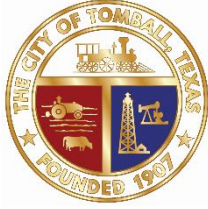


**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR  
MEETING  
CITY OF TOMBALL, TEXAS**



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

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, January 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 December 11, 2023.
- E. New Business Non-Action Items
  - [E.1](#) Minor Plat of **The Dirt Yard**: Being a commercial subdivision of 2.64 acres and being the same called 2.639 acres tract of land as record in Harris County Clerk's File No. 2023-45241, CN Pillot Survey, Abstract no. 632, Harris County, Texas., 2710 State Highway 249, Tomball, Texas.
  - [E.2](#) Minor Plat of **Flex at Commercial Park**: A subdivision of 3.3524 acres, being a replat of TR6 Tomball Industrial Park, recorded under Map Records of County Clerk Film Code 437033, Harris County, Texas.

[E.3](#) Minor Plat of **Interchange 249 Business Park, Partial Replat No. 4:** A subdivision of 5.4232 acres, (236,233 Sq. Ft.), being a replat of Lot 101, Block 2, Interchange 249 Business Park Partial Replat No. 2, Film code No. 703892, H.C.M.R., situated in the Auguste Senechal Survey, Abstract No. 722, City of Tomball, Harris County, Texas.

[E.4](#) Minor Plat of **Real Life Ministries:** A subdivision of 17.5404 acres, (764,061.78 Sq. Ft.), of land being out of Lots 172, 175 and 175 of Tomball Townsite as recorded under Volume 2, Page 65, of the Harris County Map Records and Devasco International as recorded under Film Code Number 615009 of the Harris County Map Records in the J. Pruitt Survey, Abstract No. 629, Harris County, Texas.

[E.5](#) Minor Plat of **Costco – FCCU Addition:** Being a replat of Lot 1, Block 1 in Kenneth Lee Subdivision and Reserve “A” of Maple Group. Being 26.996 acres, (1,175,944 Sq. Ft.), out of the C.M. Pillot Survey, Abstract No. 632 in the City of Tomball, Harris County, Texas.

F. New Business

[F.1](#) Consideration to Approve **Ordinance Amendment OAM23-03:** Request by the City of Tomball to amend Chapter 50 – Article III (*District Regulations*) adding Section 50-75.1 – Neighborhood Retail District (NR) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off Street Parking and Loading Requirements*) adding parking regulations within the Neighborhood Retail District. Modifying Section 50-113 (*Landscape Requirements*) specifying parking lot screening requirements. Modifying Section 50-115 (*Screening, Buffering and Fencing Requirements*) replacing subsection (b)(1) (*Screening of Non-Residential, Multifamily, and manufactured (mobile) home parks*) with new land use buffering standards.

G. Adjournment

## CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 5th day of January 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](http://www.ci.tomball.tx.us).

# Planning & Zoning Commission Meeting

## Agenda Item

### Data Sheet

**Meeting Date:**January 8, 2023

**Topic:**

Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 11, 2023.

## Background:

**Origination:** Community Development

### Recommendation:

## Approval

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

**FUNDING (IF APPLICABLE)**

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

Yes: \_\_\_\_\_ No: \_\_\_\_\_

If yes, specify Account Number: #

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

**Signed:**

**Approved by:**

Staff Member

---

Date

City Manager

Date \_\_\_\_\_

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

**MONDAY, DECEMBER 11, 2023**



**6:00 P.M.**

- A. The meeting was Called to Order by Chairwoman Tague at 6:04 p.m. Other Members present were:
- Commissioner Scott Moore
  - Commissioner Susan Harris
  - Commissioner Richard Anderson

Commissioner Tana Ross – Excused Absence

Others present:

- Jessica Rogers – Assistant City Manager
- Jared Smith – City Planner
- Kim Chandler – Community Development Coordinator
- Tommy Ramsey – City Attorney

draft

- B. No Public Comments were received.

- C. Reports and Announcements:

Jessica Rogers, Assistant City Manager Announced the following:

- Jared Smith is the City of Tomball Employee of the Year.

Jared Smith, City Planner announced the following:

- City Council Approved on 1st reading, 2<sup>nd</sup> reading was postponed until Annexation process takes place for **Zoning Case Z23-16**: Request by HH 11701 Properties LLC., represented by Austin Haynes to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 12.11 acres of land legally described as being a portion of the Elizabeth Smith Survey, Abstract No. 70 and the C.N. Pilot Survey, Abstract 632 from Agricultural (AG) to Light Industrial (LI). The property is located at 11701 Holderrieth Road, within Harris County, Texas.

- No action was taken by City Council for **Zoning Case Z23-17**: Request by Daniel Rodano, represented by Sendero Ventures LLC., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.06 acres of land legally described as being a portion of the John Smith Survey, Abstract No. 730 from Single Family Estate Residential – 20 (SF-20-E) to Commercial (C). The property is generally located within the 1100 block (north side) of E. Hufsmith Road, within the City of Tomball, Harris County, Texas.
- City Council Denied **Zoning Case Z23-18**: Request by Brian Mai to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 0.172 acres of land legally described as Lot 9, Block 1 of Main Street – Tomball from Single Family Residential – 6 (SF-6) to Commercial (C). The property is located within the 100 block (east side) of Holderrieth Boulevard, within the City of Tomball, Harris County, Texas.

D. Approval of Minutes:

Motion was made by Commissioner Harris, second by Commissioner Anderson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 13, 2023.

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

Motion Carried unanimously.

E. New Business Non-Action Items:

- E.1 Minor Plat of **Graham Road Estates Replat No. 1, Amending Plat No. 1**: A subdivision of 3.7491 Acres, (163,311 Sq. Ft.), being a replat Graham Road Estates Replat No. 1, Film code No. 703881, H.C.M.R. situated in the John M. Hooper Survey, A-375 and the William Hurd Survey, A-378, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented with Staff Approval.

- E.2 Minor Plat of Minor Plat of **Fincas Falkane**: A subdivision of 2.672 acres of land being a replat of outlots 88 and 89 Tomball Outlots, five acres Tomball Townsite according to the Plat or Map as recorded in Volume 2, Page 65 of the map records of Harris County, Texas, Ralph Hubbard Survey, Abstract No. 383, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented with Staff Approval.

F. New Business:

- F.1 Conduct a Public Hearing and Consideration to Approve **Ordinance Amendment OAM23-03**: Request by the City of Tomball to amend Chapter 50 – Article III (*District Regulations*) adding Section 50-75.1 – Neighborhood Retail District (NR) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off Street Parking and Loading Requirements*) adding parking regulations within the Neighborhood Retail District.

Modifying Section 50-113 (*Landscape Requirements*) specifying parking lot screening requirements. Modifying Section 50-115 (*Screening, Buffering and Fencing Requirements*) replacing subsection (b)(1) (*Screening of Non-Residential, Multifamily, and manufactured (mobile) home parks*) with new land use buffering standards.

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

The Public Hearing was opened by Chair Tague at 6:56 p.m.

Matthew Lawrence (16023 Rudgewick Lane, Spring, Texas 77379), spoke in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 7:01 p.m.

Motion was made by Commissioner Harris, second by Commissioner Anderson, to Table **Ordinance Amendment OAM23-03** until further discussion at the Regular Planning and Zoning Commission scheduled for January 8, 2024.

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

Vote was as follows:

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

Motion Carried (Unanimously).

- F.2 Conduct a Public Hearing and Consideration to Approve **Zoning Case Z23-19**: Request by William G. Hightower to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 0.24 acres of land legally described as being Lot 1, Block 1 of Elim from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located within the 300 block (north side) of Mechanic Street, within the City of Tomball, Harris County, Texas.

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

Bill Hightower, Owner, (1018 Oak Branch Lane, Tomball, TX 77375), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:07 p.m.

Hearing no comments, the Public Hearing was closed at 7:08 p.m.

Motion was made by Commissioner Moore, second by Commissioner Harris, to approve **Zoning Case Z23-19**.

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

Vote was as follows:

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

Motion Carried (Unanimously).

G. Adjournment

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

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

Motion Carried unanimously.

The meeting adjourned at 7:12 p.m.

PASSED AND APPROVED this \_\_\_\_\_ day of 2024.

\_\_\_\_\_  
Kim Chandler  
Community Development Coordinator/  
Commission Chair Commission Secretary

\_\_\_\_\_  
Barbara Tague  
Commission Chair



# Planning & Zoning Commission

## Agenda Item

### Data Sheet

**Meeting Date:** January 8, 2024

**Topic:**

Minor Plat of **The Dirt Yard**: Being a commercial subdivision of 2.64 acres and being the same called 2.639 acres tract of land as record in Harris County Clerk's File No. 2023-45241, CN Pillot Survey, Abstract no. 632, Harris County, Texas., 2710 State Highway 249, Tomball, Texas.

## Background:

**Origination:**

### Recommendation:

Staff approved

**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: The Dirt Yard

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: January 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:

I DIRT YARD OUTPOST 4 LLC, ACTING BY AND THROUGH MICHAEL JOHNSTON BEING AN OFFICER OF DIRT YARD OUTPOST 4 LLC, OWNER IN THIS SECTION AFTER REFERRED TO AS OWNER OF THE 2.6397 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF THE DIRT YARD 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, DIRT YARD OUTPOST 4 LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY MICHAEL JOHNSTON, ITS THEREUNTO AUTHORIZED, HEREUNTO AFFIXED THIS

\_\_\_\_\_, DAY OF \_\_\_\_\_, 2024.

DIRT YARD OUTPOST 4 LLC

BY: \_\_\_\_\_, ITS \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE WE, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION

GIVEN UNDER MY HAND AND SEAL , THIS \_\_\_\_\_ DAY OF 2023

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES:

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF \_\_\_\_\_ THE DIRT YARD \_\_\_\_\_ IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT

\_\_\_\_\_, DAY OF \_\_\_\_\_, 2024.

