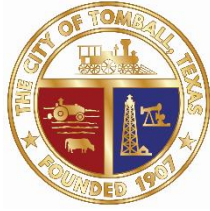


**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR
MEETING
CITY OF TOMBALL, TEXAS**



**SEPTEMBER 13, 2021
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, September 13, 2021 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

A.1 Election of Vice Chairman

- 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 August 9, 2021.

E. New Business

- E.1 Consideration to Approve Replat of **CAPITOL HILL DEVELOPMENTS:** A subdivision of 3.9276 acres, being a replat of Lot 1, Block 1 of Neal Falls Final, recorded in Film Code No. 630281 of H.C.M.R., situated in the John Soper Smith Survey, A-730, Harris County, Texas.

- E.2 Consideration to Approve Final Plat of **GALZA INDUSTRIAL COMPLEX:** A subdivision of 3.7114 acre tract of land out of the John Soper Smith Survey, Abstract 730, City of Tomball, Harris County, Texas.

- E.3 Consideration to Approve Replat of **INDIAN FALLS:** Being a subdivision of 0.5624 acre of land situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, being a replat of Lots 34 and 39 in Block 46 of Stone Baer Subdivision, a subdivision according to the map or plat thereof recorded in Volume 660, page 88 of the Map Records of Harris County, Texas, and being a replat of Lot 37 in Block 46 of Revised Map of Tomball, a subdivision according to the map or plat thereof recorded in Volume 4, Page 25 of the Map Records of Harris County, Texas.
- E.4 Consideration to Approve Preliminary Plat of **TELSCHOW TRAILS:** A subdivision of 1.50 acres, (65335.23 Square Feet) located in the J. Hooper, Abstract 375, Harris County, Texas, City of Tomball.
- E.5 Consideration to Approve **Zoning Case P21-352:** Request by Creek Road and CTC Residential to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 18 acres of land legally described as Tracts 1B & 2C Abstract 311 C GOODRICH, from the Commercial District to the Planned Development (PD-18) District. The property is generally located at the northwest corner of SH 249 and Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.

Conduct Public Hearing on **Zoning Case P21-352**

F. Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 9th day of September 2021 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.

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

MONDAY, AUGUST 9, 2021



6:00 P.M.

A. The meeting was Called to Order by Chair Tague at 6:11 p.m. Other members present were:

Commissioner Richard Anderson
Commissioner Dane Dunagin
Commissioner Tana Ross

Commissioner Darrell Roquemore – Excused Absence

Others present:

Wesley Stolz – City Engineer
Amelia Lindley – City Planner
Loren Smith – City Attorney
Kim Chandler – Community Development Coordinator

Draft

B. No Public Comments were received.

C. Reports and Announcements:

- Amelia Lindley, City Planner, announced the following:
 - **Zoning Case P21-252:** Request by Tim Littlefield to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 4 acres of land at the northwest corner of Agg Road and Persimmon Road, legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District was approved at City Council.
 - **Zoning Case P21-253:** Request by Louis Smulders to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land at the southwest corner of Theis Lane and South Cherry Street, legally described as Reserve A Block 3 Pine Meadows, from the Single-Family 6 District to the Commercial District was postponed by applicant until City Council Meeting August 16, 2021.

- **Zoning Case P21-266:** Request by Clinton Hankla to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.78 acres of land on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District was approved at City Council.
 - **Zoning Case P21-267:** Request by Clinton Hankla for a Conditional Use Permit to operate an *office showroom/warehouse* facility at 343 East Hufsmith Road. The property is approximately 3.78 acres, on the north side of East Hufsmith Road, between Peach Street and Hospital Street, legally described as Lot 1 Block 1 Tennis Venture Tract was approved with at City Council with the following conditions:
 - Building height limited to 25’
 - Trees and shrubs to be planted on the side landscape
- D. Motion was made by Commissioner Dunagin, second by Commissioner Ross, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of July 12, 2021.
- Roll call vote was called by Commission Secretary Kim Chandler.
- Motion carried unanimously.
- E. New Business:
- E.1 Consideration to Approve Final Plat of **CHERRY PINES, SECTION #4:** A Subdivision of 8.1938 acres of land situated in the Claude N. Pillot Survey, Abstract 632, City of Tomball, Harris County, Texas.
- Wesley Stolz, City Engineer, presented a recommendation of approval.
- Motion was made by Commissioner Ross, second by Commissioner Dunagin, to approve.
- Roll call vote was called by Commission Secretary Kim Chandler.
- Motion carried unanimously.
- E.2 Consideration to Approve Replat of **HUTSON BLOCK 54 SOUTH:** A Replat of Lots 1-12 in Block 54 of an addition in the Wm. Hurd Survey (A-371), Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the map records of Harris County, Texas.
- Wesley Stolz, City Engineer, presented a recommendation of approval with contingencies.

Motion was made by Commissioner Dunagin, second by Commissioner Ross, to approve with contingencies.

Roll call vote was called by Commission Secretary Kim Chandler.

Motion carried unanimously.

- E.3 Consideration to Approve Final Plat of **PROSPERITY BUSINESS COMPLEX**: A subdivision of 4.9091 acres (213,838 Square Feet), situated in the C. Pillot, Abstract #632, City of Tomball, Harris County, Texas.

Wesley Stolz, City Engineer, presented a recommendation of approval with contingencies.

Motion was made by Commissioner Ross, second by Commissioner Dunagin, to approve with contingencies.

Roll call vote was called by Commission Secretary Kim Chandler.

Motion carried unanimously.

- E.4 Consideration to Approve **Zoning Case P21-308**: Request by Kathryn Parker with META Planning + Design LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by amending Planned Development (PD-14) District. The property is approximately 95.4 acres of land legally described as Tracts 198A, 202A & 206A, Tomball Outlots, Tracts 3B, 4, 4Q, 21A, 23B & 23B-2 Abstract 632 C V Pillot, Pt Tract 21A (Homesite) (Tract 4-X) Abstract C N Pillot, Tract 23A Abstract 632 C N Pillot, Pt Tract 21A (Ag-Use) Abstract 632 C N Pillot, Tracts 3A-2, 4P, 19A & 23B-1 Abstract 632 C V Pillot, Tract 4R Abstract 632 C V Pillot, Tract 23A-2 Abstract 632 C N Pillot, Tracts 4Q-1, 23B-3 & 23B-2A Abstract 632 C V Pillot, Tracts 3A & 3A-3 Abstract 632 C V Pillot, and Tract 4R-1 Abstract 632 C V Pillot, and Wood Leaf Reserve Section 1, generally located on the south side of Theis Lane at Commercial Park Road and north side of Holderrieth Road between SH 249 and South Cherry Street, within the City of Tomball, Harris County, Texas.

Amelia Lindley – City Planner, presented the case and recommendation of approval.

Kathryn Parker – META Planning & Design, Applicant (24275 Katy Freeway, Suite 200, Katy, TX 77494) spoke on behalf of the request.

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

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

Motion was made by Commissioner Ross, second by Commissioner Dunagin, to approve **Zoning Case P21-308**.

Roll call vote was called by Commission Secretary Kim Chandler.

Vote was as follows:

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

Motion carried unanimously.

- E.5
- Consideration to Approve **Zoning Case P21-332**: Request by Catherine Conde for a reduction in the minimum open green space requirement on approximately 1.27 acres of land legally described as Tracts 24M ABST 34 J House. The property is generally located at the southwest corner of Rudel Road and Buvinghausen Road, at 1301 Rudel Road, within the City of Tomball, Harris County, Texas and is zoned Multi-Family District.

Amelia Lindley – City Planner, presented the case and recommendation of approval.

Leo Conde – Key Pride Developments, Representing Applicant (3851 Corporate Center Drive, Bryan, TX 77802) spoke on behalf of the request.

Koy Domann (19841 Cedar Lane, Tomball, TX 77375) submitted a public comment form in support of the request.

Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to approve **Zoning Case P21-332**.

Roll call vote was called by Commission Secretary Kim Chandler.

Vote was as follows:

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

Motion carried unanimously.

- F.
- Motion was made by Commissioner Dunagin, second by Commissioner Anderson, to adjourn.

Roll call vote was called by Commission Secretary Kim Chandler.

Motion carried unanimously.

The meeting adjourned at 6:38 p.m.

PASSED AND APPROVED this _____ day of _____ 2021.

Kim Chandler
City Engineer/Board Secretary

Barbara Tague
Commission Chair

CITY OF TOMBALL

Plat Name: CAPITAL HILL DEVELOPMENTS Plat Type: Re-Plat

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: September 13, 2021

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, Community Development recommends approval of this plat with contingencies.

- Add lien holder signature block
- Reference previous ROW and easement dedications
- Remove building lines
- Add floodplain boundaries
- Add standard City of Tomball gas note
- Coordinate with Harris County for Hufsmith widening
- Fix typos

We, Sergio Leal and SATX Assets LLC Series 9-1303 E Hufsmith, acting by and through Lance Langenhoven, President, owners in this section hereafter referred to as owners of the 3.9276 acre tract described in the above and foregoing plat of Capitol Hill Developments, 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.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

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

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

IN TESTIMONY WHEREOF, the SATX Assets LLC Series 9-1303 E Hufsmith has caused these presents to be signed by Lance Langenhoven, its President, thereunto authorized and its common seal hereunto affixed this ____ day of _____, 2021 .

SATX Assets LLC Series 9-1303 E Hufsmith

By: _____
Lance Langenhoven
President

THE STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2021.

Notary Public In and For the State of Texas

My Commission
Expires: _____

WITNESS my hand in the City of Tomball, this ____ day of _____, 2021 .

By: _____
Sergio Leal
Owner

THE STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2021.

