024,702.62 feet, Y: 13,956,276.70 feet found in the west right-of-way line of Tomball Cemetery Road (called 60 feet wide) and the Northwest right-of-way line of FM 2920 (called 120 feet wide), for the southeast corner of Lot 1, Final Plat of Sitemag at Tomball, recorded in Film Code Number 700317 of the Map Records of Harris County;

THENCE, North 03°19'11" West, along the west right-of-way line of said Tomball Cemetery Road and the east line of said Lot 1, a distance of 340.12' to a found 5/8 inch iron rod with cap stamped "TONY P. SWONKE RPLS" having grid coordinates X: 3,024,682.73 feet, Y: 13,956,616.26 feet the POINT OF BEGINNING of the herein described tract;

THENCE, South 86°39'32" West, along the north line of said Lot 1, at a distance of 1,358.48 passing a 5/8 inch iron rod with cap stamped "TONY P. SWONKE RPLS", found for the northerly northwest corner of said Lot 1 and the northeast corner of a called 18.739 acre tract, recorded in Harris County Clerk File Number RP-2017-242129, and continuing along the North line of said 18.739 acre tract, for a total distance of 1,988.49 feet to a 5/8 inch iron rod found in the east line of a called 122 acre tract recorded in Harris County Clerk File Number N908353, for the northwest corner of said 18.739 acre tract;

THENCE, North 03°00'51" West, along the east line of said 122 acre tract, a distance of 683.31 feet to a 5/8 inch iron rod with cap, in the east line of said 122 acre tract, for the southwest corner of Tract 4, of Replat Number 2 of Pine Country of Tomball Section Three, recorded in File Clerk Number 641167 of the Map Records of Harris County;

S:\PROJECTS\2023\23-0613 TOMBALL CEMETERY RD SUBDIVISION\SURVEY\LEGALS\23-0613 LEGAL DESCRIPTION.doc

THENCE, North 86°42'40" East, along the south line of said Tract 4 and the south line of Reserve "B", Replat of Pine Country of Tomball Section 2, recorded in Film Code Number 628282 of the Map Records of Harris County, at a distance of 1,544.77 feet passing a 1/2 inch iron rod found for the southeast corner of said Reserve B and the southwest corner of Lot 13, Block 1, Pine Country of Tomball Section Two, Reserve "A" Replat, recorded in Film Code Number 671096 of the Map Records of Harris County, continuing for a total distance of 1,984.85 feet to a 5/8 inch iron rod with cap "TONY P. SWONKE RPLS" found in the west right-of-way line of said Tomball Cemetery Road, for the southeast corner of said Lot 13;

THENCE, South 03°19'11" East, along the west right-of-way line of said Tomball Cemetery Road, a distance of 681.49 feet to the POINT-OF-BEGINNING and containing 31.122 acres of land or 1,355,691 square feet of land.



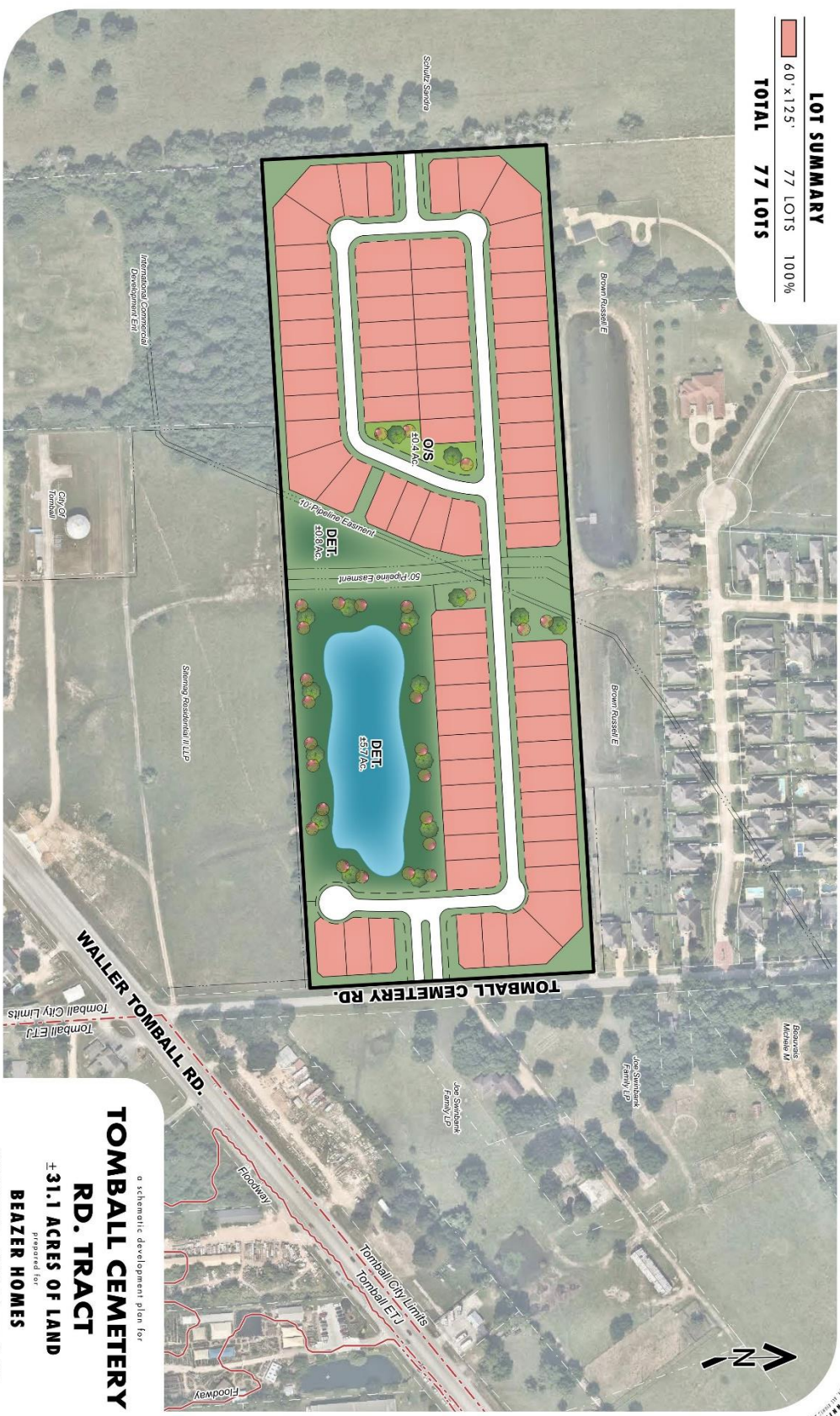
Glen H. Freeland, R.P.L.S. Date: 01-26-2024
Texas Registered Land Surveyor No. 5758
gfreeland@peagroup.com
Agent of PEA Group
TBPELS Firm #10194679
File No. 2023-0613