BY: \_\_\_\_\_  
CRAIG MEYERS,  
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:

\_\_\_\_\_, 2024 , AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ AND IN VOLUME \_\_\_\_\_ PAGE

AND \_\_\_\_\_ FILM CODE No. \_\_\_\_\_ 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 TEXAS

BY: \_\_\_\_\_ DEPUTY

## THE DIRT YARD

CONTAINING  
BEING A SUBDIVISION OF 2.6397 ACRES  
AND BEING THE SAME CALLED 2.639 ACRES TRACT OF LAND AS RECORDED IN  
HARRIS COUNTY CLERK'S FILE No. 2023-45251  
CN PILLOT SURVEY, ABSTRACT NO 632, HARRIS COUNTY, TEXAS.  
2710 STATE HIGHWAY 249 TOMBALL TEXAS  
JANUARY 2024

OWNER / DEVELOPER, DIRT YARD OUTPOST 4 LLC

5373 W. ALABAMA ST #455  
HOUSTON TX 77056

SURVEYOR, SURVTECH CORP  
P.O. BOX 1080 CONROE TX 77305

LPK TOMBALL LLC  
CALLED 1.2248 ACRES  
CF# 2019-562567

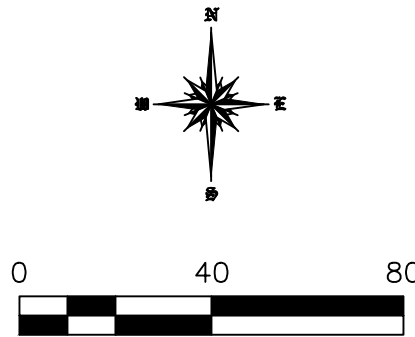
AREAS WITHIN ZONE X

AREAS WITHIN FLOODZONE X-500

LOT 1 BLOCK 1  
2.6397 ACRES  
114,986.46 Sq. Feet

AREAS WITHIN FLOODZONE A/E

GOPALAKRISHNAN  
CALLED 0.2372 ACRES  
CF# 2017-408857



### NOTES:

- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF IT'S RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.
- ACCORDING TO FEMA FIRM PANEL NO. 48201C0230L (EFFECTIVE DATE JUNE 18, 2007), THIS PROPERTY IS IN ZONE "X-500 & A/E" AND IS IN THE FLOOD PLAIN.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- A TEN FOOT WIDE CITY OF TOMBALL UTILITY EASEMENT IS HEREBY DEDICATED TO THIS PLAT AND IS CENTERED ON THE GAS MAIN EXTENSION FROM THE CITY OF TOMBALL RIGHT-OF-WAY OR CITY OF TOMBALL UTILITY EASEMENT UP TO AND AROUND ANY GAS METER.
- THIS MAP WAS PREPARED WITH THE BENEFIT OF A CURRENT CITY PLANNING LETTER PREPARED BY ALAMO TITLE COMPANY GF#0ATHCS23002589
- ALL BEARINGS AND DISTANCES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (CORS96). AN DISTANCES ARE IN SURFACE.
- THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY DIVIDING BY THE COMBINED SCALE FACTOR OF 0.999942131.

THIS TRACT IS SUBJECT TO THE FOLLOWING EASEMENTS WHICH ARE UNDEFINED AND/OR LACK ADEQUATE INFORMATION TO BE LOCATED ON THE PLAT:

SUBJECT EASEMENT AND/OR RIGHT TO HUMBLE OIL & REFINING COMPANY, RECORDED IN VOLUME 934, PAGE 199 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, ASSIGNED TO HUMBLE PIPE LINE COMPANY BY INSTRUMENT, RECORDED IN VOLUME 1221, PAGE 22 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, BEING RATIFIED IN RATIFICATION, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. R358887.

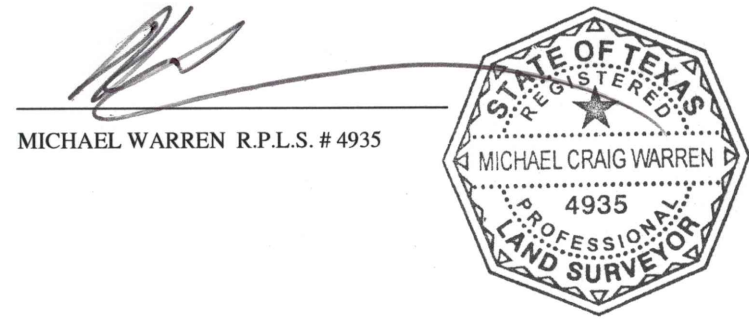
EASEMENT AND/OR RIGHT OF WAY SET TO MAGNOLIA PIPE LINE COMPANY RECORDED IN VOLUME 923, PAGE 739 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.

EASEMENT AND/OR RIGHT OF WAY TO HUMBLE OIL & REFINING COMPANY, RECORDED IN VOLUME 933, PAGE 231 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, ASSIGNED TO HUMBLE PIPE LINE COMPANY BY INSTRUMENT, RECORDED IN VOLUME 1221, PAGE 22 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, BEING RATIFIED IN RATIFICATION, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. R358887.

SUBJECT TO EASEMENT AND/OR RIGHT OF WAY TO HUMBLE PIPE LINE COMPANY RECORDED IN VOLUME 1055, PAGE 560 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, AND BEING RELEASED IN INSTRUMENT RECORDED AT HARRIS COUNTY CLERK'S FILE NO. 20060183464.

SUBJECT TO BOUNDARY LINE AGREEMENT AND SPECIAL WARRANTY DEED EXECUTED BY AND BETWEEN DEVIN PETTIT AND 249 DIRT YARD, LLC RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. 20170016870

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

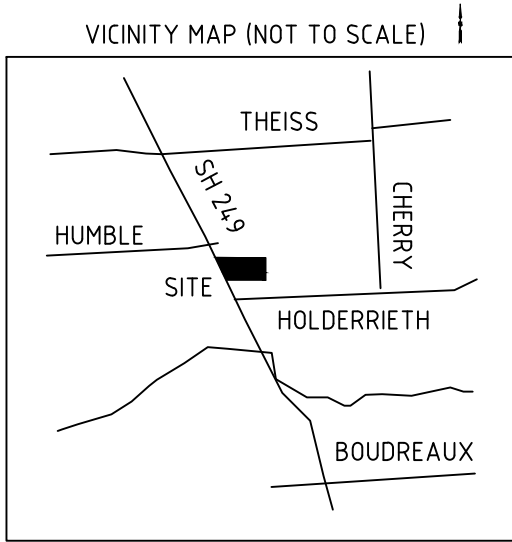


PLAT PREPARED BY:



A Land Surveying Company  
P.O. BOX 1080 | CONROE, TEXAS 77305-1080  
936-539-5444 | FAX 936-539-5442  
email: SURVTECH@SURVCORP.COM

LINE & SYMBOL LEGEND
1) REF- IRON ROD FOUND
2) REF- IRON ROD SET, COPPER SURVTECH
3) BL- BUILDING LINE
4) UG- UTILITY EASEMENT
5) CF- HARRIS COUNTY CLERK'S FILE NUMBER OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY TEXAS
6) AL- ACCESS EASEMENT
7) CM- CONTROL MONUMENT



# Planning & Zoning Commission

## Agenda Item

### Data Sheet

**Meeting Date:** January 8, 2024

**Topic:**

Minor Plat of **Flex at Commercial Park**: A subdivision of 3.3524 acres, being a replat of TR6 Tomball Industrial Park, recorded under Map Records of County Clerk Film Code 437033, Harris County, Texas.

**Background:**

**Origination:**

**Recommendation:**

Staff approved

**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:**

\_\_\_\_\_  
Staff Member                      Date

**Approved by:**

\_\_\_\_\_  
City Manager                      Date

# CITY OF TOMBALL

Plat Name: Flex at Commercial Park

Plat Type: Minor

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

Plat within City Limits ☒

Within Extraterritorial Jurisdiction ☐

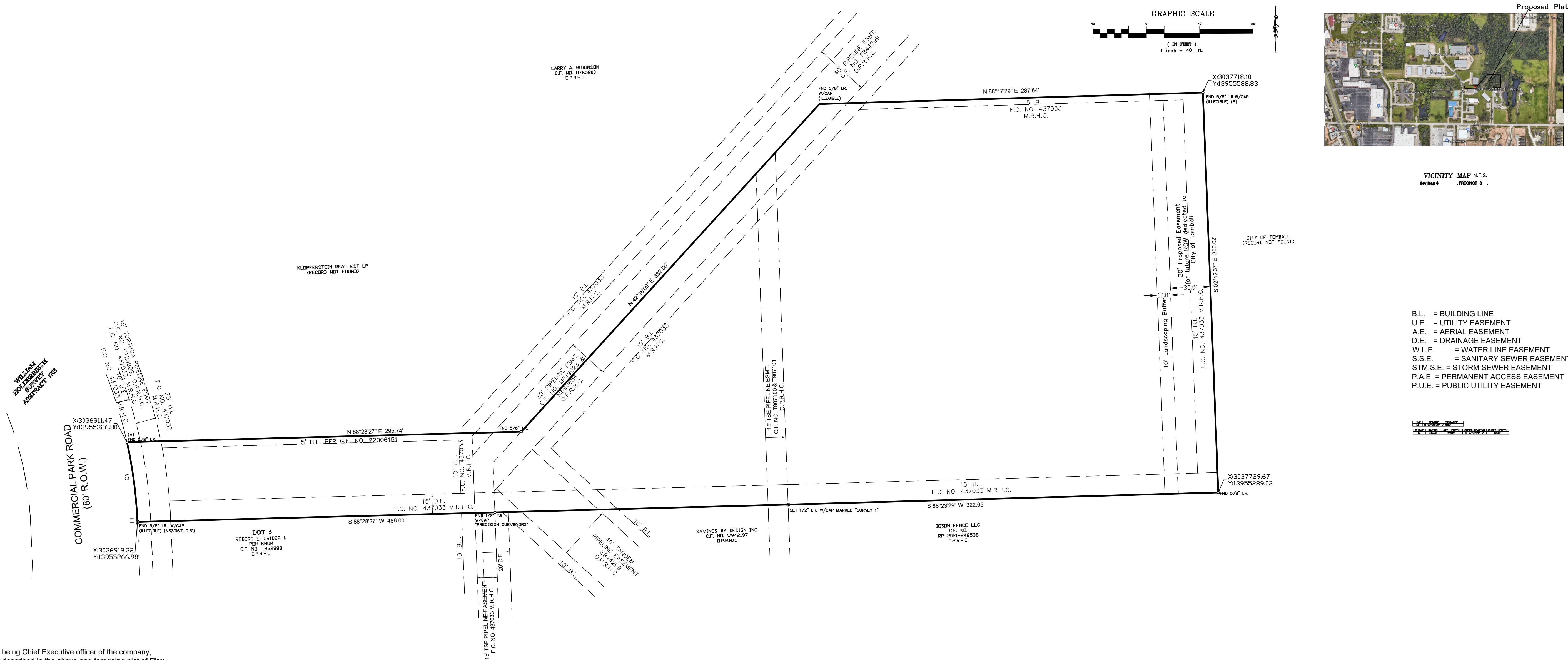
Planning and Zoning Commission Meeting Date: January 8, 2024

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:

1. Remove “Preliminary Plat (Revised)” from the pedigree within the title of this subdivision plat.
2. Confirm boundary locations of properties which fall outside the boundaries of this subdivision plat to the east.
3. There is reference to “10’”, which is accompanied by linework which appears to be in reference to an easement. Previous review identified this as being a “10’ Landscape Buffer” which should not be illustrated on the plat. Please remove references to this altogether, unless there is an existing easement that must be illustrated.





## OWNERS ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF HARRIS

We, Yatalattaf Investments LLC., acting by and through Mehak Tai, being Chief Executive officer of the company, hereinafter referred to as Owners of the all of the 3.3425 acres tract described in the above and foregoing plat of **Flex at Commercial 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, 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 to the land so dedicated.

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

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen fifth teen 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 Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any 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 is hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the Yatalattaf Investments LLC has caused these presents to be signed by Mehak Tai, its Chief Executive Officer, therunto authorized, attested by its secretary Haani Tai, and its common seal hereunto affixed this \_\_\_\_ day of \_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Mehak Tai, Chief Executive Officer

Attest: \_\_\_\_\_  
Haani Tai, Secretary

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Mehak Tai, Chief Executive Officer, and Haani Tai, Secretary both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_, 20\_\_.