Notary Public In and For the State of Texas

My Commission
Expires: _____

THE STATE OF TEXAS
COUNTY OF HARRIS

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 _____, 2021, at ____ o'clock ____M., and duly recorded on _____, 2021, at ____ o'clock ____M., and at Film Code Number _____ of the Map Records of Harris County for said county.

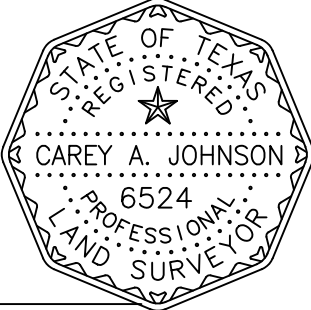
Witness my hand and seal of office, at Houston, the day and date last above written.

Teneshia Hudspeth
County Clerk
Of Harris County, Texas

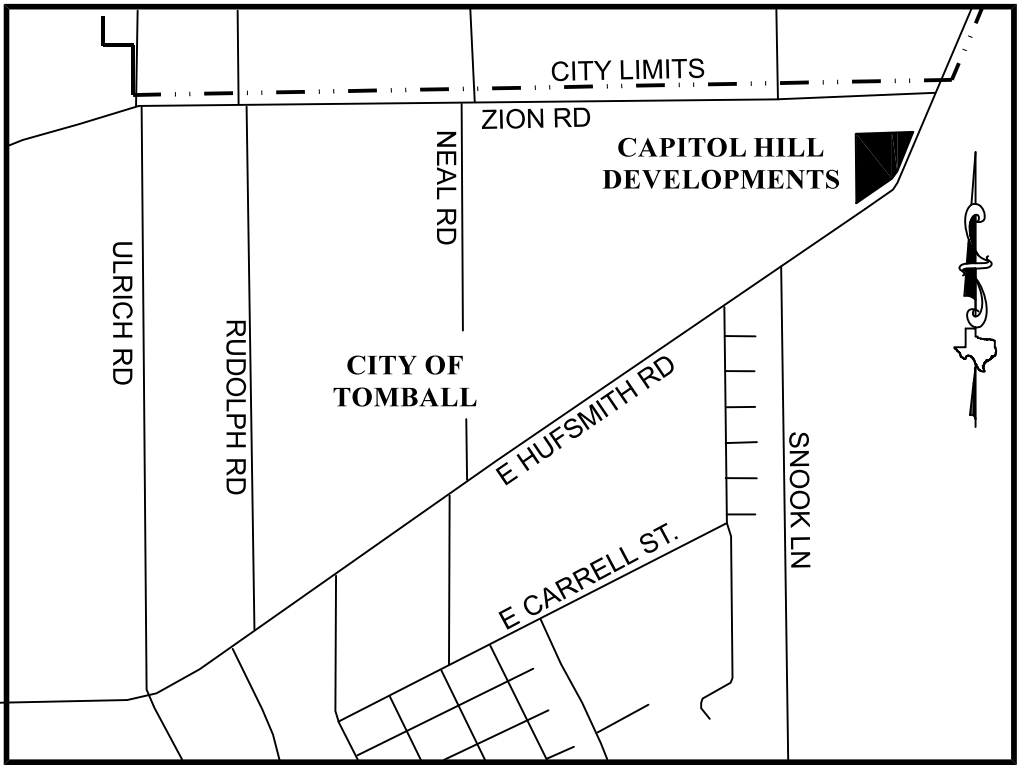
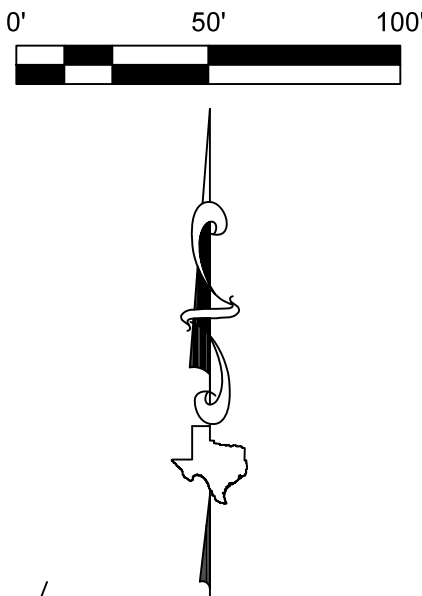
By: _____
Deputy

SURVEYOR'S ACKNOWLEDGEMENT

I, Carey A. Johnson, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference have been marked with iron 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.



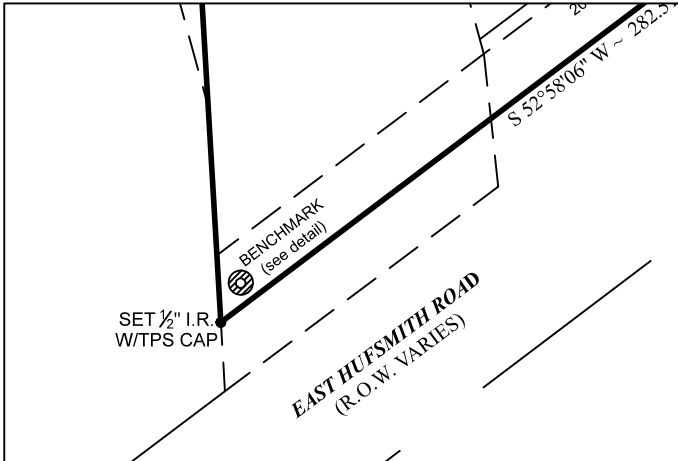
Curve Table					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	310.34'	172.63'	31°52'15"	S 36°57'38" W	170.41'



VICINITY MAP
(NOT TO SCALE)

General Notes:

- 1) U.E. INDICATES "UTILITY EASEMENT"
- 2) F.C. INDICATES "FILM CODE"
- 3) H.C.C.F. INDICATES "HARRIS COUNTY CLERK'S FILE"
- 4) H.C.M.R. INDICATES "HARRIS COUNTY MAP RECORDS"
- 5) H.C.R.P.R. INDICATES "HARRIS COUNTY REAL PROPERTY RECORDS"
- 6) ● INDICATES "SET 1/2" IRON ROD SET WITH CAP "TPS100834-00"
- 7) C.O.T.U.E. INDICATES "CITY OF TOMBALL UTILITY EASEMENT"
- 8) All coordinates shown hereon are grid and referenced to the Texas State Plane Coordinate System (NAD83), Texas South Central Zone No. 4204 and may be converted to surface by multiplying by the combined scale factor of 1.000014085.
- 9) Bearings shown hereon are based on GPS Observations and are referenced to the Texas State Plane Coordinate System (NAD83), South Central Zone (4204). All distances shown are grid.
- 10) The Benchmark shown hereon is reference to NGS Monument BL1164, Elev=167.5' (NAVD88) and NGS Monument DH3604, Elev=234.25' (NAVD88).
- 11) According to FEMA Firm Panel No. 48201C0230L, with an effective date of 06/18/2007, this property is in Zone "AE" and Zone "X" and is partially within the 0.1% Annual Chance Flood Plain.
- 12) 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.
- 13) All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- 14) All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- 15) 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.
- 16) This plat does not attempt to amend or remove any valid covenants or restrictions.



-BENCH MARK-
3" BRASS DISK SET IN 6" CONCRETE COLUMN
STAMPED: CHD
ELEVATION: , NAVD88, 2009 ADJUSTMENT
NAVD88 GEOID12B TEXAS CENTRAL ZONE 4204

OWNERS

SATX ASSETS LLC SERIES 9-1303 E HUFSMITH
1095 EVERGREEN CIRCLE STE. 201
THE WOODLANDS, TX 77380

SERGIO LEAL
24935 CORVIN GATE
SPRING, TX 77389

SURVEYOR

TEXAS PROFESSIONAL SURVEYING
FIRM REGISTRATION NO. 100834-00
3032 NORTH FRAZIER
CONROE, TX 77303

CAPITOL HILL DEVELOPMENTS

A SUBDIVISION OF 3.9276 ACRES, BEING A REPLAT OF LOT 1, BLOCK 1 OF NEAL FALLS FINAL, RECORDED IN FILM CODE NO. 630281 OF H.C.M.R., SITUATED IN THE JOHN SOPER SMITH SURVEY, A-730, HARRIS COUNTY, TEXAS

REASON FOR REPLAT IS TO CREATE 2 COMMERCIAL RESERVES

2 COMMERCIAL RESERVES (3.9276 ACRES) 1 BLOCK

SEPTEMBER 2021

This is to certify that the planning and zoning commission of the City of Tomball, Texas has approved this plat and subdivision of Hufsmith Business Park in conformance with the laws of the state and the ordinances of the city as shown hereon and authorized the recording of this plat this ____ day of _____, 2021.

Chairman
Barbara Tague

Vice Chairman
Darrell Roquemore

CITY OF TOMBALL

Plat Name: GALZA INDUSTRIAL Plat Type: Final

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: September 13, 2021

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, Community Development recommends approval of this plat with contingencies.

- Improve area accuracy
- Remove commercial restrictions
- Fix typos

STATE OF TEXAS

COUNTY OF HARRIS

We, Galza Industrial, S.A. DE C.V., a negotiable stock corporation of Mexico, acting by and through Ramiro Galicia, Director, being officers of Galza Industrial, S.A. DE C.V., a negotiable stock corporation of Mexico, owner hereinafter referred to as Owners of the 3.7114 acre tract described in the above and foregoing map of GALZA INDUSTRIAL COMPLEX, do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions, and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever 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 thereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

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

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

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

IN TESTIMONY WHEREOF, the Galza Industrial, S.A. DE C.V., a negotiable stock corporation of Mexico has caused these presents to be signed by Ramiro Galicia, its Director, thereunto authorized, this day of _____, 2021.