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LOT SUMMARY

60' x 125'	77 LOTS	100%
TOTAL	77 LOTS	



THIS DRAWING IS A GRAPHIC REPRESENTATION OF RESTRICTIONS AND DOES NOT CONSTITUTE A CONTRACT. THE DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSE. THE DRAWING IS THE PROPERTY OF META PLANNING & DESIGN, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF META PLANNING & DESIGN, INC. ANY VIOLATION OF THIS AGREEMENT SHALL BE SUBJECT TO THE JUDICIAL AND ARBITRATION JURISDICTION OF META PLANNING & DESIGN, INC. © 2024 META PLANNING & DESIGN, ALL RIGHTS RESERVED.

OPTION E3
*** REQUIRES ZONING CHANGE**

TOMBALL CEMETERY RD. TRACT
 a schematic development plan for
+31.1 ACRES OF LAND
 prepared for
BEAZER HOMES
 24235 Katy Freeway, Ste. 525
 Houston, TX 77049
 Tel: 281-810-1432
 HOU-0432
 FEBRUARY 13, 2024



Planning and Zoning Commission Agenda Item Data Sheet

Meeting Date: April 8, 2024

Topic:

Conduct a Public Hearing and Consideration to Approve **Zoning Case Z24-04**: Request by Houston Deco Balloons LLC, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg Road, within the City of Tomball, Harris County, Texas.

Background:

The subject property has been within the City Limits of Tomball since at least 1909. There is an existing agricultural structure located on the property which according to historic imagery appears to have been located on the subject property since at least 1989. The applicants are requesting to rezone the subject property to the Commercial (C) zoning district. According to the information provided by the applicant the intent of this rezoning is to allow for the development of mixed-use space comprising office warehouse and retail facilities.

Origination: Houston Deco Balloons LLC

Recommendation:

Staff recommends approval of **Zoning Case Z24-04**.

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)
APRIL 8, 2024
&
CITY COUNCIL
APRIL 15, 2024**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, April 8, 2024 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, April 15, 2024 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 Z24-03: Request by Ken & Betty Vairin, represented by META Planning & Design, Inc., to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 31.12 acres of land legally described as being portions of the J H Edwards Survey, Abstract 20 and the C Goodrich Survey, Abstract 311 from the Agricultural (AG) to Single Family Residential – 6 (SF-6) zoning. The property is generally located within 22100 block (west side) of Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.

Zoning Case Z24-04: Request by Houston Deco Balloons LLC, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg Road, within the City of Tomball, Harris County, Texas.

Zoning Case Z24-05: Request by FLS Development LLC, represented by Shawn & Shonna Speer, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 49.30 acres of land legally described as being portions of Lots 489 through 498 of Tomball Outlots as well as all of Lot 1 & Reserve A in Block 1 of Brandt Holdings subdivision from Commercial (C) & Agricultural (AG) to Planned Development (PD) zoning. The properties are generally located within the 2100 – 2200 blocks (east side) of Hufsmith-Kohrville Road, within the City of Tomball Harris County, Texas

Zoning Case Z24-06: Request by Peter & Sylvia Hildreth, represented by Quadros Migl & Crosby PLLC. to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 6.97 acres of land legally described as being a portion of the J. House Survey, Abstract 34, as well as all of Lots 36, 43, 44, 45 & Reserve D in Block 4 of Tomball Hills Addition from Commercial (C) and Single Family Residential – 9 (SF-9) to Planned Development (PD) zoning. The properties are generally located within the 30700 block (east side) of SH 249, within the City of Tomball, Harris County, Texas.

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

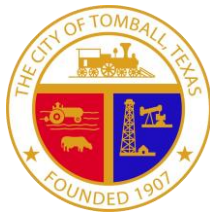
CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 5th day of April 2024 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith
City Planner

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



**City of Tomball
Community Development Department**

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z24-04

03/21/2024

The Planning & Zoning Commission will hold a public hearing on **April 8, 2024 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 Houston Deco Balloons LLC, to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 0.87 acres of land legally described as being a portion of Tomball Outlot 286 from Single Family Residential – 20 (SF-20) to Commercial (C) zoning. The property is generally located in the 900 block (North Side) of Agg Road, 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 **April 15, 2024 at 6:00 PM** in City Council Chambers at City Hall, 401 Market Street, Tomball, Texas.