NOTARY PUBLIC in and for  
The State of Texas

My commission expires:

I, AbdulKarim Tai, am registered under the laws of the State of Texas to practice the profession of Civil Engineering and hereby certify that the above subdivision is true and correct, was prepared from 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 the iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than 3/4 inch and a length of not less than three (3) feet and that the plat boundary corners have been tied to the nearest survey corner.

ABDULKARIM TAI, P.E.  
Texas Registration No. 95104

Encumbrances Certificate (only on preliminary plats):

I, AbdulKarim Tai, do hereby certify that all existing encumbrances, such as various types of easements both public and private, fee strips, and all significant topographical features which would affect the physical development of the property illustrated on this plat are accurately identified and located and further certify that this plat represents all of the contiguous land which the (owner of subdivider) owns or has a legal interest in.

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas has approved this plat and subdivision of **Flex at Commercial Park** in conformance with the laws of the State of Texas and the ordinances of the City as shown hereon and authorized the recording of this plat this \_\_\_\_ day of \_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Barbara Tague (Chair)

By: \_\_\_\_\_  
Susan Harris (Vice Chair)

I, \_\_\_\_\_, 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 \_\_\_\_ day of \_\_\_\_, 20\_\_, at \_\_\_\_ o'clock \_\_\_\_ M., and duly recorded on \_\_\_\_ day of \_\_\_\_, 20\_\_, 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.

County Clerk  
of Harris County, Texas

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

May 23, 2022 SCALE: 1"=60'

## Flex at Commercial Park

A Subdivision of 3.3524 acres

Being a replat of TR6 Tomball Industrial Park, recorded under Map  
Records of County Clerk Film Code 437033, Harris County, Texas.

Reason for Re-plat  
To provide easement for future Right of Way  
to be dedicated to City of Tomball

OWNER:

Yatalattaf Investments LLC

Ph:(832) 659-8431, mehak@iklconstruction.com

ENGINEERS:

Habitat Engineering &amp; Design LLC

Ph:(281) 650-1937, Fax:(281) 371-6677, admin@HabitatEngineeringDesign.com

# Planning & Zoning Commission

## Agenda Item

### Data Sheet

**Meeting Date:** December 11, 2023

**Topic:**

Minor Plat of **Interchange 249 Business Park, Partial Replat No. 4:** A subdivision of 5.4232 acres, (236,233 Sq. Ft.), being a replat of Lot 101, Block 2, Interchange 249 Business Park Partial Replat No. 2, Film code No. 703892, H.C.M.R., situated in the Auguste Senechal Survey, Abstract No. 722, City of Tomball, Harris County, Texas.

## Background:

**Origination:**

### Recommendation:

Staff approved

**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: Interchange 249 Business Park Partial Replat No.4

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: January 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, LIT Interchange 249 Business Park, LLC, a Delaware limited liability company, Owner, hereinafter referred to as Owners of the 5.4232 acre tract described in the above and foregoing map of INTERCHANGE 249 BUSINESS PARK REPLAT NO 4 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, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements, the aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easement that are designated with aerial easements (u.e. and a.e.) as indicated and depicted hereon whereby the aerial easements totals twenty-one feet, six inches (21'6") in width.

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

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat 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 (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

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

IN TESTIMONY WHEREOF, LIT Interchange 249 Business Park, LLC, a Delaware limited liability company, has caused these presents to be signed by Charles F. Meyer, Jr., an Authorized Representative of Interchange 249 Business Park, LP, LLC, a Texas limited liability company, the general partner of Interchange 249 Business Park, LP, a Texas limited partnership, the operating member of LIT Interchange 249 Business Park, LLC, thereunto authorized, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

LIT Interchange 249 Business Park, LLC, a Delaware limited liability company

By: Interchange 249 Business Park, LP, a Texas limited partnership,  
its operating member

By: Interchange 249 Business Park, GP, LLC, a Texas limited liability company,  
its general partner

By: Charles F. Meyer, Jr.  
Authorized Representative

STATE OF TEXAS  
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared Charles F. Meyer, Jr., 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 \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the  
State of Texas

My Commission Expires:

I, Robert Kness, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; 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 suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter 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.



Robert Kness  
Registered Professional Land Surveyor  
Texas Registration No. 6486

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of INTERCHANGE 249 BUSINESS PARK PARTIAL REPLAT NO 4, in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Craig Myers  
Community Development Director

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 \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_

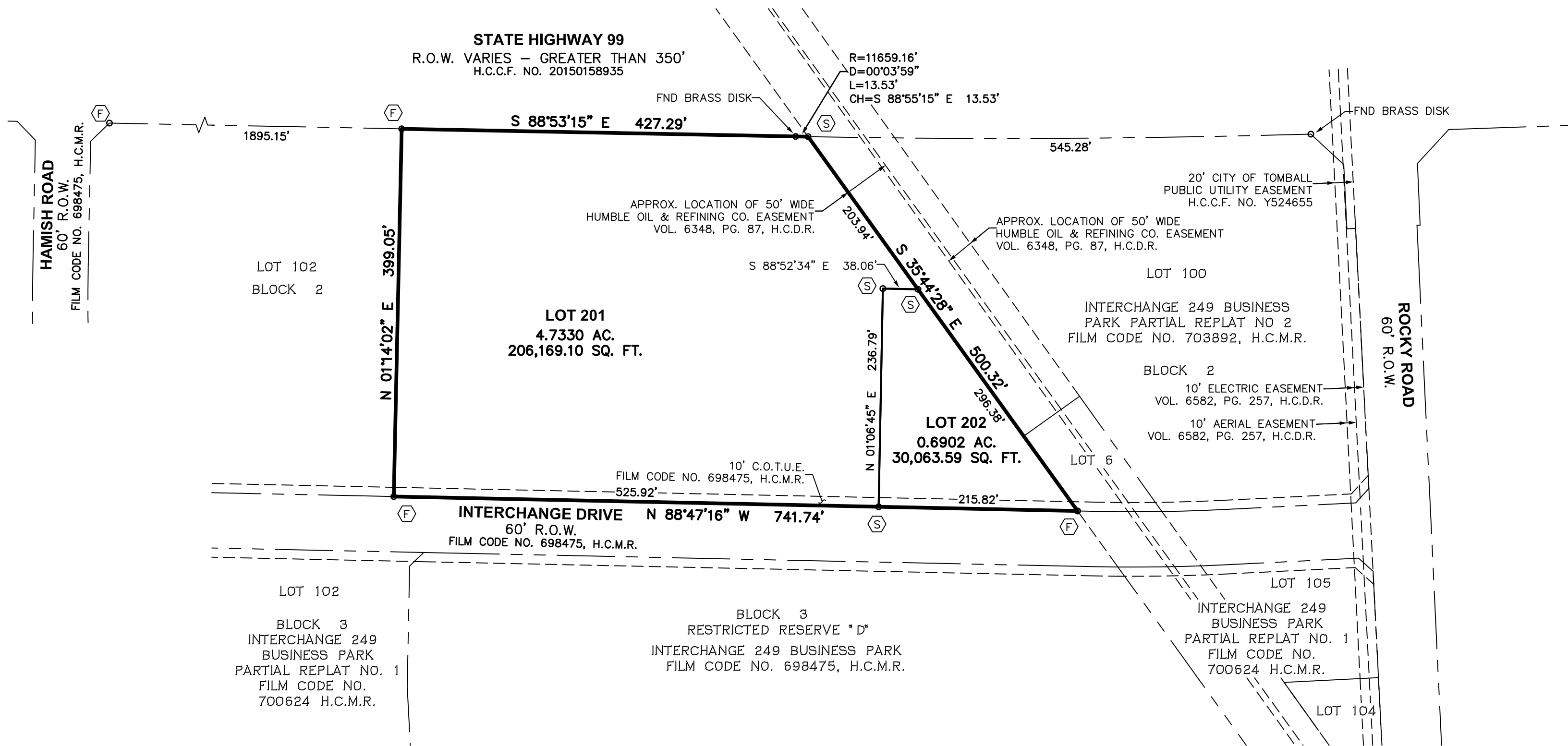
o'clock\_\_\_\_M., and duly recorded on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_

o'clock\_\_\_\_M., and at Film Code Number \_\_\_\_\_ of the Map Records of Harris County for said county.

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

Teneshia Hudspeth  
County Clerk  
Of Harris County, Texas

By: Deputy

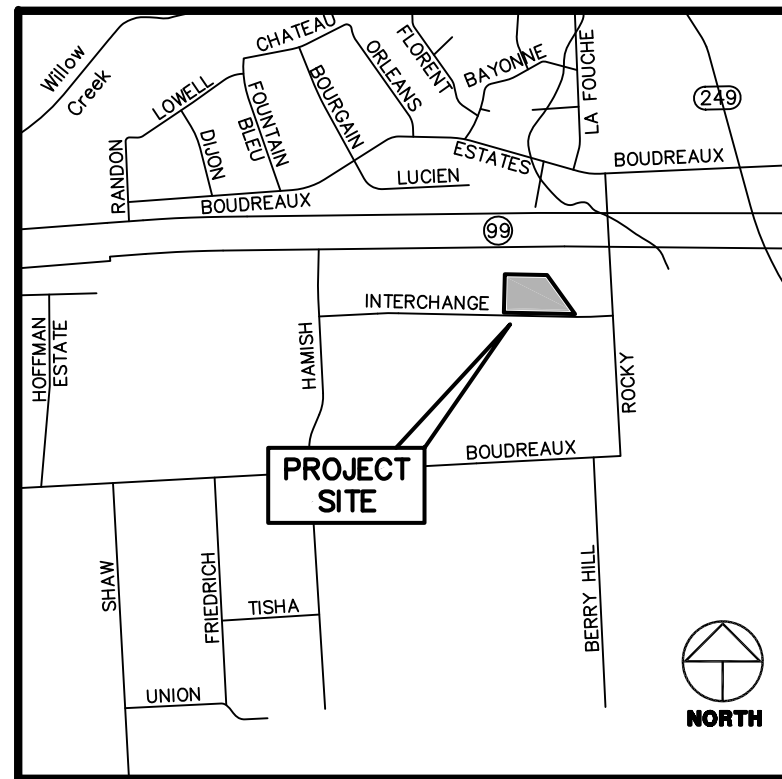


#### GENERAL NOTES

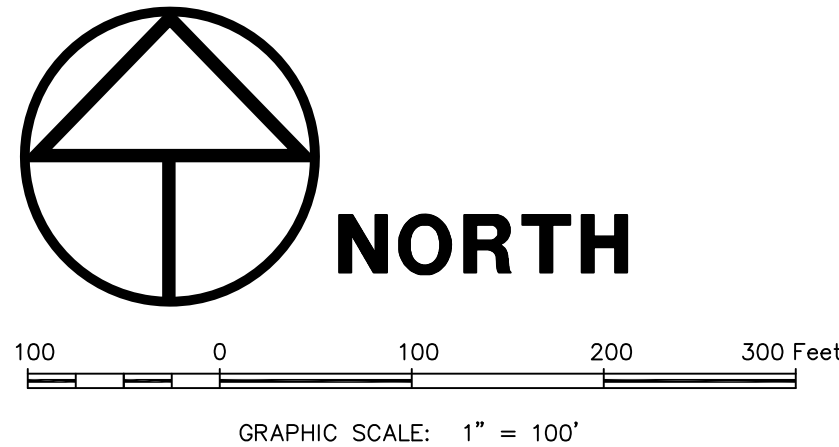
- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING 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 FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NOS. 48201C0220L REVISED/DATED JUNE 18, 2007, AND 48201C0240M REVISED/DATED OCTOBER 16, 2021, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC FLOODING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.999936999.
- ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- ALL OIL/GAS WELLS (PLUGGED, ABANDONED, AND/OR ACTIVE) WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN TO THE BEST KNOWLEDGE OF THE SURVEYOR.
- 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 THE CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF THE 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.
- THE ACREAGE AND SQUARE FOOTAGE PRECISION IS SHOWN HEREON AS REQUIRED UNDER TOMBALL CODE OF ORDINANCES, CHAPTER 40, SECTION 40-29 (3) BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES DESCRIBED AND DO NOT INCLUDE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
- SUBJECT TO EASEMENT GRANTED TO RELIANT ENERGY, INCORPORATED AS RECORDED UNDER H.C.C.F. NO. U741309. (BLANKET, NOT PLOTTABLE)
- SUBJECT TO TERMS, CONDITIONS AND STIPULATIONS CONTAINED IN THAT CERTAIN DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. RP- 2022-89246.
- SUBJECT TO A BLANKET EASEMENT GRANTED TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. RP-2022-186764.