Galza Industrial, S.A. DE C.V.,
a negotiable stock corporation of Mexico

By: _____
Ramiro Galicia
Director

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Ramiro Galicia, Director, 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, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this
_____ day of _____, 2021.

Notary Public in and for the
State of Texas

Print Name: _____

My Commission expires: _____

I, Daniel W. Goodale, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground on April 02, 2021; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.



Daniel W. Goodale
Texas Registration No. 4919

This is to certify that the planning and zoning commission of the city has approved this plat and subdivision of GALZA INDUSTRIAL COMPLEX 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 _____, 2021.

By: _____
Barbara Tague
Chairman

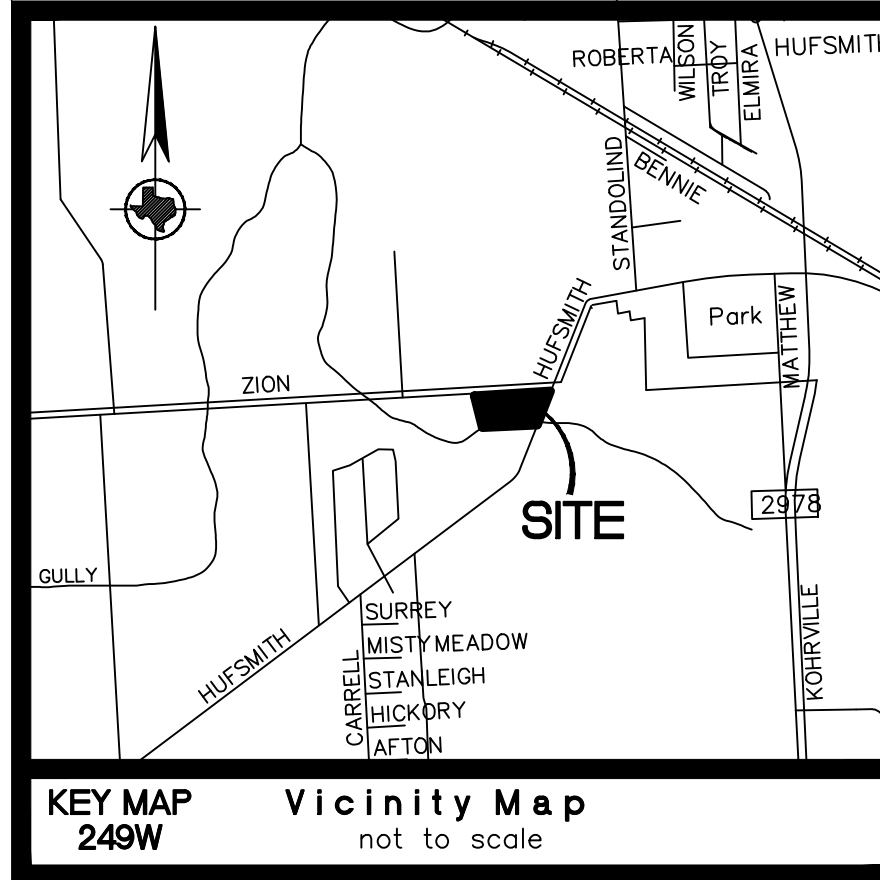
By: _____
Darrell Roquemore
Vice-Chairman

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.

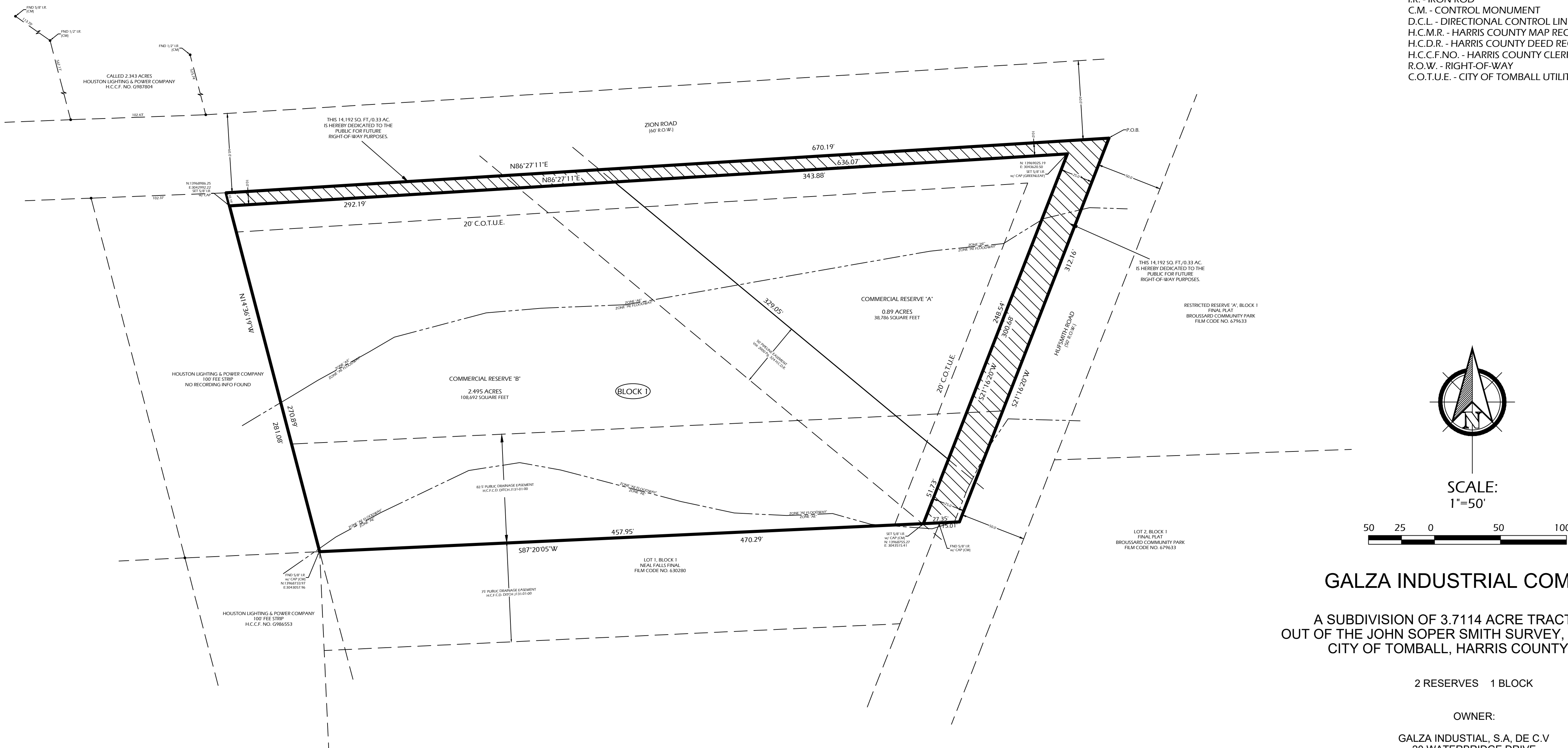
Teneshia Hudspeth
County Clerk
Of Harris County, Texas

By: _____
Deputy



LEGEND:

I.R. - IRON ROD
C.M. - CONTROL MONUMENT
D.C.L. - DIRECTIONAL CONTROL LINE
H.C.M.R. - HARRIS COUNTY MAP RECORDS
H.C.D.R. - HARRIS COUNTY DEED RECORDS
H.C.C.F.NO. - HARRIS COUNTY CLERK FILE NUMBER
R.O.W. - RIGHT-OF-WAY
C.O.T.U.E. - CITY OF TOMBALL UTILITY EASEMENT



CITY OF TOMBALL

Plat Name: INDIAN FALLS Plat Type: Replat

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

Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: September 13, 2021

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, Community Development recommends approval of this plat.

THE STATE OF TEXAS
COUNTY OF HARRIS

We, William G. Hightower and Patricia A. Hightower, owners hereinafter referred to as owners of the 0.5624 acre tract described in the above and foregoing plat of **INDIAN FALLS**, 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 does dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet (5') in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

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

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

WITNESS OUR HANDS in the City of _____, Texas, this ____ day of _____, 202__.

William G. Hightower Patricia A. Hightower

THE STATE OF TEXAS
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 202__.

Notary Public in and for the State of Texas
My Commission Expires: _____

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of **INDIAN FALLS** in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this ____ day of _____, 202__.

By: _____
Barbara Tague
Chairman

Harris County Clerk Certificate of Filing:

I, Tenneshia Hudspeth, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 202__, at _____ o'clock __.M., and duly recorded on _____, 202__, at _____ o'clock __.M., and at Film Code No. _____ of the Map Records of Harris County for said County.