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

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

CASE #: Z24-04

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

Name:
Parcel I.D.:
Address:

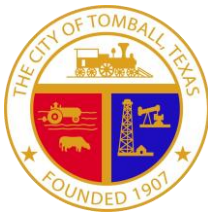
Mailing To: Community Development Department
501 James St., Tomball TX 77375

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

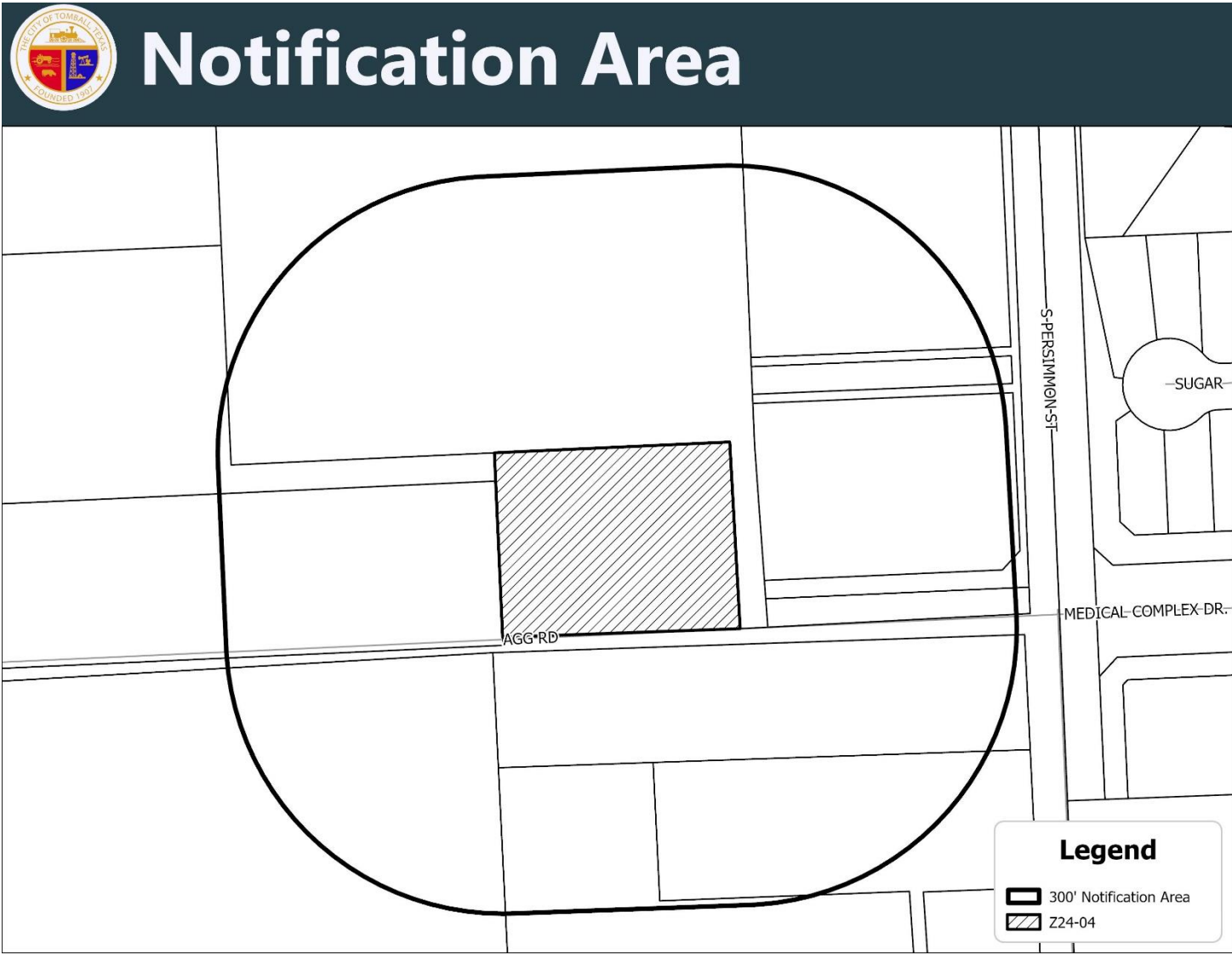
I am opposed

Signature: _____



City of Tomball
Community Development Department

Z24-04



CASE #: Z24-04

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

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

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

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

Signature: Patricia Case

501 James Street • TOMBALL, TEXAS 77375

CASE #: Z24-04

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

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

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

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

Signature: Patricia Case

Correct Address: Agg Rd/Medical Complex Blvd.

501 James Street • TOMBALL, TEXAS 77375

Item F.4

CASE #: Z24-04

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

Name: CASE JAMES & PATRICIA ANN
Parcel I.D.: 0352880000415
Address: 0 S PITCHFORD ST

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

Email: jasmith@tomballtx.gov

I am in favor
Additional Comments:

I am opposed

Signature: Patricia Case

Correct Address : Agg Rd / Medical Complex ~~Plot~~

501 James Street • TOMBALL, TEXAS 77375

CASE #: Z24-04

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

Name: CASE JAMES & PATRICIA
Parcel I.D.: 0352880000411
Address: 1514 S PERSIMMON ST

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

Email: jasmith@tomballtx.gov

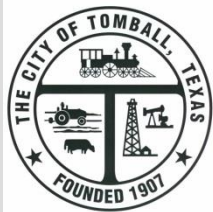
I am in favor
Additional Comments:

I am opposed

Signature: Patricia Case

Correct Address: A 99 Rd. / Medicine Complex Blvd

501 James Street • TOMBALL, TEXAS 77375



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: April 8, 2024
City Council Public Hearing Date: April 15, 2024