#### ABBREVIATIONS

FND - FOUND  
H.C.C.F. - HARRIS COUNTY CLERK FILE  
H.C.D.R. - HARRIS COUNTY DEED RECORDS  
H.C.M.R. - HARRIS COUNTY MAP RECORDS  
IP - IRON PIPE  
IR - IRON ROD  
NO. - NUMBER  
PG. - PAGE  
R.O.W. - RIGHT-OF-WAY  
AC - ACRES  
SQ. FT. - SQUARE FEET  
VOL. - VOLUME  
ESMT. - EASEMENT  
C.O.T.U.E. - CITY OF TOMBALL UTILITY EASEMENT  
U.E. - UTILITY EASEMENT  
Ⓢ - SET 5/8" IRON ROD MARKED "WINDROSE"  
Ⓣ - FND 5/8" IRON ROD MARKED "WINDROSE"



CITY OF TOMBALL, HARRIS COUNTY, TEXAS  
**VICINITY MAP**  
SCALE: 1" = 2000'



## INTERCHANGE 249 BUSINESS PARK PARTIAL REPLAT NO 4

A SUBDIVISION OF  
5.4232 AC. / 236,232.70 SQ. FT.  
BEING A REPLAT OF LOT 101, BLOCK 2,  
INTERCHANGE 249 BUSINESS PARK PARTIAL  
REPLAT NO 2, FILM CODE NO. 703892; H.C.M.R.  
SITUATED IN THE

AUGUSTE SENECHAL SURVEY, ABSTRACT NO. 722,  
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

1 BLOCK 2 LOTS

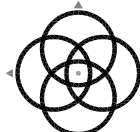
JANUARY 2024

REASON FOR REPLAT: TO CREATE TWO (2) LOTS

Owner

LIT Interchange 249 Business Park, LLC,  
a Delaware limited liability company  
1902 Washington Avenue, Suite A  
Houston, Texas 77007  
713.212.1562

Surveyor



**WINDROSE**  
LAND SURVEYING | PLATTING  
FIRM REGISTRATION NO. 10108800  
713.658.2281 | WINDROSESERVICES.COM  
5353 W SAM HOUSTON PKWY N, SUITE 150, HOUSTON TX 77041

# Planning & Zoning Commission

## Agenda Item

### Data Sheet

**Meeting Date:** January 8, 2024

**Topic:**

Minor Plat of **Real Life Ministries**: A subdivision of 17.5404 acres, (764,061.78 Sq. Ft.), of land being out of Lots 172, 175 and 175 of Tomball Townsite as recorded under Volume 2, Page 65, of the Harris County Map Records and Devasco International as recorded under Film Code Number 615009 of the Harris County Map Records in the J. Pruitt Survey, Abstract No. 629, Harris County, Texas.

## Background:

**Origination:**

### Recommendation:

Staff approved

**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: Real Life Ministries

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: January 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, REAL LIFE MINISTRIES, HEREIN AFTER REFERRED TO AS OWNERS OF OUTLOT 189 AND PORTION OF OUTLOT 193, THE 7.338 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING REVISED MAP OF TOMBALL TOWNSITE DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF "REAL LIFE MINISTRIES" SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE DEDICATE TO THE USE OF THE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, STREETS DESIGNATED AS PRIVATE PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THERE ON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENT 5' IN WIDTH FROM A PLANE 20' ABOVE THE GROUND UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HERON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY 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 (1-3/4) SQUARE FEET (18" DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN (15) FEET 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 TOMBALL, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE 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.

STATE OF TEXAS

COUNTY OF HARRIS

WITNESS OUR HAND IN THE CITY OF TOMBALL, TEXAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

Executive Pastor: Tommy Roberson

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Tommy Roberson, known to me to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose 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 \_\_\_\_\_

THIS IS TO CERTIFY THAT THE TOMBALL PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF "FOUR PB", IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

BY: \_\_\_\_\_  
CRAIG MEYERS, DIRECTOR OF COMMUNITY DEVELOPMENT

I, TENESHA HUDSPETH, CLERK OF THE COUNTY COURT 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 IN FILM CODE

NO. \_\_\_\_\_ OF THE MAPS RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

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

TENESHA HUDSPETH  
COUNTY CLERK  
OF HARRIS COUNTY, TEXAS

BY: \_\_\_\_\_  
DEPUTY

I, MARK L. SHERLEY, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HERBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FOR 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 HAVE AND OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS INCH (5/8") AND A LENGTH OF NOT LESS THAN THREE FEET (3') AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN SET AND TIED TO STATE PLANE COORDINATE SYSTEM.



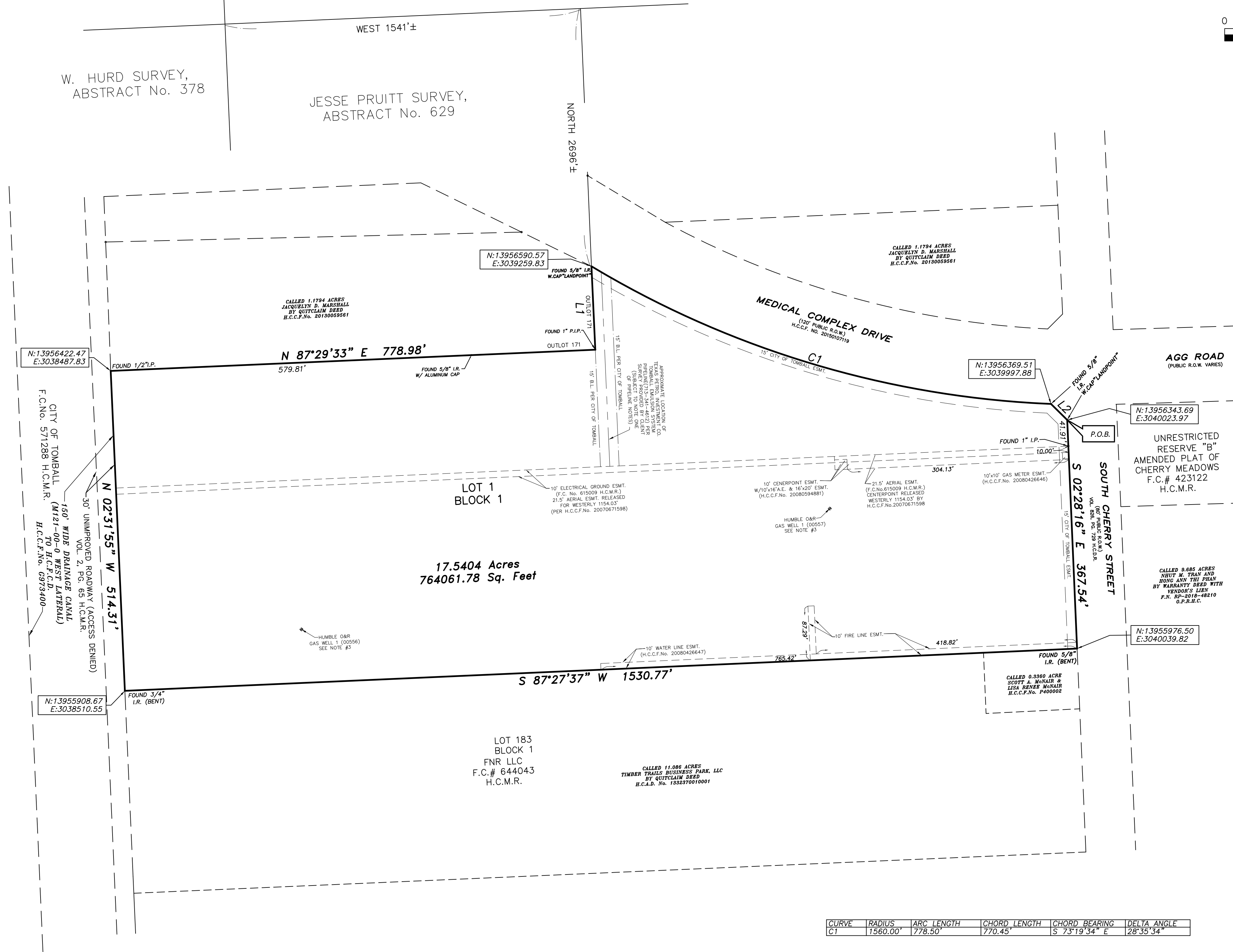
MARK L. SHERLEY  
TEXAS REGISTRATION No. 5326