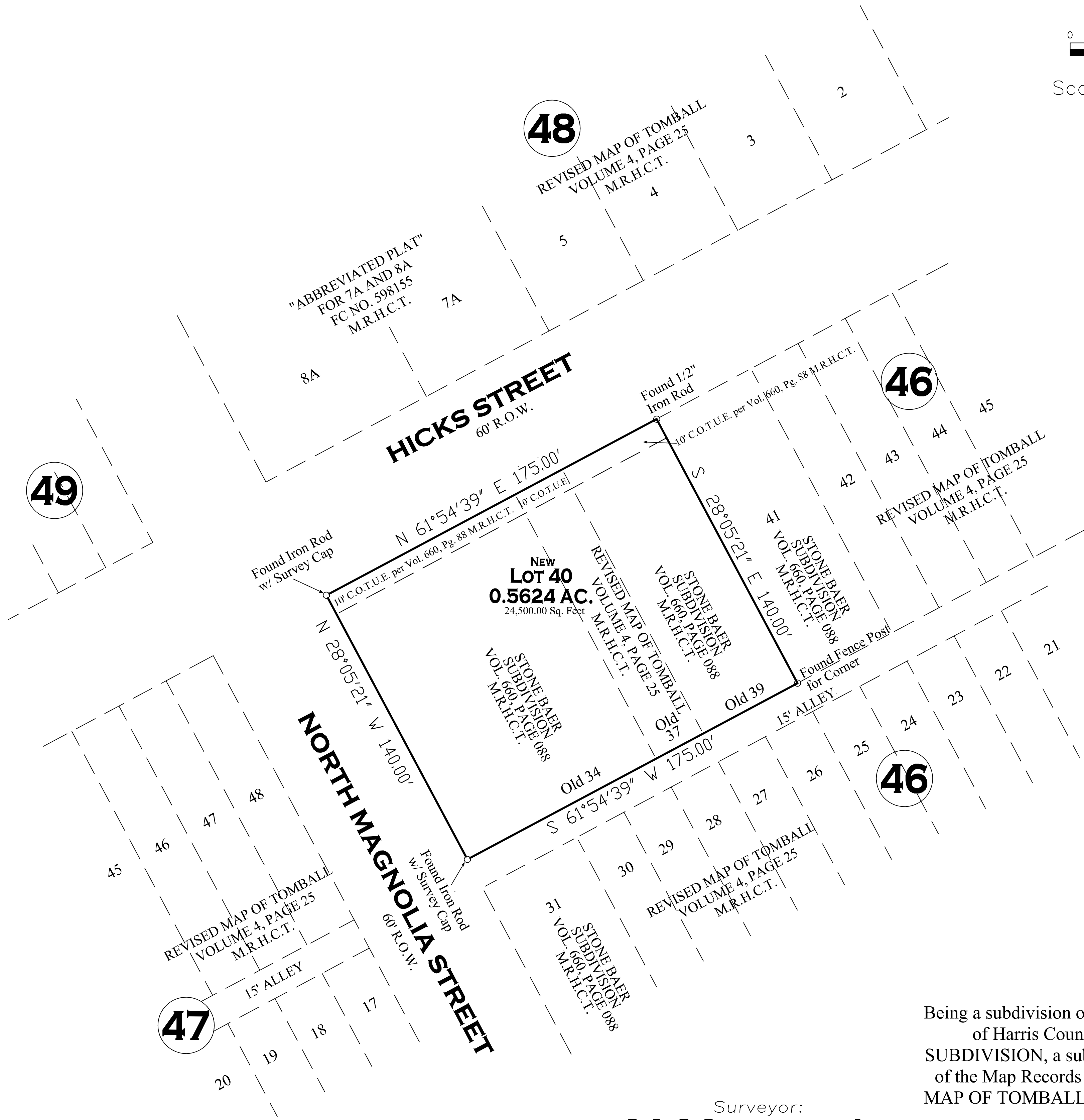
Witness my hand and seal of office, at Houston, the day and date last above written.

Tenneshia Hudspeth
County Clerk
of Harris County, Texas

By: _____
Deputy

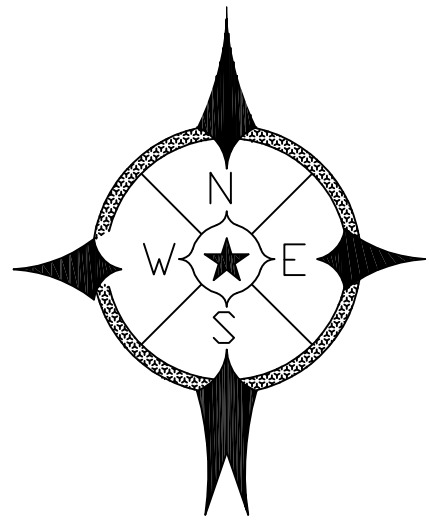
I, Steven L. Crews, am authorized under the laws of the State Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference not found have been marked with iron 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.

Steven L. Crews
Texas Registration Number 4141

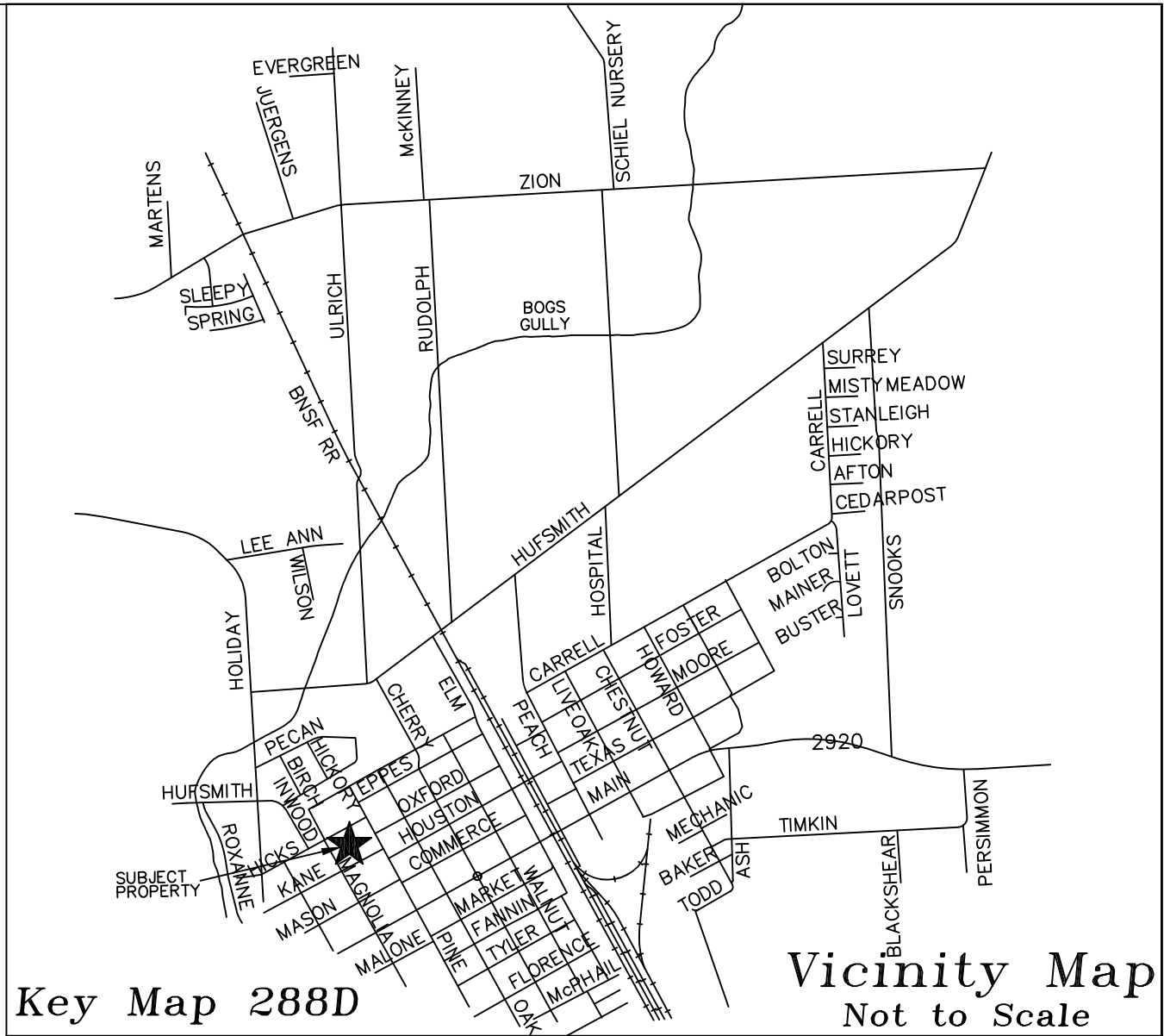


Surveyor:
C & C SURVEYING, INC.
7424 FM 1488, Suite A
Magnolia, Texas 77354
Office: 281-356-5172
Firm Number 10009400

Owners:
William G. Hightower
Patricia A. Hightower
6115 Theall
Houston, Texas 77066



Scale: 1" = 30'