Rezoning Case: Z24-04

Property Owner(s): Houston Deco Ballons LLC

Applicant(s): Houston Deco Ballons LLC

Legal Description: Portion of Lot 286 of Tomball Outlots

Location: 900 block (North Side) of Agg Road (Exhibit “A”)

Area: 0.87 acres

Comp Plan Designation: Business Park and Industrial (Exhibit “B”)

Present Zoning: Single-Family Residential -20 District (Exhibit “C”)

Request: Rezone from the Single-Family Residential – 20 (SF-20) to the Commercial (C) district

Adjacent Zoning & Land Uses:

- North:** Single-Family Residential -20 (SF-20)/ Single-family residence(s)
- South:** Single-Family Residential – 20 (SF-20)/ Single Family residence(s)
- West:** Single-Family Residential – 20 (SF-20) / Single-family residence(s)
- East:** Single-Family Residential – 20 (SF-20) / Single-family residence(s)

BACKGROUND

The subject property has been within the City Limits of Tomball since at least 1909. There is an existing agricultural structure located on the property which according to historic imagery appears to have been located on the subject property since at least 1989. The applicants are requesting to rezone the subject property to the Commercial (C) zoning district. According to the information provided by the applicant the intent of this rezoning is to allow for the development of mixed-use space comprising office warehouse and retail facilities.

ANALYSIS

Description: The subject property comprises approximately 0.87 acres, located within the 900 block (north side) of Agg Road. The subject property currently is located within the Single Family Residential Estate – 20 (SF-20) zoning district and has been within this zoning classification since the City of Tomball adopted zoning in 2008. Immediately north, south, east, and west of the subject property are properties within the Single Family Residential Estate – 20 (SF-20) zoning designation, these properties appear to be occupied by single family residences at this time. Even though the property is surrounded by properties zoned Single Family Residential Estate – 20 (SF-20), properties just to the east of the subject property, separated by a narrow driveway, are within the Light Industrial (LI) zoning district. These properties were rezoned to this classification in 2021. The property northeast of the subject property was recently developed with office warehouse buildings.

Comprehensive Plan Recommendation: The property is designated as “Business Park & Industrial” by the Comprehensive Plans Future Land Use Map. This Business Park & Industrial category is intended to create opportunities for employment. The uses that are to be promoted in this designated land use should be uses that benefit from proximity to major thoroughfares which provide convenient access for vehicle traffic, including freight traffic. According to the Comprehensive Plan, land uses should consist of office, warehousing, light manufacturing (with indoor operations), breweries/distilleries, equipment sales, contractor services, and corporate campuses. Appropriate secondary uses may include things such as utility services, government facilities, and transportation/freight uses. The Comprehensive Plan recommends the zoning districts of – Light Industrial (LI), Commercial (C), Office (O), or Planned Developments (PD) for the Business Park & Industrial land use category.

The proposed zoning category of Commercial (C) is in conformance with the Comprehensive Plan recommendation for this area.

Staff Review Comments:

The request to rezone the subject property to Commercial (C) 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 patterns and character endorsed by the Future Land Use Plan for this area. Furthermore, the subject property is sited along Agg Road, which is a segment of Medical Complex Drive, a roadway which is identified as being a major arterial street in the City of Tomball Major Thoroughfare Plan. Roadways such as this are customarily appropriate for commercial land uses as they provide convenient vehicular access and exposure often necessary to promote commercial success. Additionally, the subject property is near the intersection of Agg Road (major arterial street) and South Persimmon Street (minor arterial street), key intersections of major thoroughfares such as these are important to ensure convenient access to commercial traffic, to include potential freight traffic as promoted by the Business Park & Industrial future land use category.

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 March 19, 2024. 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 Z24-04.

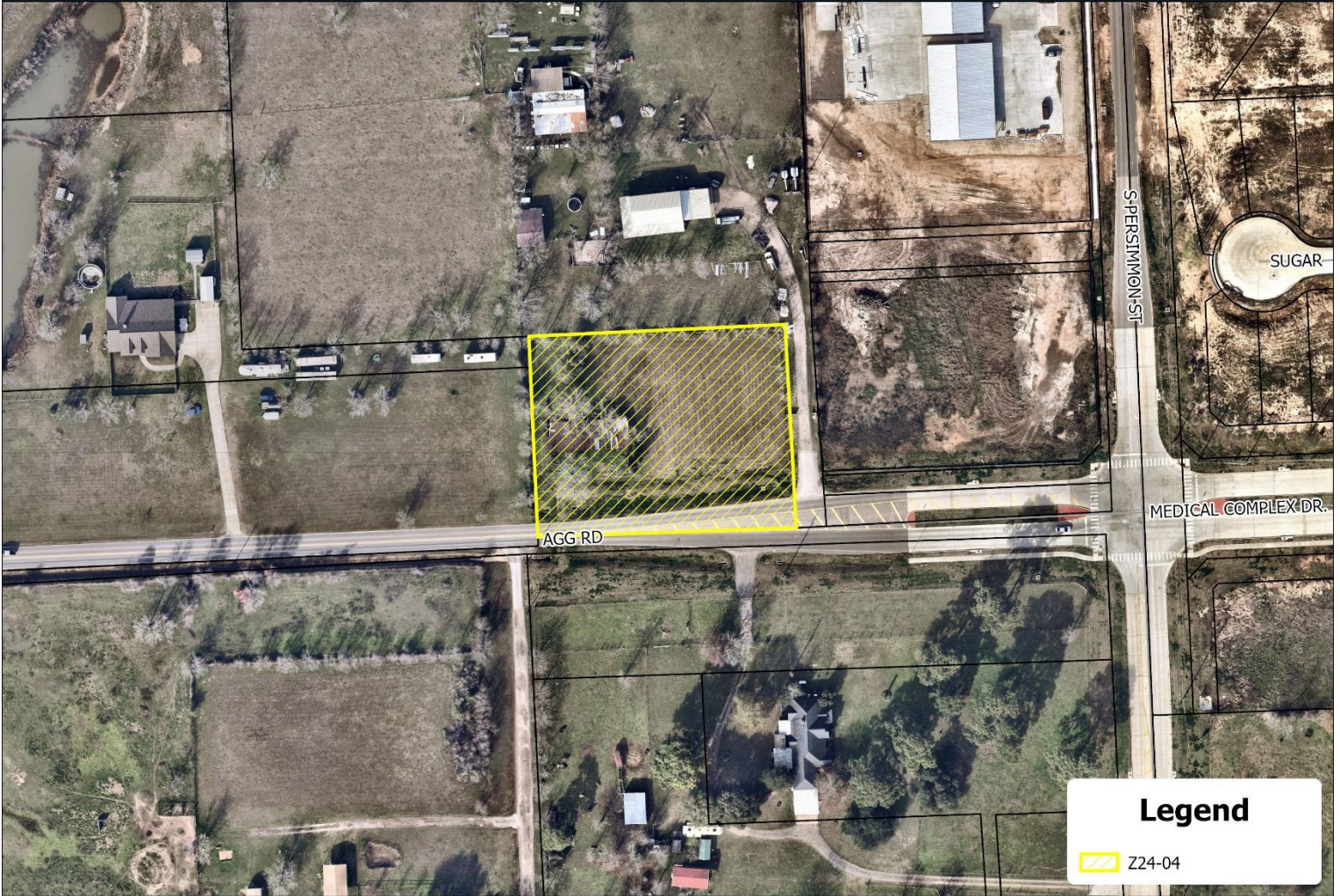
EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Map
- C. Zoning Map
- D. Site Photo(s)
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location