JOSEPH HOUSE SURVEY,  
ABSTRACT No. 34

W. HURD SURVEY,  
ABSTRACT No. 371

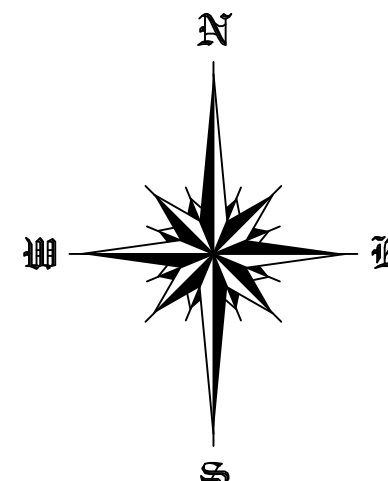
W. HURD SURVEY,  
ABSTRACT No. 378

JESSE PRUITT SURVEY,  
ABSTRACT No. 629

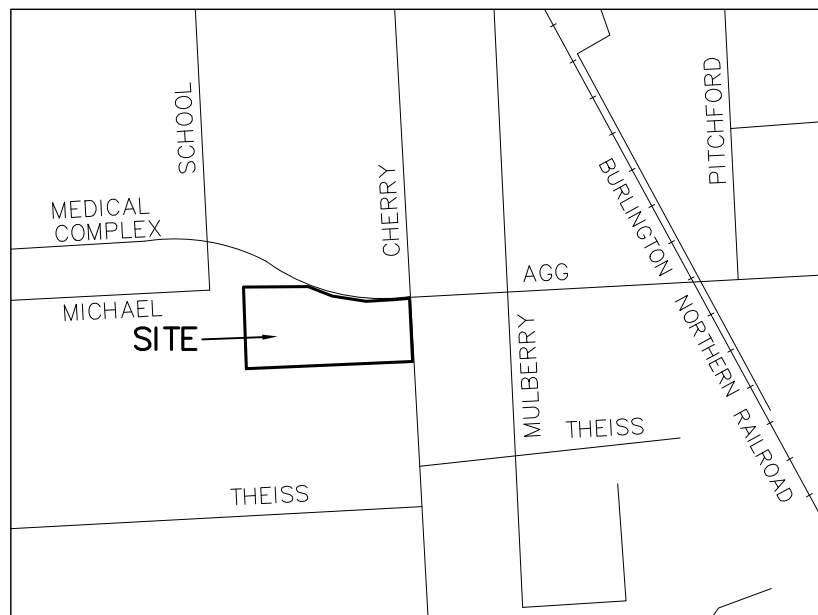


## GENERAL NOTES:

A.E. AERIAL EASEMENT  
B.L. BUILDING LINE  
H.C.C.F. HARRIS COUNTY CLERKS FILE  
H.C.M.R. HARRIS COUNTY MAP RECORDS  
H.C.D.R. HARRIS COUNTY DEED RECORDS  
O.P.R.R.P.H.C. OFFICIAL PUBLIC RECRODS REAL PROPERTY HARRIS COUNTY  
R.O.W. RIGHT OF WAY  
U.E. UTILITY EASEMENT  
VOL. PG. VOLUME PAGE



SCALE : 1" = 100'



Vicinity Map  
Not to Scale

## Public Easements:

Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall always have the right, 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 damage to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

## Flood Information:

According to FEMA Firm Panel No. 48201C0230L (Effective Date July 18, 2007 ), this property is in Zone "X" and is within / not in the 0.2% Annual Chance Flood Plain or According to FEMA Firm Panel No. (Effective Date ), this property is in Zone " " and within the 1% Annual Chance Flood Plain.

## 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 THE 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: 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.
- 6: THE GAS WELLS SHOWN HEREON HAVE BEEN GRAPHICALLY SCALED FROM THE CITY OF TOMBALL OIL AND GAS MAP TO THEIR APPROXIMATE LOCATION. THESE GAS WELLS SHOWN HEREON HAVE BEEN ABANDONED AND PLUGGED ACCORDING TO THE RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION PLUGGING REPORT. (WELL #0057N IN DECEMBER 11, 1986; WELL #00564 IN DECEMBER 9, 1986)
- 7: CITY PLANNING LETTER ISSUED ABSTRACT SERVICES OF HOUSTON, G.F. NO. 7910-19-4086.
- 8: THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE 0.999952072422.

## PIPELINE NOTES:

- 1: RIGHT OF WAY DEEDS GRANTED TO HUMBLE OIL AND REFINING Co. AND HUMBLE PIPELINE Co., PER VOL. 1003, PG. 101, VOL. 1045, PG. 701, VOLUME 1089, PG. 61 AND VOL. 1221, PG. 22 OF HARRIS COUNTY DEED RECORDS RATIFICATION UNDER HARRIS COUNTY CLERK'S FILE No. R358887 ARE ALL BLANKET IN NATURE AND NOT PLOTABLE; ALL SUBJECT TO PARTIAL RELEASE PER HARRIS COUNTY CLERK'S FILE No. 2428664. (RELEASE OF PIPELINE EASEMENT OVER LOT 1, BLOCK 1 OF DEVASCO INTERNATIONAL PLAT AS RECORDED UNDER F.C. No. 615009 HARRIS COUNTY MAP RECORDS AND LOT 183, BLOCK 1 OF FNR LLC AS RECORDED UNDER F.C. No. 644043 OF THE HARRIS COUNTY MAP RECORDS).
- 2: EASEMENT TO SHELL OIL Co., INC., PER VOL. 1297, PAGE 316 OF THE HARRIS COUNTY DEED RECORDS, IS BLANKET IN NATURE AND NOT PLOTABLE.
- 3: PIPELINE EASEMENT TO SHELL OIL COMPANY PER HARRIS COUNTY CLERK'S FILE No. D442230, IS BLANKET IN NATURE AND NOT PLOTABLE.

# REAL LIFE MINISTRIES

A SUBDIVISION OF LAND CONTAINING 17.5404 ACRES (764,061.78 SQUARE FEET) OF LAND BEING OUT OF LOTS 172, 175 AND 176 OF TOMBALL TOWNSITE AS RECORDED UNDER VOLUME 2, PG. 65 OF THE HARRIS COUNTY MAP RECORDS AND DEVASCO INTERNATIONAL AS RECORDED UNDER FILM CODE NUMBER 615009 OF THE HARRIS COUNTY MAP RECORDS IN THE J. PRUITT SURVEY, ABSTRACT No. 629, HARRIS COUNTY, TEXAS

CONTAINING  
1 LOT, 1 BLOCK

JANUARY, 2024

SCALE: 1" = 100'

SURVEYOR: FOUR POINTS ENGINEERING  
& SURVEYING FIRM #10194048

83 EAST GREYWING CIRCLE  
THE WOODLANDS, TEXAS 77382  
PHONE (281) 961-0714  
fpsurveying@gmail.com

OWNER: REAL LIFE MINISTRIES  
1635 CHERRY STREET  
TOMBALL, TX 77375

PROPERTY ADDRESS:  
1626 S. CHERRY STREET  
TOMBALL, TX. 77375

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Tom Vick, known to me to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose 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 \_\_\_\_\_

STATE OF TEXAS

COUNTY OF HARRIS

WITNESS OUR HAND IN THE CITY OF TOMBALL, TEXAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

Tom Vick : The Solomon Foundation

# Planning & Zoning Commission

## Agenda Item

### Data Sheet

**Meeting Date:** January 8, 2024

**Topic:**

Minor Plat of **Costco – FCCU Addition**: Being a replat of Lot 1, Block 1 in Kenneth Lee Subdivision and Reserve “A” of Maple Group. Being 26.996 acres, (1,175,944 Sq. Ft.), out of the C.M. Pillot Survey, Abstract No. 632 in the City of Tomball, Harris County, Texas.

## Background:

**Origination:**

### Recommendation:

Staff approved

**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: Costco – FCCU Addition

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: January 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 the following conditions:

- Provide title opinions confirming ownership of the properties subject to this replat. Said title opinions for each owners properties must provide metes & bounds descriptions of the properties exactly and precisely as they appear on the plat.
- If the “20’ Private Alley Way & Utility Easement” is to be released prior to the final approval and recordation of this subdivision plat appropriate documentation (i.e., recorded legal instrument(s)) must be furnished to the Community Development Office confirming said release. Otherwise, this easement must be illustrated and referenced to “Vacated By \_\_\_\_\_” should be removed. If this easement is to remain on the subdivision plat, provide sufficient dimensional data tying the easement location to property boundaries.
- Remove duplication of “City of” in the title block of this plat.



## ABBREVIATION LEGEND

ABBR.	DEFINITION
CIRF	Capped iron rod found
CIRS	Iron rod w/ red plasticcap stamped "W.A.I. 5714" set
XCF	"X" cut in concrete found
CC#	County Clerk's Instrument No.
H.C.C.F.	Harris County Clerk's File
H.C.M.R.	Harris County Map Records
CM	Controlling Monument
MAG	Mag-nail with metal disk stamped "W.A.I. 5714" set

## FLOOD NOTE

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48201C0230L, dated June 18, 2007, and LOMR No. 16-06-4203P, dated September 18, 2017, this property is within Flood Zone AE.

Zone AE - Special Flood Hazard Area, base flood elevation determined.

This flood statement does not imply that the property and/or the structure thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

## OWNERS CERTIFICATE

STATE OF TEXAS \$  
COUNTY OF HARRIS \$

WHEREAS, We Costco Wholesale Corporation and First Community Land Ventures, LLC, are the sole owners of a tract of land situated in the C.M. PILLOT SURVEY, ABSTRACT NO. 632, City of City of Tomball, Harris County, Texas, being a portion of Reserve "A", Maple Group, an addition to the City of Tomball, Harris County, Texas, according to the plat thereof recorded in Film Code No. 683969, Harris County Map Records (H.C.M.R.) and a portion of the same tract of land as described in deed to Costco Wholesale Corporation, recorded in Harris County Clerk File (H.C.C.F.) No. RP-2023-141098, Deed Records, Harris County, Texas, and being a portion of Commercial Lot 1, Kenneth Lee Subdivision, an addition to the City of Tomball, Harris County, Texas, according to the plat thereof recorded in Film Code No. 517126 H.C.M.R., and a portion of the same tract of land as described in deed to First Community Land Ventures, LLC, recorded in H.C.C.F. No. \_\_\_\_\_, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "TERRASURVEY" found for corner, said iron rod being situated in the North right-of-way line of Holderrieth Road (variable width right-of-way);

THENCE along said North right-of-way line, the following:

North 02 deg 32 min 26 sec West, a distance of 10.02 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

South 87 deg 39 min 20 sec West, a distance of 82.60 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being situated on the Southeast corner of a corner clip at the intersection of said North right-of-way line of Holderrieth Road and the Northeastly right-of-way line of Tomball Parkway (variable width right-of-way);

THENCE along said Northeastly right-of-way, the following:

North 66 deg 52 min 34 sec West, a distance of 18.06 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a non-tangent curve to the right having a radius of 4,002.72 feet, a central angle of 2 deg 27 min 43 sec, a chord bearing of North 42 deg 42 min 36 sec West, and a chord length of 171.98 feet;

Along said non-tangent curve to the right, an arc distance of 171.99 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a curve to the right having a radius of 4,002.72 feet, a central angle of 00 deg 13 min 04 sec, a chord bearing of North 44 deg 02 min 43 sec West, and a chord length of 15.22 feet;

Along said curve to the right, an arc distance of 15.22 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 27 deg 31 min 16 sec West, a distance of 520.67 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 88 deg 01 min 22 sec East, departing the Northeastly right-of-way line of Tomball Parkway, a distance of 146.05 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 02 deg 22 min 45 sec West, a distance of 486.69 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 87 deg 21 min 14 sec West, a distance of 36.83 feet to a point for corner from which a 5/8-inch iron rod with plastic cap stamped "ELGSURVEY" found bears South 84 deg 51 min 07 sec East, a distance of 0.33 feet;

THENCE North 02 deg 27 min 30 sec West, a distance of 69.93 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 87 deg 40 min 37 sec East, a distance of 1018.09 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 03 deg 36 min 32 sec East, a distance of 1,187.20 feet to a 5/8-inch iron rod with plastic cap stamped "TERRASURVEY" found for corner, said iron rod being situated in the North right-of-way line of said Holderrieth Road;

THENCE South 87 deg 41 min 19 sec West, along said North right-of-way line, a distance of 712.13 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 26.996 acres or 1,175,944 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 14th day of January, 2022, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

## SURVEYOR'S CERTIFICATE

That I, Leonard J. Lueker, do hereby certify that I have prepared this plat and the field notes shown hereon from an on the ground survey of the land, and this plat is a true, correct and accurate representation of the physical evidence found at the time of survey; that the corner monuments shown hereon were found and/or placed under my personal supervision. This plat was prepared in accordance with the platting rules and regulations of the City of Tomball, Harris County, Texas.