CITY OF TOMBALL

Plat Name: TELSCHOW TRAILS Plat Type: Preliminary

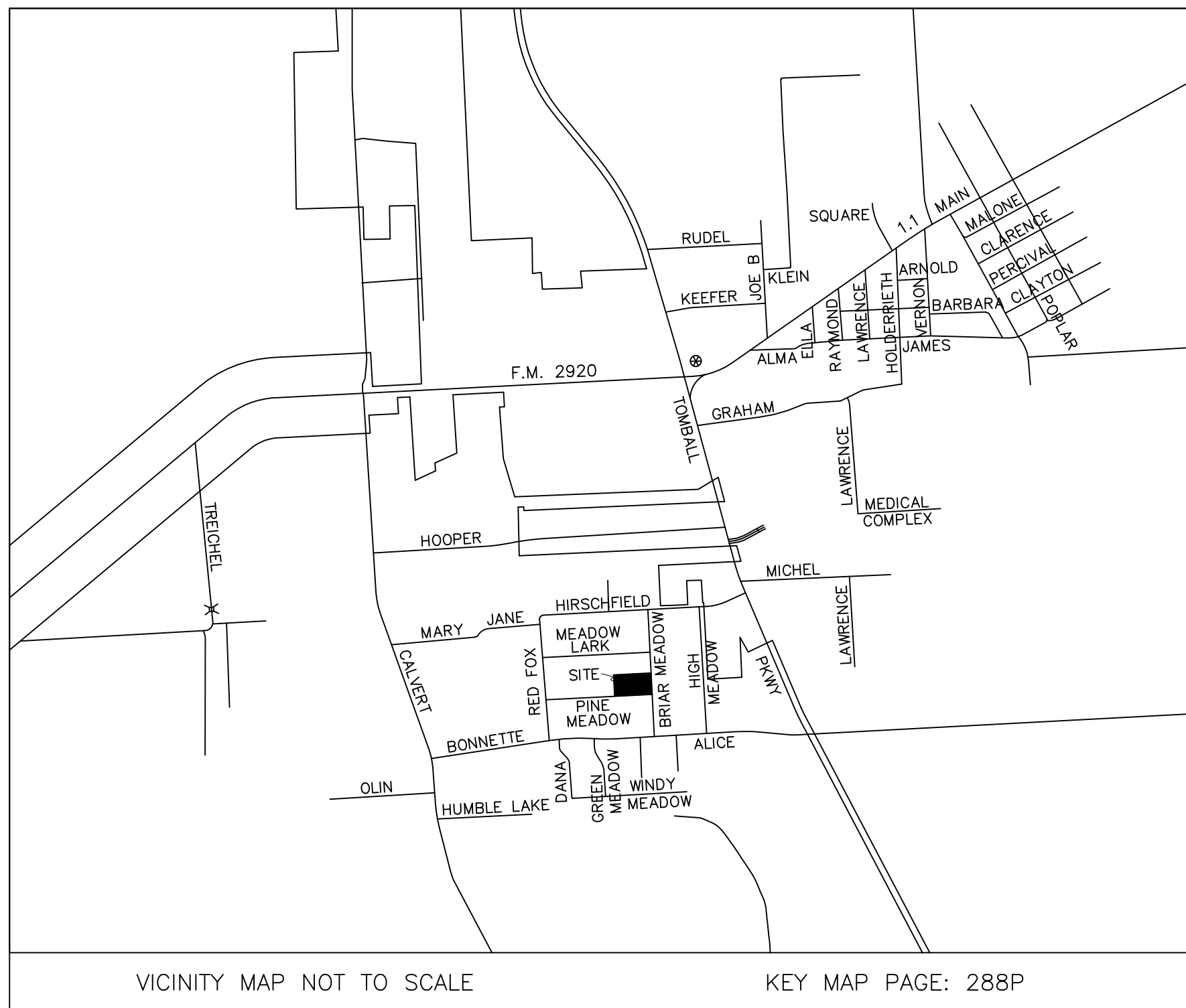
Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

Plat within City Limits ☐ Within Extraterritorial Jurisdiction ☒

Planning and Zoning Commission Meeting Date: September 13, 2021

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, Community Development recommends approval of this plat with contingencies.

- Add a twenty five foot building line along Pine Meadow Lane and Briar Meadow Road
- Improve area accuracy
- Fix typos



GENERAL NOTES:

- THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO.: 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR OF 1.000130.
- THIS LOT DOES NOT APPEAR TO BE IN THE 100 YEAR FLOOD PLAIN AND APPEARS TO BE IN ZONE X AS LOCATED BY THE FEDERAL INSURANCE ADMINISTRATION DESIGNATED FLOOD HAZARD AREA BY COMMUNITY PANEL NO. 48201C0210L DATED 06/18/2007. (FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE SUBJECT TRACT ON THE FIRMS, THE INFORMATION SHOULD ONLY BE USED TO DETERMINE FLOOD INSURANCE RATES AND NOT TO ANY ACTUAL FLOODING CONDITIONS.) WE ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE FIRMS.
- 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.
- THIS PLAT WAS PERFORMED WITH THE BENEFIT OF A CITY PLANNING LETTER FROM FIDELITY NATIONAL TITLE AGENCY, INC. G.F. NO. FAHCS21004121, DATED 07/01/2021.
- THIS PLAT REQUIRES COMPLIANCE WITH LANDSCAPING REQUIREMENTS PRIOR TO OCCUPANCY OF STRUCTURES AS MANDATED IN REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE.
- A PRIVATE PRESSURE CEMENTED WATER WELL CANNOT BE CONSTRUCTED WITHIN 50FT OF THE PROPERTY LINE.
- A PRIVATE NON-PRESSURE CEMENTED WATER WELL CANNOT BE CONSTRUCTED WITHIN 100FT OF THE PROPERTY LINE.
- THE PIPELINE EASEMENT AS RECORDED IN VOLUME 995, PG 102 D.R.H.C., AND LISTED IN THE CITY PLANNING LETTER, DOES NOT AFFECT THE SUBJECT PROPERTY.
- THE PIPELINE EASEMENT AS RECORDED IN VOLUME 1049, PG 281 D.R.H.C., AND LISTED IN THE CITY PLANNING LETTER, DOES NOT AFFECT THE SUBJECT PROPERTY.
- THE PIPELINE EASEMENT AS RECORDED IN H.C.C.F. C974955 & C978496, AND LISTED IN THE CITY PLANNING LETTER, DOES NOT AFFECT THE SUBJECT PROPERTY.
- THE UTILITY EASEMENT AS RECORDED IN H.C.C.F. D380326, AND LISTED IN THE CITY PLANNING LETTER, DOES NOT AFFECT THE SUBJECT PROPERTY.
- THE PIPELINE EASEMENT AS RECORDED IN H.C.C.F. D944183 AND LISTED IN THE CITY PLANNING LETTER, DOES NOT AFFECT THE SUBJECT PROPERTY.
- PUBLIC EASEMENTS DENOTED ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT AT ALL TIMES, OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME OF PROCURING THE PERMISSION OF THE PROPERTY OWNER. ANY PUBLIC UTILITY, INCLUDING THE CITY OF TOMBALL, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS OTHER GROWTHS OR IMPROVEMENTS THAT IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THIS PLAT. NEITHER THE CITY OF TOMBALL NOR ANY OTHER PUBLIC UTILITY SHALL BE RESPONSIBLE FOR ANY DAMAGES TO PROPERTY WITHIN AN EASEMENT ARISING OUT OF THE REMOVAL OR RELOCATION OF ANY OBSTRUCTION IN THE PUBLIC EASEMENT.

OWNERS:
EDWARD TELSCHOW, JR.
21595 ALLYSON
MAGNOLIA, TX 77354

SURVEYOR:
KING'S LAND SURVEYING
SOLUTIONS, LLC
DAVID KING, R.P.L.S. 4503
PHONE: 281-350-8003
EMAIL:
INFO@KINGSLANDSURVEYING.COM

MIKE TELSCHOW
14002 PINE MEADOW
TOMBALL, TX 77375

CHRIS TELSCHOW
14043 BUCKINGHAM
TOMBALL, TX 77375

TELSCHOW TRAILS

A SUBDIVISION OF

1.50 ACRES, (65335.23 SQ. FT.)

LOCATED IN THE

J. HOOPER, ABSTRACT 375

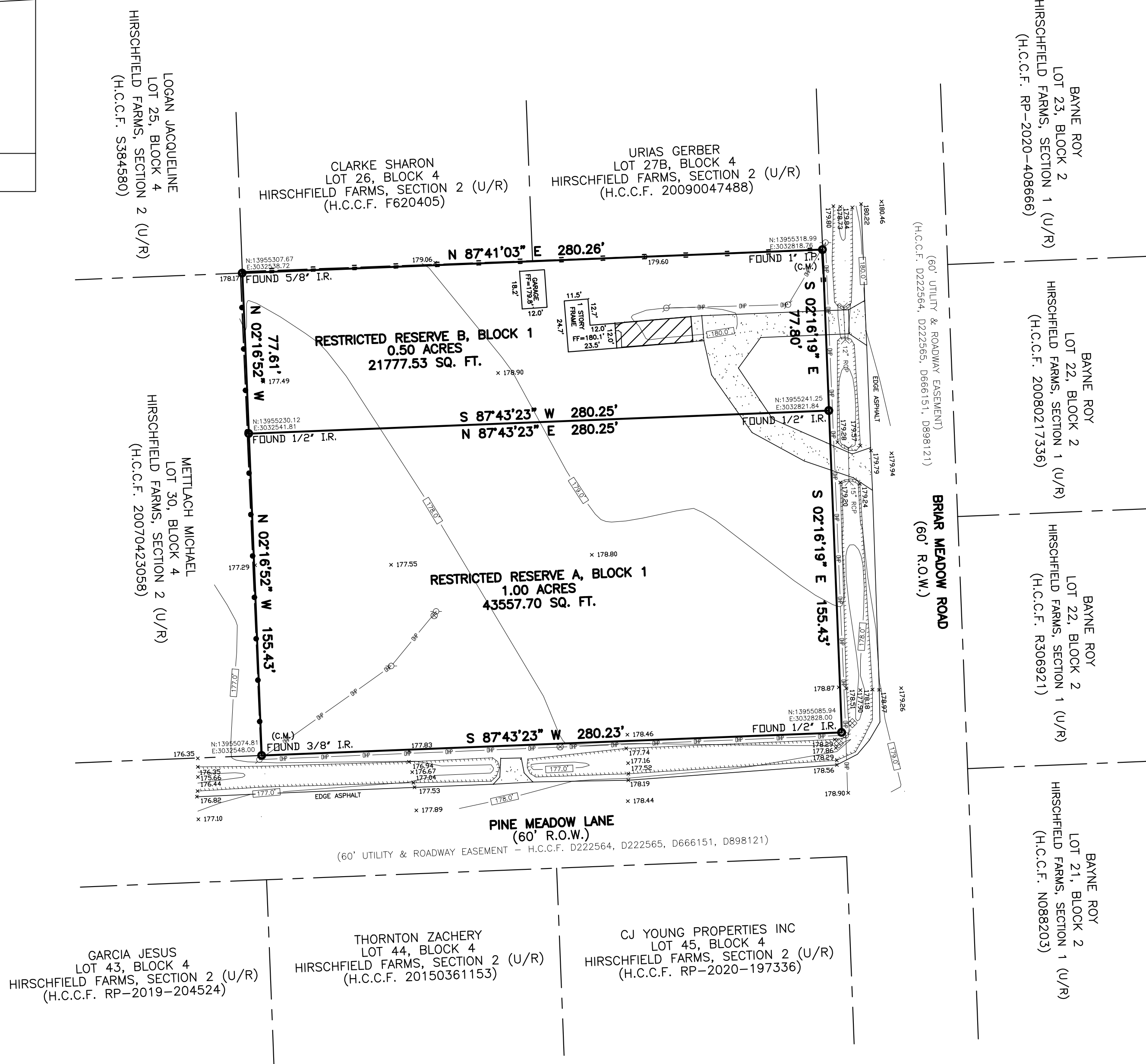
HARRIS COUNTY, TEXAS

CITY OF TOMBALL

CONTAINING

1 BLOCK, 2 RESTRICTED RESERVES

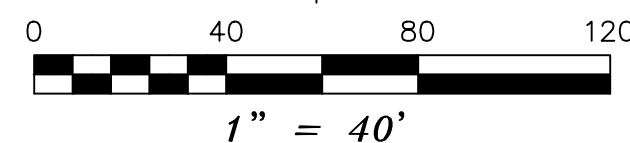
AUGUST 2021



LEGEND

These standard symbols will be found in the drawing.