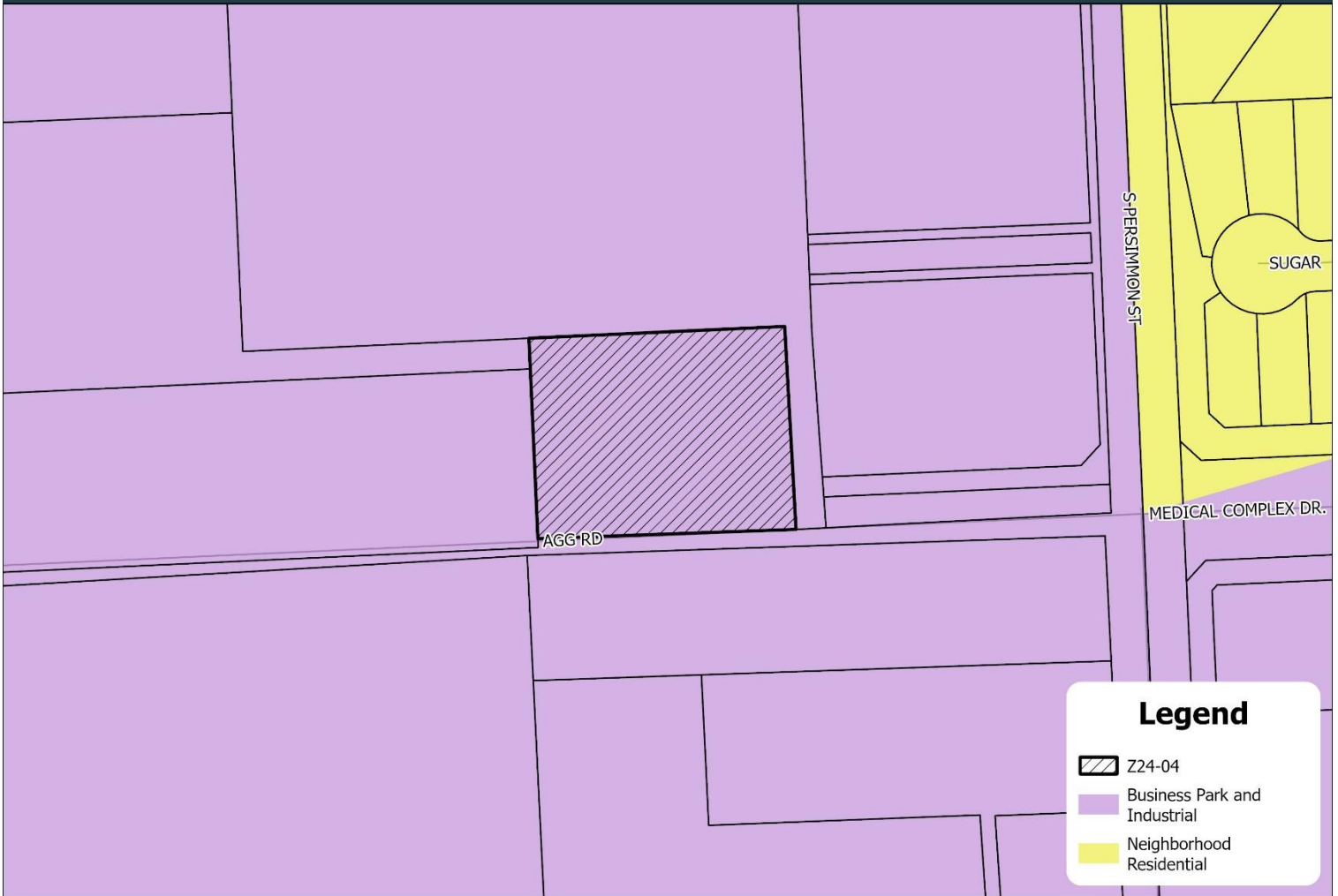
Legend

 Z24-04

Exhibit "B"
Future Land Use Map



Future Land Use



Legend

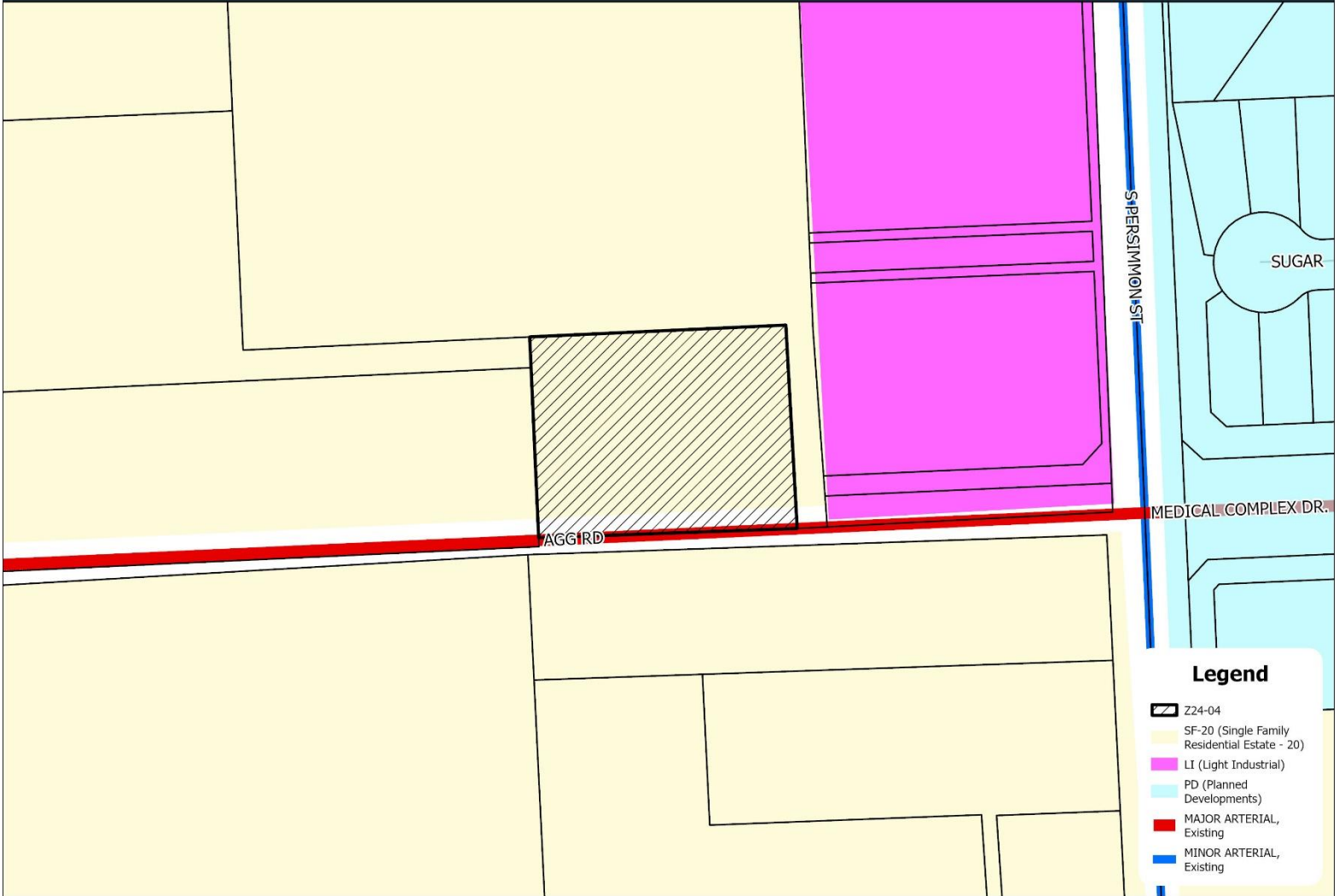
-  Z24-04
-  Business Park and Industrial
-  Neighborhood Residential

Exhibit "C"
Zoning Map

Item F.4



Zoning



Legend

- Z24-04
- SF-20 (Single Family Residential Estate - 20)
- LI (Light Industrial)
- PD (Planned Developments)
- MAJOR ARTERIAL, Existing
- MINOR ARTERIAL, Existing

Exhibit "D"
Site Photo(s)

Subject Site



Neighbor (West)



Neighbor (East)

Item F.4



Neighbor (North)



Neighbor (South)



Exhibit "E" Rezoning Application

Revised: 08/25/2023



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.

FEEs: Must be paid at time of submission or application will not be processed.

- \$1,000.00 fee for requests to rezone to standard zoning districts
- \$1,500.00 fee for request to rezone to Planned Development districts.

DIGITAL APPLICATION SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: ci-tomball-tx.smartgovcommunity.com

Applicant

Name: Sellapperumage Asanka Fernando Title: Managing Member
 Mailing Address: 12307 Northpointe Ridge LN City: Tomball State: TX
 Zip: 77377 Contact: Sellapperumage Asanka Fernando
 Phone: (346) 2258200 Email: madurawala@gmail.com

Owner

Name: Houston Deco Balloons LLC/ Sellapperumage Asanka Fernando Title: Managing Member
 Mailing Address: 11424 Spring Cypress RD, Suite A-7 City: Tomball State: TX
 Zip: 77377 Contact: Sellapperumage Asanka Fernando
 Phone: (346) 2258200 Email: madurawala@gmail.com

Engineer/Surveyor (if applicable)

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

Description of Proposed Project: Office Warehouse and Retail Space

Physical Location of Property: Agg Road and S.Persimmon St (0 S PITCHFORD ST)
 [General Location – approximate distance to nearest existing street corner]