"PRELIMINARY. this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

Leonard J. Lueker  
Registered Professional Land Surveyor  
Texas Registration No. 5714  
Winkelmann & Associates, Inc.  
6750 Hillcrest Plaza Drive, Suite 215  
Dallas, Texas 75230  
(214) 490-7090

## CERTIFICATE FOR COUNTY CLERK

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 \_\_\_\_\_, 2024, at \_\_\_\_\_ o'clock (a.m. / p.m.), and in Film Code No. \_\_\_\_\_ 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.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

## CERTIFICATE FOR THE PLANNING AND ZONING COMMISSION

This is to certify that the planning and zoning commission of the City of Tomball has approved this plat and subdivision of **COSTCO - FCCU ADDITION** 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Date  
  
\_\_\_\_\_  
Craig Meyers, Director of Community Development

**SURVEYOR:**  
Winkelmann & Associates, Inc.  
6750 Hillcrest Plaza Drive, Suite 215  
Dallas, Texas 75230  
Phone: (972) 490-7090  
Fax: (972) 490-7099  
Leonard J. Lueker  
l.lueker@winkelmann.com

**OWNER (LOT 1):**  
Costco Wholesale Corporation  
999 Lake Drive  
Issaquah, WA 98027

**OWNER (LOT 2):**  
First Community Land Ventures, LLC  
15200 FM 529 Rd.  
Houston, Texas 77095

## COSTCO - FCCU ADDITION

LOTS 1 & 2, BLOCK 1

BEING A REPLAT OF LOT 1, BLOCK 1 IN KENNETH LEE SUBDIVISION AND RESERVE "A" OF MAPLE GROUP, BEING 26.996 ACRES (1,175,944 SQ. FT.) OUT OF THE C.M. PILLOT SURVEY, ABSTRACT NO. 632 IN THE CITY OF CITY OF TOMBALL, HARRIS COUNTY, TEXAS  
PREPARED: January, 2024  
REVISED: Wednesday, January 3, 2024 9:50:48 AM

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

Scale : 1" = 100'

File : 58838-0A-RPLT

Project No. : 58838-0A

Date : 1/19/23

# Planning and Zoning Commission

## Agenda Item

### Data Sheet

Meeting Date: January 8, 2024

#### Topic:

Consideration to Approve **Ordinance Amendment OAM23-03**: Request by the City of Tomball to amend Chapter 50 – Article III (*District Regulations*) adding Section 50-75.1 – Neighborhood Retail District (NR) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off Street Parking and Loading Requirements*) adding parking regulations within the Neighborhood Retail District. Modifying Section 50-113 (*Landscape Requirements*) specifying parking lot screening requirements. Modifying Section 50-115 (*Screening, Buffering and Fencing Requirements*) replacing subsection (b)(1) (*Screening of Non-Residential, Multifamily, and manufactured (mobile) home parks*) with new land use buffering standards.

#### Background:

Over the course of the past several months, the City of Tomball has been approached by property owners and perspective developers requesting rezoning of properties to allow nonresidential commercial uses, often near existing and/or planned residential land uses or at the intersections of major thoroughfares. In many instances, these requests are in alignment with the goals and objectives of the Comprehensive Plan and Future Land Use Plan. However, the current nonresidential zoning districts of General Retail (GR), Commercial (C), & Light Industrial (LI) often allow a range of uses that may be considered incompatible with nearby residential land uses or undesirable at certain intersections of high traffic major thoroughfare. In these instances, the Planning & Zoning Commission and/or City Council have approved downgrading rezoning requests to Office (O) zoning. Although this has been a suitable alternative in certain areas, often the Office (O) zoning district is considered overly stringent to accommodate many developments and planned land uses. In efforts to better accommodate these requests for nonresidential zoning near existing and/or planned residential land uses or intersections of major thoroughfares the City of Tomball is recommending the creation of a new zoning district hereby referred to as “Neighborhood Retail (NR)” zoning. The intent of this Neighborhood Retail district is to accommodate a limited range of retail trade, services and office activities that are needed to serve a neighborhood area. The land uses promoted by this district are intended to be a middle ground between the existing Office (O) and General Retail (GR) zoning districts. This zoning district is to be utilized as a transition district between residential uses and more intense non-residential uses. The overall goal of this ordinance amendment is to create a zoning designation that will promote pedestrian oriented neighborhood level commercial developments, while increasing landscaping, buffering & screening standards to better protect nearby residential land uses when located next to nonresidential zoning districts.

**Origination:** City of Tomball

#### Recommendation:

Staff recommends approval of **Ordinance Amendment OAM23-03**.

**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)  
DECEMBER 11, 2023  
&  
CITY COUNCIL  
DECEMBER 18, 2023**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 11, 2023 at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, December 18, 2023 at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

**Zoning Case Z23-19:** Request by William G. Hightower to amend Chapter 50 (*Zoning*) of the Tomball Code of Ordinances, by rezoning approximately 0.24 acres of land legally described as being Lot 1, Block 1 of Elim from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located within the 300 block (north side) of Mechanic Street, within the City of Tomball, Harris County, Texas.

**Ordinance Amendment OAM23-03:** Request by the City of Tomball to amend Chapter 50 – Article III (*District Regulations*) adding Section 50-75.1 – Neighborhood Retail District (NR) zoning classification and subsequent district standards. Modifying Section 50-82 (*Use regulations (charts)*). Modifying Section 50-112 (*Off Street Parking and Loading Requirements*) adding parking regulations within the Neighborhood Retail District. Modifying Section 50-113 (*Landscape Requirements*) specifying parking lot screening requirements. Modifying Section 50-115 (*Screening, Buffering and Fencing Requirements*) replacing subsection (b)(1) (*Screening of Non-Residential, Multifamily, and manufactured (mobile) home parks*) with new land use buffering standards.

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](mailto:jasmith@tomballtx.gov).

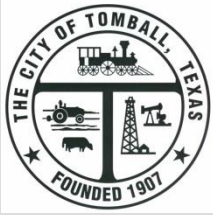
## CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 8<sup>th</sup> day of December 2023 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith

Jared Smith  
City Planner

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



## Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: December 11, 2023

City Council Public Hearing Date: December 18, 2023

**Case:** OAM23-03

**Applicant(s):** City of Tomball

**Section(s):** ADD: Section 50-75.1 (*Neighborhood Retail – NR District*)  
 MODIFY: Section 50- 82 (Use Regulations Chart)  
 MODIFY: Section 50-112 (*Off Street Parking*)  
 MODIFY: Section 50-113 (*Landscaping*)  
 MODIFY: Section 50-115 (*Screening, Buffering & Fencing*)

**Subject:** Add “Neighborhood Retail – NR” Zoning District and subsequent development & land use standards. Including specific standards governing parking, landscaping, and land use buffering/screening.

### **BACKGROUND**

Over the course of the past several months, the City of Tomball has been approached by property owners and perspective developers requesting rezoning of properties to allow nonresidential commercial uses, often near existing and/or planned residential land uses or at the intersections of major thoroughfares. In many instances, these requests are in alignment with the goals and objectives of the Comprehensive Plan and Future Land Use Plan. However, the current nonresidential zoning districts of General Retail (GR), Commercial (C), & Light Industrial (LI) often allow a range of uses that may be considered incompatible with nearby residential land uses or undesirable at certain intersections of high traffic major thoroughfare. In these instances, the Planning & Zoning Commission and/or City Council have approved downgrading rezoning requests to Office (O) zoning. Although this has been a suitable alternative in certain areas, often the Office (O) zoning district is considered overly stringent to accommodate many developments and planned land uses. In efforts to better accommodate these requests for nonresidential zoning near existing and/or planned residential land uses or intersections of major thoroughfares the City of Tomball is recommending the creation of a new zoning district hereby referred to as “Neighborhood Retail (NR)” zoning. The intent of this Neighborhood Retail district is to accommodate a limited range of retail trade, services and office activities that are needed to serve a neighborhood area. The land uses promoted by this district are intended to be a middle ground between the existing Office (O) and General Retail (GR) zoning districts. This zoning district is to be utilized as a transition district between residential uses and more intense non-residential uses. The overall goal of this ordinance amendment is to create a zoning designation that will promote pedestrian oriented neighborhood level commercial developments, while increasing landscaping, buffering & screening standards to better protect nearby residential land uses when located next to nonresidential zoning districts.

**NOTICE OF PUBLIC HEARING:**

A public hearing notice was published in the Potpourri on November 29, 2023.

**PROPOSED ORDINANCE AMENDMENT(s):**

Code of Ordinance Section(s):

**Chapter 50 - Article III. – District Regulations****ADD: Sec 50-75.1 – Neighborhood Retail District (NR)**

- (a) General purpose and description – The Neighborhood Retail District is intended to accommodate a limited range of retail trade, services and office activities that are needed to serve a neighborhood area. The district is to be utilized as a transition district between residential uses and more intense non-residential uses. The district is to incorporate elevated landscaping and buffering standards to facilitate seamless integration alongside residential districts. Development within the district should be similar in scale as residential uses and adjacent properties. Architectural principles should be incorporated within site development to actively engage streetscapes and create pedestrian oriented environments. Uses within this district should not include uses that create excessive traffic, noise, trash, or late-night business operations. This district is ideally suited for intersections of major thoroughfares or at the intersection of a major thoroughfare and primary entrances to residential subdivisions and/or multi-family developments.
- (b) Permitted uses. Those uses listed for the Neighborhood Retail (NR) District in the use charts (section 50-82) as “P” or “C” are authorized uses permitted by right or conditionally permitted uses, respectively.
- (c) Height regulations. Maximum height:
  - 1) Forty feet (40’); also see setback requirements related to height (d)(2)(b.2) of this section.
  - 2) One story for accessory buildings
- (d) Area regulations
  - 1) Size of lots
    - a. Minimum lot area: 6,000 square feet.
    - b. Minimum lot width: 60 feet.
    - c. Minimum lot depth: 100 feet.
  - 2) Size of yards and setbacks
    - a. Minimum front yard: 15 feet. Where a lot faces a designated arterial street, the front yard shall be a minimum of 25 feet.
    - b. Minimum side yard.
      - 1. Interior: 5 feet
      - 2. Interior: If adjacent to a single-family, duplex, patio home or single-family attached district, then side and rear setbacks (within which parking is permitted) shall be according to the height of the primary structure as follows:
        - a. Setbacks shall be measured at a ratio of five feet in horizontal setback distance for every three feet of building height.
      - 3. Side yard adjacent to a street: 15 feet.
      - 4. Side yard adjacent to a designated arterial: 25 feet
    - c. Minimum rear yard: 15 feet. If adjacent to a single-family, duplex (two-family), patio home or single-family attached district, then minimum rear yard (within which parking is permitted) shall be 60 feet, unless separated by an alley in which case the minimum shall be 20 feet. When adjacent to an arterial, minimum rear yard shall be 25 feet.
    - d. Zero lot line exception: notwithstanding the requirements of this section, except where an interior side yard or rear yard is adjacent to property zoned for or restricted by a duly recorded subdivision plat to, or primarily use for, single-family residential purposes, there shall be no required interior side or rear yard if the wall adjoining such interior side or rear lot line, as applicable, is constructed with materials giving it a four-hour firewall rating. Yards adjacent to street or alley right-of-way are excluded from this provision.
    - e. Minimum underground setback: any underground building structure shall be setback from any lot line by a minimum of 15 feet.