○ FOUND MONUMENT



STATE OF TEXAS
COUNTY OF HARRIS

WE, EDWARD TELSCHOW, JR, MIKE TELSCHOW, & CHRIS TELSCHOW, OWNERS, HEREINAFTER REFERRED TO AS OWNERS OF THE 1.50 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF TELSCHOW TRAILS, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAT 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, OWNER HAS DEDICATED AND BY THESE PRESENTS DOES DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET (5') IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNER DOES 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 AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNER 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 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.

WITNESS MY HAND IN THE CITY OF TOMBALL, THIS _____ DAY OF _____, 2020.

BY: _____
EDWARD TELSCHOW, JR

BY: _____
MIKE TELSCHOW

BY: _____
CHRIS TELSCHOW

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED EDWARD TELSCHOW, JR, MIKE TELSCHOW, & CHRIS TELSCHOW, KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGMENT TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: _____

MY COMMISSION EXPIRES: _____

I, DIANE TRAUTMAN, 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 _____, 2021, AT _____ O'CLOCK ____M. AND DULY RECORDED ON _____, 2021 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.

BY: _____
DIANE TRAUTMAN
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

I, JOHN R. BLOUNT, COUNTY ENGINEER OF HARRIS COUNTY, HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE HARRIS COUNTY COMMISSIONERS' COURT AND THAT IT COMPLIES OR WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE HARRIS COUNTY ROAD LAW AS AMENDED AND ALL OTHER COURT ADOPTED DRAINAGE REQUIREMENTS.

JOHN R. BLOUNT P.E., LEED AP
COUNTY ENGINEER

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS, HAS APPROVED THIS PLAT OF TELSCHOW TRAILS SUBDIVISION IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF HOUSTON AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2021.

BARBARA TAGUE, CHAIRMAN

DARRELL ROQUEMORE, VICE CHAIRMAN

DAVID E. KING, SR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4503



FIRM NO.
10152100

KLSS
KING'S LAND SURVEYING
SOLUTIONS, LLC
Professional Land Surveyors
315 GENTRY STREET #C5 SPRING, TX 77373 (281)350-8003

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
SEPTEMBER 13, 2021
&
CITY COUNCIL
SEPTEMBER 20, 2021**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, September 13, 2021, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, September 20, 2021, 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 P21-352: Request by Creek Road and CTC Residential to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 18 acres of land legally described as Tracts 1B & 2C Abstract 311 C GOODRICH, from the Commercial District to the Planned Development (PD-18) District. The property is generally located at the northwest corner of SH 249 and Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

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

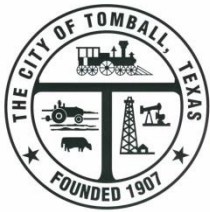
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **9th** day of **September 2021** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kim Chandler

Kim 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 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.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P21-352

APPLICANT/OWNER: Creek Road and CTC Residential

LOCATION: Generally located at the northwest corner of SH 249 and Tomball Cemetery Road, within the City of Tomball, Harris County, Texas

PROPOSAL: A Rezoning to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 18 acres of land legally described as Tracts 1B & 2C Abstract 311 C GOODRICH, from the Commercial District to the Planned Development (PD-18) District.

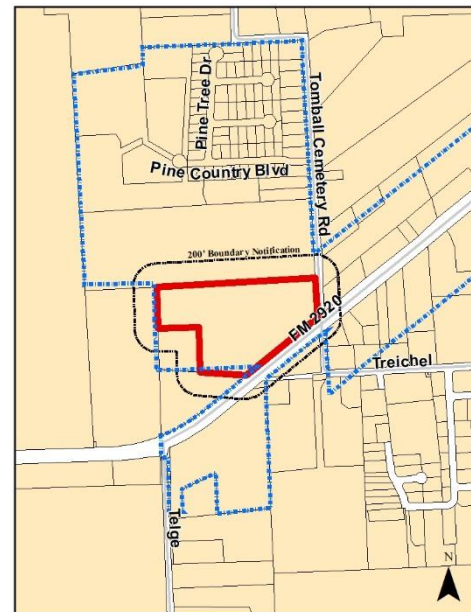
CONTACT: Kim Chandler

PHONE: (281) 290-1405

E-MAIL: kchandler@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.

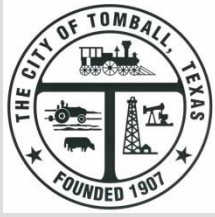


**Planning & Zoning Commission
Public Hearing:
Monday, September 13, 2021 6:00 PM**

**City Council Public Hearing:
*Monday, September 20, 2021 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Community Development Department

Planned Development Staff Report

Planning & Zoning Commission Public Hearing Date: September 13, 2021

City Council Public Hearing Date: September 20, 2021

Rezoning Case:	P21-352
Property Owner(s):	FM 2920 TC Road, LLC
Applicant(s):	Creek Road / CTC Residential
Legal Description:	TRS 1B & 2C ABST 311 C GOODRICH
Location:	Generally located at the northwest corner of FM 2920 and Tomball Cemetery Road, within the City of Tomball, Harris County, Texas
Area:	18.0487 Acres
Comp Plan Designation:	Corridor Commercial (Exhibit "B")
Present Zoning and Use:	Commercial District (Exhibit "C") / Undeveloped (Exhibit "D")
Proposed Use(s):	360-unit multi-family residential community
Request:	Rezone from the Commercial District to Planned Development (PD-18) District
Adjacent Zoning & Land Uses:	
North:	Agricultural District
South:	Commercial District, Outside the City limits / Vacant
West:	Outside the City limits/Vacant
East:	Commercial District / Texan Truck and Auto Sales

ANALYSIS

Description: The property is located at the northwest corner of FM 2920 and Tomball Cemetery Road and is zoned Commercial. Surrounding properties are zoned Commercial and Agricultural. Properties located south of the subject property are outside the City limits. Surrounding land uses include various commercial facilities such as Texan Truck and Auto Sales, etc. A single-family residential subdivision is located north of the property, beyond the vacant tract, that is accessed by Tomball Cemetery Road.

Project Description: According to the Planned Development Application (Exhibit "E") the proposed Planned Development will be a multi-family residential community with 360 units, and will include efficiency units (575 square feet), one bedroom units (650 square feet), and two bedroom units (950 square feet). Other amenities include a fitness center, dog parks, pools, outside

pavilion with barbeque grills, landscaped walking trail around the pond, bocce ball courts, a recreational reserve with a playground and/or picnic facilities, open spaces, and landscape buffers.

The applicant is proposing a base zoning district of Multi-family zone (MF zone). The buildings are proposed to be 3 stories tall, with a maximum height of forty-five (45) feet. The proposed density is twenty (20) dwelling units per acre, that meets the requirement of a Multi-family (MF) zoning district.

Planned Development District (PD) Intent: Section 50-80(a)(1) of the Tomball Code of Ordinances (zoning regulations) outlines the general purpose and description of the Planned Development District.

According to the zoning regulations - “The PD Planned Development District is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., Single-Family, Multifamily, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD Planned Development District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this chapter, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

- a. To provide for a superior design on lots or buildings;
- b. To provide for increased recreation and open space opportunities for public use and enjoyment;
- c. To provide amenities or features that would be of special benefit to the property users or to the overall community;
- d. To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes, views, or wildlife habitats;
- e. To protect or preserve existing historical buildings, structures, features or places;
- f. To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and
- g. To meet or exceed the standards of this chapter.”

Comprehensive Plan Recommendations: The property is designated as Corridor Commercial by the Comprehensive Plan Future Land Use Map. This Corridor Commercial category “... is intended for predominantly nonresidential uses along high-traffic, regionally serving thoroughfares. The land uses are typically comprised of varying lot sizes and intensities predominantly serving the automobile. While these areas will always be auto-oriented, there is opportunity to improve bicycle/pedestrian accommodations and to create a pleasing environment which leaves a lasting impression on residents and passers-by”.

The Comprehensive Plan lists uses that are appropriate for this designation as – “Land uses include regional commercial, personal service offices, multifamily, retail, entertainment, dining, hotels, and brew pubs/distilleries. Appropriate secondary uses include private gathering spaces, local utility services, government facilities, and transportation uses.”

The Comprehensive Plan recommends that zoning districts of - O (Office), GR (General Retail), C (Commercial), MU (Mixed Use), MF(Multi-family), and PD (Planned Development) for this designation.