Legal Description of Property: 0.8694 Acre Being a Portion of outlot 286 Tomball Townsite
 [Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: (SF-20-E) : Single Family Residential Estate

Revised: 08/25/2023

Current Use of Property: Vacant

Proposed Zoning District: (C) : Commercial

Proposed Use of Property: Office warehouse and Retail Space

HCAD Identification Number: 0352880000415 Acreage: 0.8694

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

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

X [Signature] 2/23/24
Signature of Applicant Date

X [Signature] 2/23/24
Signature of Owner Date

2/23/2024

City of Tomball,

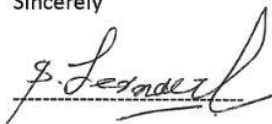
Re: Rezoning for 0.8694 Acre Being a Portion of outlot 286 Tomball Townsite

We have recently acquired a 0.8694-acre property situated at 0 S Pitchford St, Tomball, TX. Presently zoned as SF-20-E: Single Family Residential Estate, our intention is to develop the site into a mixed-use space comprising an office warehouse and a retail warehouse facility.

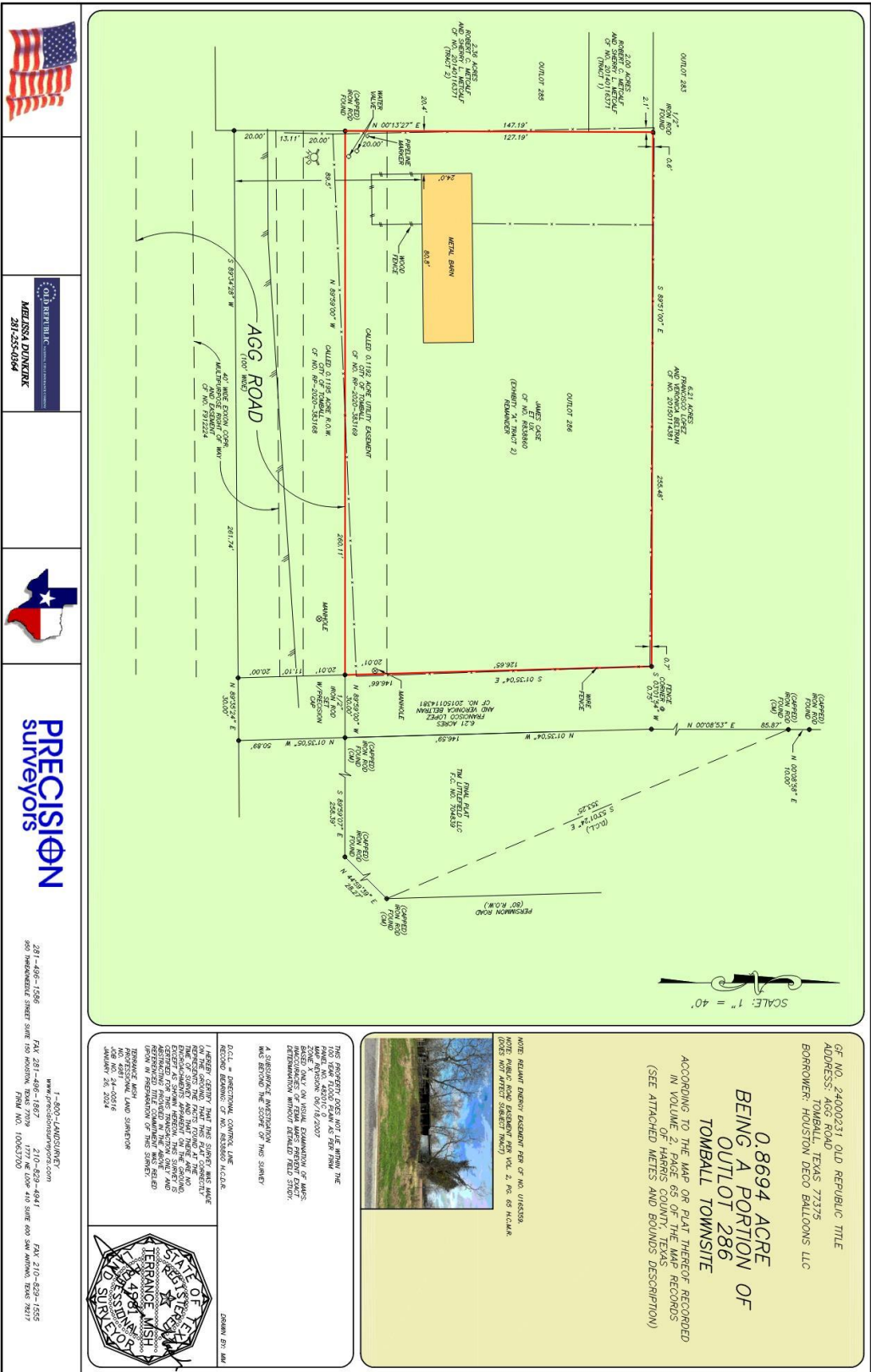
To align with our development plans, it is imperative to pursue rezoning of the property to commercial status. This strategic endeavor will enable us to optimize the property's potential and contribute positively to the local business landscape.