- f. Minimum pavement setback: all paving, except driveways and sidewalks, shall be setback from any public street right-of-way by a minimum of 15 feet.
- 3) Maximum lot coverage. Maximum lot coverage is 50 percent of the net site area (after right-of-way dedication) for the gross ground floor area of all building structures, including main and accessory buildings.
- 4) Maximum floor area. Maximum floor area ratio (FAR) is 1:1
- 5) *Outdoor sales*: Outdoor sales are prohibited.
- 6) *Outdoor storage*: Outdoor storage is prohibited.
- 7) *Hours of Operation*: Except for uses permitted within a residential zoning district, no use shall operate before 6:00 a.m. nor after 11:00 p.m. on any day of the week.
- 8) Façade Orientation Standards
  - a. Facades of primary building(s) immediately adjacent to street right-of-way(s) shall be front and/or side facades only. Rear facades of buildings shall be prohibited from facing street right-of-way(s).
- 9) *Parking Standards* Refer to Section 50-112 (c)(1.1) – Parking regulations for the NR District

## **Chapter 50 - Article IV. – DEVELOPMENT STANDARDS - Section 50-112 – Off Street Parking and Loading Requirements**

**MODIFY:** (c) Nonresidential and MF Districts; off-street parking provisions.

**ADD:** (1.1) Parking regulations for the NR District

- a. Parking areas must be located to the side or rear of primary buildings. No parking shall be located between the front and/or side facades of primary buildings and street right-of-way(s) unless otherwise specified by the following:
  - a. One-way Vehicle drive-through lanes for overall circulation as well as drive-through and pickup/drop off services shall be exempt from this standard.
  - b. A maximum of one, one-way aisle of parallel and/or angled parking stalls shall be permitted between street rights-of-way(s) and facades of primary buildings.
- b. All parking and vehicle maneuvering areas shall be screened from streets by a solid row of hedges. As prescribed by Section 50-113 (f)(3)(f)
  - a. EXCEPTION: Vehicle visibility triangles shall be clear of hedges utilized for screening as prescribed by Section 38-34 – Obstructions prohibited in visibility triangle.
- c. No parking area may be located closer than 10 feet from property lines for properties zoned for Single-Family Residential uses.

## **Chapter 50 - Article IV. – DEVELOPMENT STANDARDS - Section 50-113 – Landscape requirements**

**MODIFY:** (f)(3) Requirements for landscaping in and around parking lots

**ADD:** (f) Parking lots, driving lanes, loading areas, or other similar areas of vehicular access shall be screened from residentially zoned property, whether adjacent or across a street, by a continuous hedge, planter, berm, fence, wall, or combination of these, with a minimum height of 36 inches. This requirement shall not be required along state highways.

- 1. Shrubs utilized for screening parking areas shall be a minimum 3-gallon planting size spaced 36-inches on center.

## **Chapter 50 - Article IV. – DEVELOPMENT STANDARDS - Section 50-115 – Screening, buffering and fencing requirements**

**MODIFY:** (b) screening of non-residential, multifamily areas and manufactured (mobile) home parks. The following provisions shall apply to screening of nonresidential, multi-family areas and manufactured (mobile) home parks:

**DELETE:**

- ~~(1) An opaque screening wall of not less than six feet, nor more than eight feet, in height shall be erected on the property line separating zoning districts in the following cases:~~

- ~~a. When a multifamily use, nonresidential use, or manufactured (mobile) home park sides or backs upon a single family, two family or residential PD District;~~
- ~~b. When any nonresidential use is on a tract, lot or parcel that is less than 15 acres and the nonresidential use sides or backs upon a multiple family district; and~~
- ~~c. When a commercial or industrial use is established on a building site located adjacent to any residential area, a ten foot side landscaped open-space buffer shall be installed and maintained by the owner, developer, or operator of the commercial or industrial property between it and the adjacent residential area. The provisions of this section shall not apply where the residential area is separated by a public street, drainage ditch, or canal with a minimum easement of 30 feet. With written approval of the planning and zoning commission, and otherwise full compliance with landscaping standards, a required buffer may include a stormwater detention area. In no event, however, shall the following uses be allowed in buffers: playfields, stables, swimming pools, tennis courts, or similar active recreation uses.~~

ADD:

- (1) Land use buffering shall be provided along property lines separating zoning districts as prescribed below:
  - a. When non-residential, multi-family residential, or manufactured (mobile) home park zoning shares a common boundary with single-family residential, two-family residential, residential planned developments or agricultural zoning districts.
  - b. Required land use buffers must consist of a minimum 10-foot-wide vegetative buffer yard and 7-foot opaque wooden fence plus at least 25 points based on the following criteria:
    - i. Points:
      - 1. Opaque masonry wall with 6-foot minimum height in lieu of providing opaque wooden fence = 10 points
      - 2. Each additional 5 feet of buffer yard = 5 points (maximum of 10 points)
      - 3. ONE (1) tree with a mature height of at least 20-feet and height of at least 8-feet and caliper size of 4-inches (measured 12-inches above ground level) at the time of planting per 25 lineal feet of buffer yard = 15 points
      - 4. THREE (3) smaller trees with a height of at least 8-feet and caliper size of 2-inches (measured 12-inches above ground level) at the time of planting per 25 lineal feet of buffer yard = 15 points
  - c. Trees planted to accommodate required land use buffering shall be in addition to the required trees prescribed within Section 50-113 (Landscaping Requirements).
  - d. Preservation of existing trees: Each tree preserved to accommodate the required land use buffer shall count as one tree toward the overall land use buffering requirement regardless of size. Trees planned to be preserved must be on the City of Tomball approved planting list.
  - e. For purposes of interpreting this section, mixed use zoning shall be considered nonresidential.
  - f. Buffer yards are required between adjacent uses as indicated. For purposes of this section adjacent includes properties separated by an alley but does not include properties separated by a street.
  - g. Parking lots, driving lanes, loading areas, or other similar areas of vehicular access shall be screened from residentially zoned property, whether adjacent or across a street, by a continuous hedge, planter, berm, fence, wall, or

combination of these, with a minimum height of 36 inches. This requirement shall not be required along state highways.

- h. Open space in buffer yards shall be planted in grass or other vegetative ground cover.
- i. Alternative buffering may be permitted by the Director of Community Development or their designee during the site plan review process so long as the buffering and aesthetic intent of these requirements are met.

**ADD:**

(5) Mechanical equipment, including roof-mounted equipment, must be screened from the view from streets, parking lots, parks, and residential districts with materials consistent with the principal structure, opaque fencing, masonry walls, and/or landscaping. Wall mounted electrical panels are exempt from this standard.

**Chapter 50 - Article III. – District Regulations - Section 50-82 – Use Regulations (charts)**

**MODIFY:**

Types of Land Uses	Residential Zoning Districts										Nonresidential Zoning Districts										OT&MU	Parking ratio <a href="#">[Also see section 50-112]</a>
	AG	SF-20-E	SF-9	SF-6		D		MF		MHP	O		NR	GR		C	LI					
Agriculture																						
Bulk grain and/or feed storage	P															C	C				1 space per 1,000 square feet	
Farm (ranch, garden, crops, livestock, or orchard) ‡	P	P	P	P		P		P	P	P		P	P			P	P		P		None	
Feed and grain store/farm supply store ‡	C												C			P	P		C		1 space per 500 square feet	
Flour and other grain mills																	P				1 space per 1,000 square feet	
Livestock, wholesale/auction	C																				None	
Livestock sales/auction	C																				None	
Stable, commercial	C																C				1 space per 1,000 square feet	
Stables (private, principal or accessory use) ‡	P			C																	None	
Residential																						
Accessory building/structure (business or industry) ‡										P			P			P	P		P		None	
Accessory building/structure (residential) ‡	P	P	P	P		P		P											P		None	
Accessory dwelling	P	P	P	C		C		C											P		None	
Garage/accessory dwelling ‡	P	P	P	C		C		C											P		None	
Caretaker's, guard's residence ‡	P	C						P		P		P	P			P	P		P		1 space per caretaker/guard	
Dwelling, four-family (quadraplex) (defined under Multiple-family dwelling) ‡								P											P		2 spaces per dwelling	
Dwelling, HUD code-manufactured home ‡									P										C		2 spaces per dwelling	
Dwelling, industrialized home ‡	P	P	P	P		P		P		P									C		2 spaces per dwelling	
Dwelling, multiple-family ‡								P											P		2 spaces per dwelling	