Additionally, the Comprehensive Plan states – “The following considerations should be used as guidance for regulatory modifications or as part of decision-making: Development should gain primary access from an arterial street. Pedestrian enhancements should be a focus with comfort and safety taking priority. New development should include improved standards for building form and architecture, buffering, landscaping, and signage. Multi-family in an urban architectural form should be considered in a manner complimentary to other uses.

Preliminary Staff Review Comments:

Conformance to the Comprehensive Plan: While the proposed use is listed as being appropriate for this designation, the Comprehensive Plan contains guidelines for development that should be used to consider this zone change:

- a. Improved opportunity for bicycle/pedestrian accommodations and to create a pleasing environment which leaves a lasting impression on residents and passers-by.
- b. Pedestrian enhancements that focus on comfort and safety.
- c. Improved standards for building form and architecture, buffering, landscaping, and signage.
- d. Multi-family in an urban architectural form in a manner complimentary to other uses.

The PD needs to include additional information to demonstrate how these guidelines have been adhered to, especially the mixed-use development and pedestrian-oriented urban architectural form, as recommended in the Comprehensive Plan.

Additional Preliminary Review Comments: Based on the plans submitted, staff has the following comments. Upon submittal of detailed plans there may be additional comments.

1. In general, the proposed PD meets the minimum requirements of an MF zoning district. However, it is not clear how it meets the following PD intent –
 - * “to provide for a superior design on lots or buildings”
 - * “to meet or exceed the standards of this chapter”, or
 - * “permit new or innovative concepts in land utilization not permitted by other zoning districts”

Clarification is need on why a PD is considered suitable for this development, as opposed to straight MF zone.

2. Base zoning of Multifamily (MF zone) - Based on the information provided by the applicant and the standards proposed in the PD document, the PD will meet the minimum requirements of the MF zone. However, the PD proposes to reduce the “Green space, recreation areas” from a minimum 50% required by the MF zone to 20%, that is permitted to be approved by the Planning and Zoning Commission if – “... the area is intensively landscaped with underground irrigation systems and continuous maintenance is provided for.”
Detailed landscaping plans are needed to evaluate this.
3. Landscaping requirements – The PD proposes to meet the minimum requirements of the MF zoning requirements. In order to meet the intent of the PD, it is recommended that enhanced landscaping in strategic locations as street frontage, setbacks along the property lines, along the trails, and detention be considered.
4. Detention – it is recommended that a wet detention to serve as a lake amenity be considered.

5. Screening requirements – The PD proposes to meet the minimum screening requirements, that include a wooded fence. It is recommended that higher standards, including masonry fences with additional landscaped screening be considered on all sides.
6. Setbacks – It is recommended that additional setbacks along the north and west property line be considered with landscaping to provide as a buffer between this development and adjoining properties. It is also recommended that increased setbacks with additional landscaping including trees and shrubs be considered along the frontage on Tomball Cemetery Road and FM 2920.
7. Development standards – It is recommended that details be included to meet the intent of the PD – “New development should include improved standards for building form and architecture”.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on September 2, 2021. A Notice of Public Hearing was published in the paper on September 1, 2021. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

City staff recommends that the above mentioned comments be considered and incorporated in the proposed PD, prior to approval.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Planned Development Application, Regulations and Concept Plan