Thank you,

Sincerely



Sellapperumage Asanka Fernando



OLD REPUBLIC
 MARISSA DUNNICK
 281-253-0594



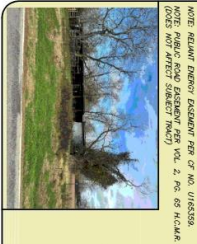
PRECISION
 surveyors

281-486-1586 FAX 281-486-1687
 850 HAMBURG STREET SUITE 150 HOUSTON, TEXAS 77059
 1-800-144-0017
 www.precisionsurveyors.com
 1779 MC LOUG 410 SUITE 600 SAN ANTONIO, TEXAS 78217
 281-486-1585
 15025/150

GF NO. 24000231 OLD REPUBLIC TITLE
 ADDRESS: AGG ROAD TEXAS 77375
 BORROWER: HOUSTON DECO BALLOONS LLC

**0.8694 ACRE
 BEING A PORTION OF
 OUTLOT 286
 TOMBALL TOWNSITE**

ACCORDING TO THE MAP OR FLAT THEREOF RECORDED
 IN VOLUME 2, PAGE 65 OF THE MAP RECORDS
 (SEE ATTACHED METES AND BOUNDS DESCRIPTION)



NOTE: REAR FENCE DESIGN PER GF NO. 0158359.
 NOTE: PUBLIC ROAD EXISTENCE PER VOL. 2, PG. 65 H.C.M.A.R.
 (DOES NOT AFFECT SUBJECT TRACT)

THIS PROPERTY DOES NOT, IN WHOLE OR IN PART, CONTAIN ANY INTERESTS OF THE STATE OF TEXAS OR ANY COUNTY THEREOF. THIS PROPERTY DOES NOT, IN WHOLE OR IN PART, CONTAIN ANY INTERESTS OF ANY OTHER STATE OR ANY COUNTY THEREOF. THIS PROPERTY DOES NOT, IN WHOLE OR IN PART, CONTAIN ANY INTERESTS OF ANY FEDERAL AGENCY OR ANY FEDERAL AGENCY THEREOF. THIS PROPERTY DOES NOT, IN WHOLE OR IN PART, CONTAIN ANY INTERESTS OF ANY FOREIGN COUNTRY OR ANY FOREIGN COUNTRY THEREOF. THIS PROPERTY DOES NOT, IN WHOLE OR IN PART, CONTAIN ANY INTERESTS OF ANY ENTITY OR ANY ENTITY THEREOF.

ALL SURVEY INVESTIGATION AND RECORD THE SCOPE OF THIS SURVEY

DATE: 02/25/2024
 TIME: 10:00 AM
 SURVEYOR: MARISSA DUNNICK
 COUNTY: HARRIS COUNTY, TEXAS
 INSTRUMENT NO.: 2024-000116
 INSTRUMENT DATE: JANUARY 26, 2024

STATE OF TEXAS
 COUNTY OF HARRIS
 MARISSA DUNNICK
 SURVEYOR

STATE OF TEXAS §
§
§
§
COUNTY OF HARRIS §

Metes & Bounds Property Description

A tract of land containing 0.8694 Acre (37,870 Square Feet), being a portion of Outlet 286 of Tomball Townsite according the map or plat thereof recorded in Volume 2, Page 65 of the Map Records of Harris County, Texas (M.R.H.C.T.), being the remainder of a tract recorded in the name of James Case et ux under Harris County Clerk's File (H.C.C.F.) No. R838860 (Exhibit "A", Tract II) of the Real Property Records of Harris County, Texas (R.P.R.H.C.T.), and being more particularly described by metes and bounds as follows: (Bearings based on H.C.C.F. No. R838860 of the R.P.R.H.C.T.)

BEGINNING at an iron rod found at the intersection of the north right-of-way line of Agg Road and the west line of said Outlet 286, being the northwest corner of a right-of-way tract recorded in the name of the City of Tomball under H.C.C.F. No. RP-2020-383168 of the R.P.R.H.C.T., and being the southwest corner of this tract;

THENCE, **NORTH 00° 13' 27" EAST**, with the east lines of Outlots 283 and 285 being the east lines of tracts recorded in the name of Robert C. Metcalf and Sherry L. Metcalf under H.C.C.F. No. 20140116371 (Tracts 1 & 2) of the R.P.R.H.C.T., a distance of **147.19 Feet** to 1/2 Inch iron rod found at the northwest corner of this tract;

THENCE, with the lines of a tract recorded in the name of Francisco Lopez and Veronica Beltran under H.C.C.F. No. 20150144381 of the R.P.R.H.C.T. the following two (2) courses:

1. **SOUTH 89° 51' 00" EAST**, a distance of **255.48 Feet** to point at the northeast corner of this tract from which a fence corner bears South 03 01 54 West, a distance of 0.75 Feet;
2. **SOUTH 01° 35' 04" EAST**, a distance of **146.66 Feet** to a 1/2 Inch iron rod with a "PRECISION" cap set on the aforementioned north right-of-way line of Agg Road at the southwest corner of this tract (from which a iron rod found at the southwest corner of the Final Plat of Tim Littlefield, LLC Subdivision recorded under Film Code No. 704839 of the M.R.H.C.T. bears South 89° 59' 00" East, a distance of 30.00 Feet, from said iron rod found a second iron rod found at a corner of said Final Plat bears South 89° 59' 07" East, a distance of 258.39 Feet, from said second rod found a third iron rod found at a corner of said Final Plat bears North 44° 59' 39" East, a distance of 28.27 Feet, from said third rod found a fourth iron rod found bears North 53° 01' 24" West, a distance of 353.25 Feet, from said fourth rod found a fifth iron rod found bears North 00° 08' 58" East, a distance of 10.00 Feet);

THENCE, **NORTH 89° 59' 00" WEST**, with said north right-of-way line, a distance of **260.11 Feet** to the POINT OF BEGINNING and containing 0.8694 Acre of land.

(See attached drawing)



Terrance P. Mish
Registered Professional Land Surveyor
No. 4981
Job No. 24-00516
January 26, 2024