Dwelling, single-family attached ‡							P	P										P	2 spaces per dwelling
Dwelling—Single-family detached ‡	P	P	P	P			P	P										P	2 spaces per dwelling
Dwelling, two-family, duplex or duplex townhome ‡							P	P										P	2 spaces per dwelling
Dwelling, zero-lot line/patio home ‡							P	P										P	2 spaces per dwelling
Home occupation ‡	P	P	P	P			P	P					P			P	P	P	None
Residential use ‡	P	P	P	P			P	P		P	C	C			C			P	2 spaces per dwelling
Private street subdivision	P	P	P	P			P	P				C			C			P	None
<b>Office</b>																			
Clinic, emergency care													P			P	P	C	1 space per 150 square feet
Clinic, medical and/or dental									P		P	P			P	P		P	1 space per 300 square feet
Credit agency									P		P	P			P	P		P	1 space per 300 square feet
Bank, savings and loan, or credit union (no motor bank services)									P		P	P			P	P		P	1 space per 300 square feet
Bank, savings and loan, or credit union (with motor bank services)									C		P	P			P	P		P	1 space per 300 square feet
Office, professional and general business ‡									P		P	P			P	P		P	1 space per 300 square feet
Office, parole-probation												P			P	P		C	1 space per 300 square feet
Office showroom/warehouse ‡										C		C			P	P		P	1 space per 300 square feet
Security monitoring company (no outside storage)									P		P	P			P	P		P	1 space per 300 square feet
Telemarketing agency									C			C			C	P		C	1 space per 250 square feet
Telephone exchange/switching station ‡	C								P			P			P	P		C	1 space per 500 square feet
Temporary real estate field office	P	P	P	P			P	P		P	P	P			P	P		P	4 spaces
Model home (including sales office)	P	P	P	P			P	P		P	P	P			C	C		P	2 spaces per model
<b>Personal and Business</b>																			
Ambulance service													C			P	P	C	1 space per 500 square feet
Automobile driving school (including defensive driving)										C		P	P		P	P		P	1 space per classroom seat
Barber/beauty shop (no related school/college)										C		P	P		P	P		P	1 space per 200 square feet
Bed and breakfast inn ‡	P	C	C	C			C	C		C		C			P			P	2 spaces plus one per guest room
Check cashing service													C			C			1 space per 100 square feet
Dance hall/dancing facility ‡													C			C		P	1 space per 100 square feet
Dance/drama/music schools (performing arts, martial arts)	C	C	C	C			C	C		C	C		P			P	P	P	1 space per 100 square feet
Fortunetelling and similar activities ‡																	C		1 space per 300 square feet
Funeral home ‡															C		P	P	C
Greenhouse (non-retail/hobby)	P	P	P	P			P	P		P								P	None
Health club (indoor)										C		P	P		P	P		P	One space per 300 square feet
Health club (outdoor)													C			P	P	P	One space per 300 square feet
Hotel ‡													P			P		C	See section 50-112
Laundromat/washateria/self-service ‡													P			P	P	P	1 space per 200 square feet
Laundry/dry cleaning (retail only, drop off/pick up) ‡										C		P	P		P	P		P	1 space per 200 square feet
Loan services (payday/auto title)													C			C			1 space per 100 square feet
Mailing service (private)													P			P	P	P	1 space per 200 square feet
Motel ‡																C		C	See section 50-112
Pharmacy (retail only)										C		P	P		P	P		P	1 space per 200 square feet
Reception venue	C	C								C		C	P			P	P	P	1 space: 4 seats
Recreational vehicle park											C								
Rehabilitation care facility (halfway house) ‡	C	C	C	C			C	C		C	C		C	P		P	P	C	Greater of 1 per three beds or 1.5 spaces per dwelling
Rehabilitation care institution (business) ‡	C	C	C	C			C	C		C			C	P		P	P	P	Greater of 1 per three beds or 1.5 spaces per dwelling
Seamstress, dressmaker or tailor (retail only)										C		P	P		P	P		P	1 per 200 square feet
Sexually oriented business																C			
Tattoo or body piercing studio ‡																C			1 space per 200 square feet
Wedding chapel													P			P	P	P	1 per four seats
<b>Retail</b>																			
Antique shop (no outside sales or storage) ‡													P	P		P	P	P	1 space per 500 square feet
Antique shop (with outside storage)														C		P	P	P	1 space per 500 square feet
Apparel shop													P	P		P	P	P	1 space per 200 square feet
Art gallery/museum/dealer ‡										C		P	P		P	P		P	1 space per 500 square feet
Artist or photography studio										C		P	P		P	P		P	1 space per 500 square feet
Bakery, retail (eating establishment, no drive-through) ‡										C		P	P		P	P		P	1 space per 200 square feet
Bakery, retail (with drive-through)												C	P			P	P	P	1 space per 200 square feet

[illegible]

Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/no outdoor sales, storage, and display)															P			P	P		C		<a href="#">See section 50-112</a>
Auto dealer, primarily used auto sales w/outdoor sales, storage, and display ‡															C			P	P				<a href="#">See section 50-112</a>
Auto dealer, primarily used auto sales w/no outdoor sales, storage, and display															C			P	P		C		<a href="#">See section 50-112</a>
Auto glass repair/tinting															P			P	P		P		1 space per 200 square feet
Auto interior shop/upholstery															C			P	P		P		1 space per 200 square feet
Auto muffler shop															C			P	P		P		1 space per 200 square feet
Auto paint shop															C			P	P		P		One per 200 square feet
Auto parts sale (new or rebuilt, no outside storage, no outside display, no repair)															P			P	P		P		1 space per 200 square feet
Auto parts sale (new or rebuilt, with outside storage or display)															C			P	P				1 space per 200 square feet
Auto rental															P			P	P		C		1 space per 200 square feet
Auto repair (major) ‡															C			P	P		C		1 space per 200 square feet
Auto repair (minor) ‡															P			P	P		P		1 space per 200 square feet
Auto storage or auto auction ‡																		C	P				1 space per 1,000 square feet
Auto tire sales (indoor)															P			P	P		P		1 space per 200 square feet
Auto wrecker service																		P	P		C		1 space per 200 square feet
Automobile assembly																			P		C		1 space per 1,000 square feet
Automobile parts manufacturing																		C	P		C		1 space per 1,000 square feet
Automobile wash (full service/detail shop) ‡															P			P	P		P		3 space per washing capacity of module
Automobile wash (self-service) ‡															C			P	P		P		3 space per washing capacity of module
Bike sales and/or repair															P			C	P		P		1 space per 500 square feet
Bus or truck storage																		P	P				1 space per 1,000 square feet
Gasoline station															P			P	P				<a href="#">See section 50-112</a>
Motor freight transportation, storage, and terminal																		P	P		C		<a href="#">See section 50-112</a>
Motorcycle sales/dealer w/outdoor sales, storage, and display ‡															P			P	P				<a href="#">See section 50-112</a>
Motorcycle sales/dealer w/no outdoor sales, storage, and display															P			P	P		C		<a href="#">See section 50-112</a>
Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡	C			C	C			C							C			P	P	P		C	None
Personal watercraft sales (new/repair) w/outdoor sales, storage, and display															P			P	P				<a href="#">See section 50-112</a>
Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display															P			P	P		C		<a href="#">See section 50-112</a>
Railroad team tracks, unloading docks, and spurs																			P	P		C	None
Railroad yards, round house or shop																		C	P		C		1 space per 1,000 square feet
Taxi/limousine service															C			P	P		C		1 space per 1.5 automobiles in service
Tire sales (indoors, no outside storage) ‡																		P	P		P		1 space per 1,000 square feet
Tire sales (outdoors, with outside storage) ‡																		C	P				1 space per 1,000 square feet
Transfer station (refuse/pick-up) ‡	C																	C	C				1 space per 500 square feet
Transit terminal ‡																		P	P		C		<a href="#">See section 50-112</a>
Truck and bus leasing ‡																		P	P				1 space per 1,000 square feet
Truck sales and services (heavy trucks) ‡																		P	P				1 space per 1,000 square feet
Truck stop ‡																		C	P		C		1 space per 1,000 square feet
Truck terminal ‡																		P	P				<a href="#">See section 50-112</a>
<b>Amusement and Recreation</b>																							
Amusement, commercial (indoor) ‡															C	C		C	P	P		C	1 space per 100 square feet
Amusement, commercial (outdoor) ‡																C			P	P		C	10 spaces plus 1 per 500 square feet over 5,000 square feet of building and recreation area
Amusement, commercial, temporary, (e.g., carnival, haunted house). (Note: Allowed by building official for up to 10 days) ‡																			C	P		C	Determined by P and Z
Amusement devices/arcade (4 or more devices, indoors only) ‡															C	C			P	P		C	1 space per game table plus one per amusement device
Billiard/pool facility (4 or more tables)															C	C			P	P		C	1 space per 200 square feet
Bingo facility															C	C			P	P		P	1 space per 200 square feet
Bowling alley (air conditioned and soundproofed)															C	P			P	P		C	4 spaces per lane
Dinner theatre																P			P	P		P	1 space per three seats or bench seating space

[illegible]

Penal or correctional institutions	C																P	P		C	1 square feet
Post office (governmental)	P	P	P	P			P		P		P	P					P	P		P	10 plus 1 per 200 square feet
Non-city public assembly (auditorium, gymnasium, stadiums, meeting halls, etc.)																	P	P		C	1 space per 4 seats
Radio, television and communications towers																					
Rectory/parsonage	P	P	P	P			P		P		P	P					P	P		P	5 spaces, plus 1 per bedroom
Retirement housing for the elderly ‡																					
Riding academy	P	C	C	C			C		C		C	C					C	P		C	1 space per five stalls
Sanitary landfill (private)																		C			1 space per ten acres
School, business (e.g., barber/beauty/cosmetology)																	C	P		P	1 space per three students, based on design
School, college or university	C	C	C	C			C		C		C	C					C	P		P	10 per classroom plus 2 per office
School, commercial trade (vocational) ‡												C					C	P		P	1 space per student
School, public or denominational ‡	P	P	P	P			P		P		P	P					P	P		P	See section 50-112
School, other than public or denominational ‡											C						C	P		P	
Sheltered care facility ‡									C								C	C		C	1 space per three beds or 1.5 per dwelling
Sign, all types (defined within the referenced section) ‡																					
Skilled nursing facility ‡									P			C					C			C	See section 50-112
Studio for radio and/or television (no towers) ‡												P					P	P		P	1 space per 200 square feet
<b>Commercial and Wholesale Trade</b>																					
Animal kennel (outdoor pens)	P																C	P			1 space per 500 square feet
Appliance repair																	P	P		P	1 space per 500 square feet
Book binding																	P	P		P	1 space per 500 square feet
Carpet and rug cleaning plant																	C	P		C	1 space per 1,000 square feet
Cattle, swine, or poultry feedlot (CAFO)	C																	C			1 space per 5,000 square feet of land
Cleaning plant (commercial laundry) ‡																	C	P		C	1 space per 1,000 square feet
Communication equipment sales/service (installation and/or repair, no outdoor sales or storage or towers/antennae)																	P	P		P	1 space per 1,000 square feet
Construction contractor with storage yard	C																	P			1 space per 1,000 square feet of land
Contractor's office/sales, no outside storage including vehicles																	P	P		P	1 space per 1,000 square feet of land
Contractor's temporary on-site construction office (only with permit from building official.)	P	P	P	P			P		P		P	P					P	P		P	None
Distribution center ‡																	P	P		C	1 space per 1,000 square feet
Electric repair, (domestic equipment and autos)												C					C	P		P	1 space per 1,000 square feet
Electronic assembly																		P		C	1 space per 1,000 square feet
Electro-plating/electro-typing																	P	P		C	1 space per 1,000 square feet
Exterminator service/company (no outdoor sales or storage)																	P	P		P	1 space per 300 square feet
Fix-it shops, small engine, saw filing, mower sharpening																	C			C	1 space per 500 square feet
Fur/hide tanning and finishing																		C			1 space per 1,000 square feet
Heating and air conditioning sales/services																	C	P		C	1 space per 1,000 square feet
Iron works (ornamental)																		C	P		1 space per 1,000 square feet
Lawnmower repair and/or sales																	C	P		C	1 space per 500 square feet
Loading or storage tracks																		P		C	None
Locksmith																	P	P		C	1 space per 500 square feet
Machine shop																		P		C	1 space per 1,000 square feet
Maintenance and repair service for buildings/janitorial																	C	P		C	1 space per 500 square feet
Manufactured home display or sales (new or used) ‡																		C	P	C	1 space per 1,000 square feet
Mattress, making and renovating																	P	P		C	1 space per 1,000 square feet
Milk depot, wholesale																	P	P			1 space per 1,000 square feet
Mini-warehouse/self storage ‡																	C	P		C	See section 50-112
Mortuary																	C	P		C	See section 50-112
Moving and storage company																		P		C	1 space per 1,000 square feet
News printing																	P	P		C	1 space per 1,000 square feet
Outdoor sales as a primary use ‡																	C	P			1 space per 5,000 square feet of land area
Pawn shop ‡																		P		C	1 space per 200 square feet
Pet and animal grooming shop (no outside kennels) ‡																	C	P		P	1 space per 200 square feet