Exhibit "A"
Aerial Photo

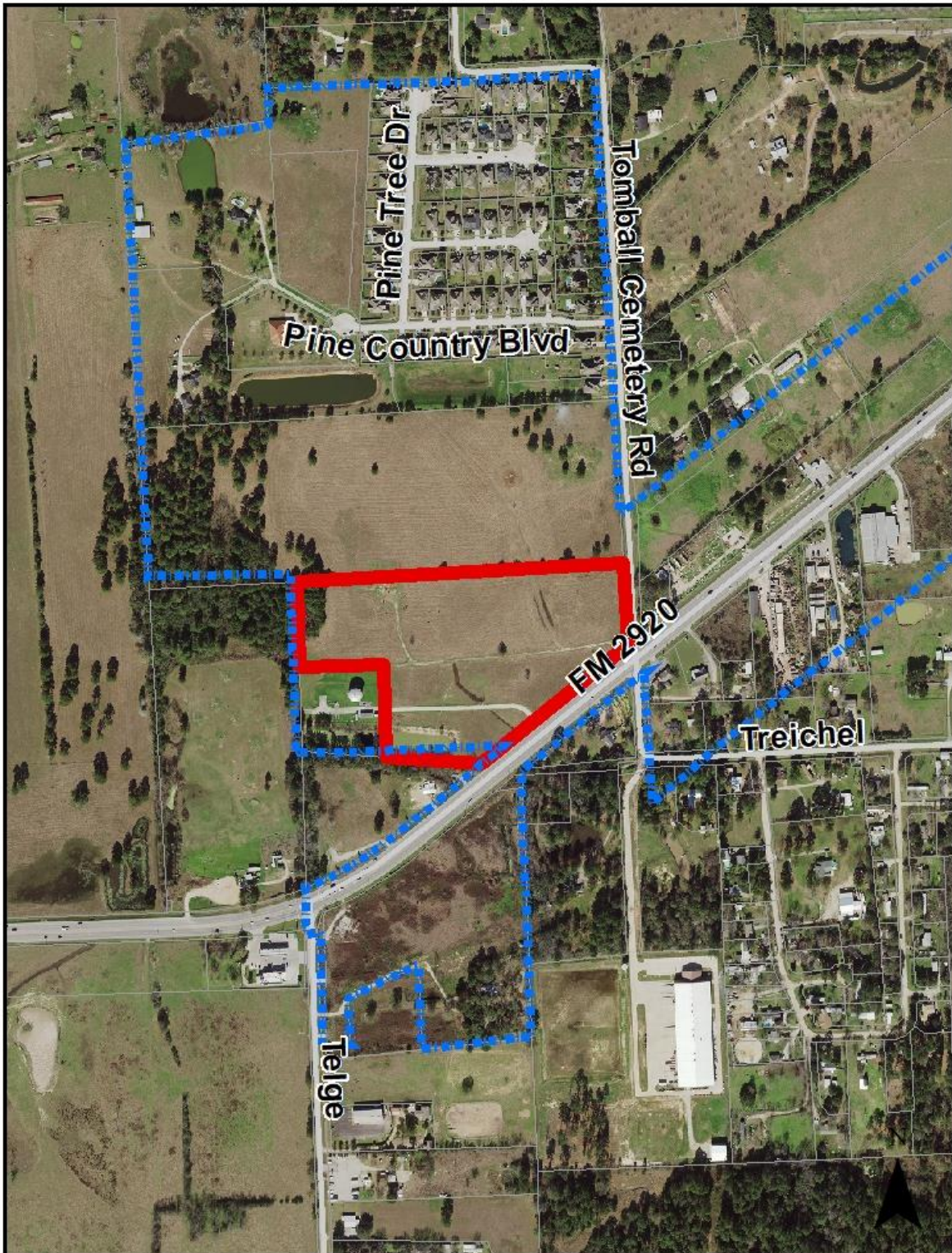


Exhibit "B"
Comprehensive Plan

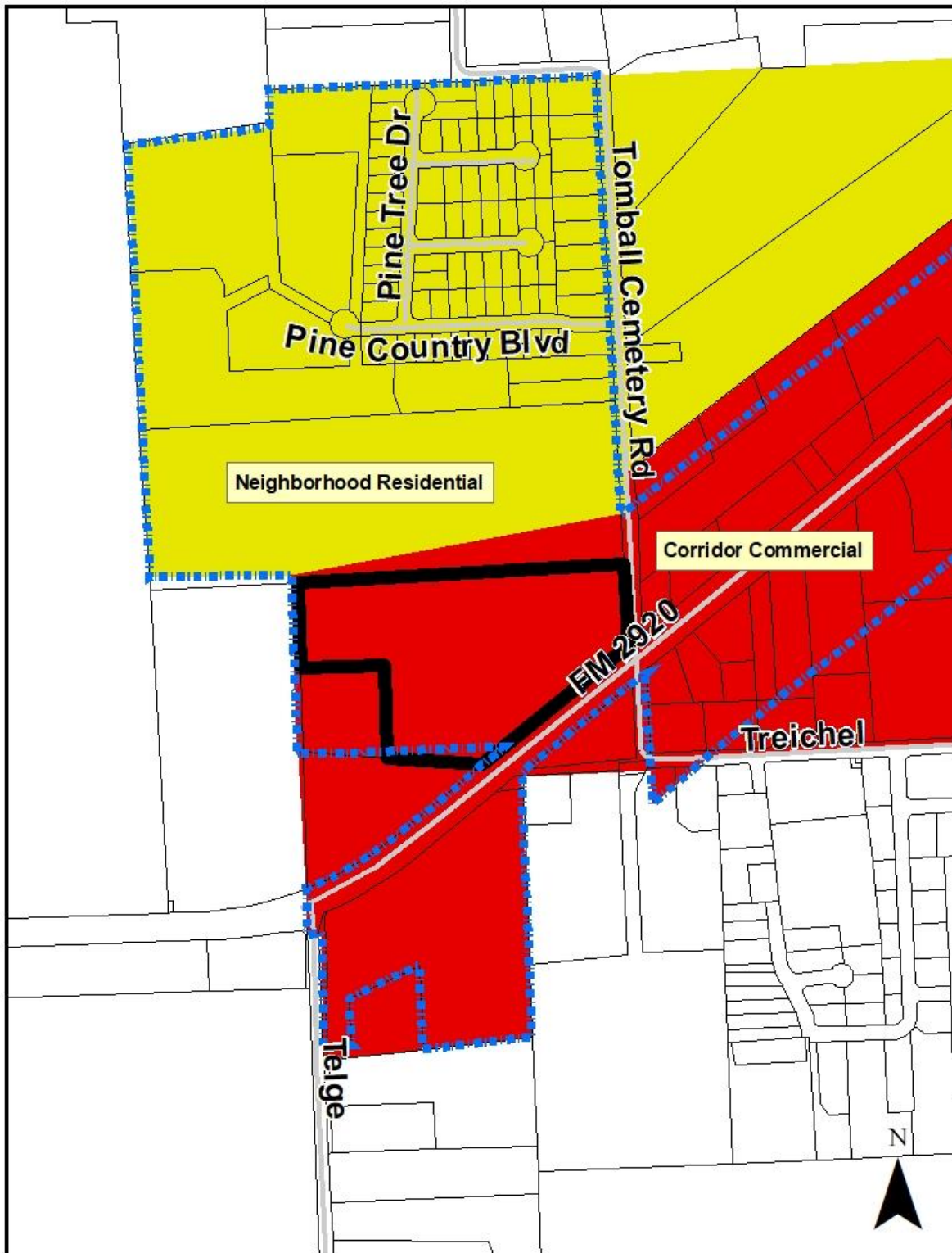
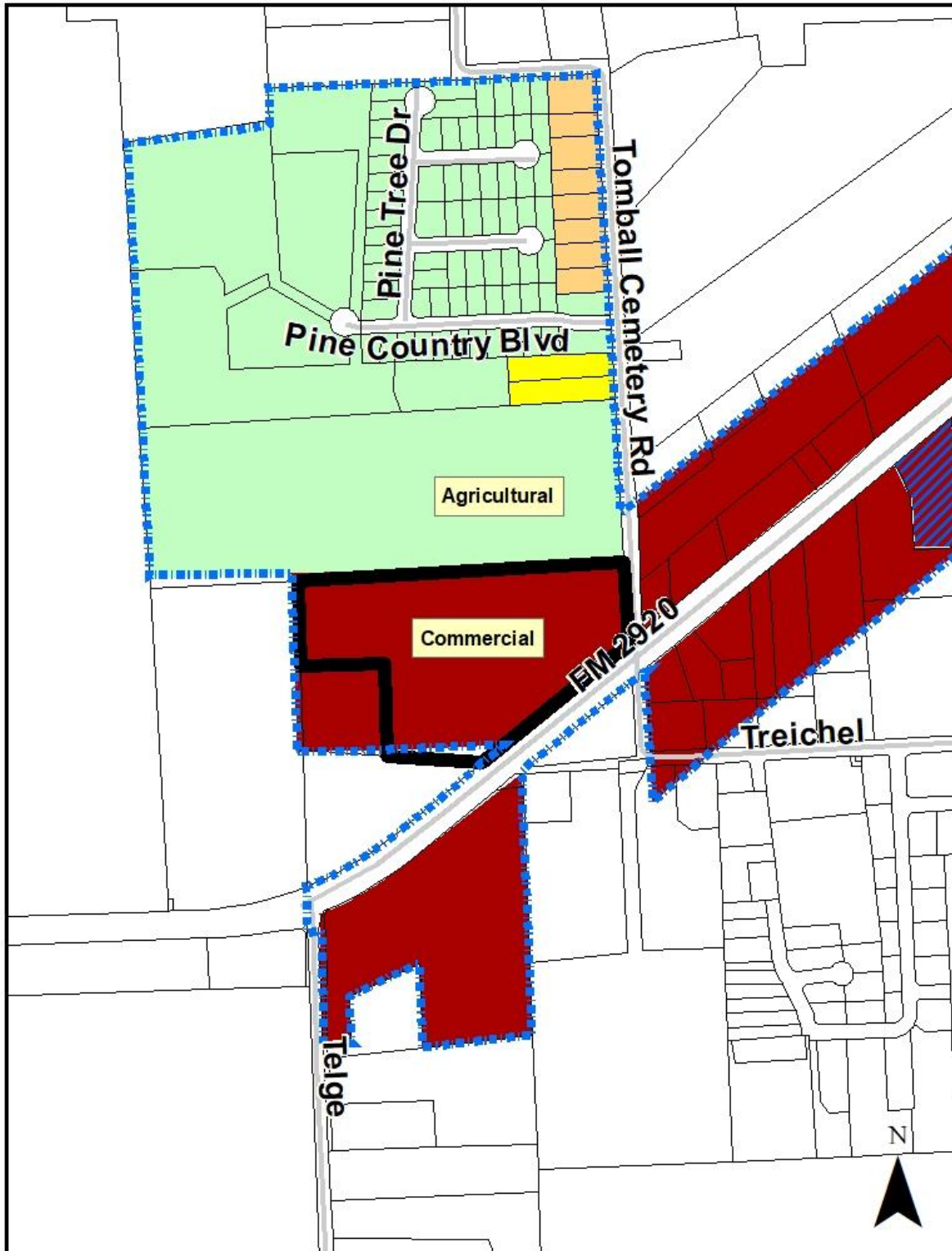


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Google image Sep. 2019

Exhibit "E"

Planned Development Application



RECEIVED (KC)
August 4, 2021

Revised 5/19/15
P&Z #21-352
\$1,000 PD

APPLICATION FOR PLANNED DEVELOPMENT

Community Development Department
Planning Division

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

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

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

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

Applicant

Name: Creek Road / CTC Residential (ATTN: Tolu Akindele / Sean Ratterree) Title: Development Managers
Mailing Address: 2500 Wilcrest, Suite 300 City: Houston State: Texas
Zip: 77042
Phone: (832) 286-7829 Fax: () Email: teakindele@creek-rd.com

Owner

Name: FM 2920 TC Road, LLC (ATTN: Shan Patel / Ford Scott) Title: Managers
Mailing Address: 3725 E. League City Parkway, Suite 250 City: League City State: Texas
Zip: 77573
Phone: (281) 816-6554 Fax: () Email: fscott@capitalretailproperties.com

Engineer/Surveyor (if applicable)

Name: Everything In Christ Surveying Company (ATTN: Craig A. Laney) Title: Land Surveyor
Mailing Address: 12345 Jones Road, Suite 270 City: Houston State: Texas
Zip: 77070
Phone: (281) 955-2772 Fax: (281) 955-6678 Email: craig.laney@eicsurveying.com

Description of Proposed Project: market-rate, luxury multi-housing community

Physical Location of Property: 1.7 miles west of the intersection of SH 249 and FM 2920 Road

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

Legal Description of Property: TRS 1B & 2C ABST 311 C GOODRICH
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

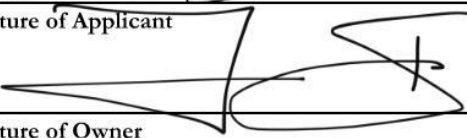
HCAD Identification Number: 0421810000177 Acreage: 18.0487

Current Use of Property: Vacant Land - Ag Exempt

Proposed Use of Property: Planned Development - Market Rate, Luxury Multi-Housing Community

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

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

 X 	8/4/2021
Signature of Applicant	Date
 X 	8/4/2021
Signature of Owner	Date

Submittal Requirements

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

Applications must be delivered to the City at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

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

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

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

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

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (200) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

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

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

DATE : 8/4/2021 3:16 PM
OPER : RP
TKBY : rp
TERM : 2
REC# : R01274996

130.0000 PLANNING AND ZONING 1000.00
15800 Fm 2920 1000.00

Paid By:15800 Fm 2920
4-CC 1000.00AUTH:874296 REF:w amex

APPLIED 1000.00
TENDERED 1000.00
CHANGE 0.00

Cardmember acknowledges receipt of goods
and/or services in the amount of the
total shown hereon and agrees to perform
the obligations set forth by the
cardmember's agreement with the user.



XXXXXXXXXX1007
Entry Mode: CHIP READ
CVM:

EMV Details:
AC: 1F8674361F568EA9
ATC: 02BB
AID: A000000025010801
TVR: 0000008000
TSI: E800

August 4, 2021

Mr. Craig Meyers, PE, CFM

Community Development Director

City of Tomball

501 James Street

Tomball, TX 77375

RE: Planned Development ("PD") Application for the property located at 15800 FM 2920 Tomball, TX 77377 ("Property" or "Site") - 1.7 miles West of SH 249

Dear Mr. Meyers:

Creek Road and CTC Residential (jointly "Applicants") would like to formally request the City of Tomball consider and review the attached Planned Development ("PD") Application for the 18.05-acre property located at 15800 FM 2920 Tomball, Texas – approximately 1.7 miles west of SH 249. As reflected in the City of Tomball Zoning Map, the Property is zoned C – Commercial District. On October 7, 2019, the City of Tomball adopted the Final Comprehensive Report as presented by Halff Associates, Inc. In this report, on page 63, the Site is classified as "Corridor Commercial" as it pertains to Tomball Future Land Use Plan. And on page 70, under the Corridor Commercial section, appropriate uses include multifamily. The application proposes the current zoning designation be revised to a Planned Development District, consisting of market-rate, luxury multifamily land use with specified regulations. This Property will welcome both residents and visitors into Tomball, as it is situated at the west entrance of the city. Based on our analysis and review of the City of Tomball's goals as it relates to its continued growth to keep up with the demand in housing for young professionals and working population, we believe this is the highest and best use of this Property given its proximity to retail/shopping, schools and access to major throughfares.

Please feel free to contact us with any questions regarding the attached application. Thank you for your review and consideration.

Sincerely,



Tolu E. Akindele

Sean C. Ratterree

PROPOSED PLANNED DEVELOPMENT MULTI FAMILY

Permitted Uses:

- Any use permitted in the Multi-Family Residential District, MF

Height Regulations:

- Maximum Height: Main Buildings -Three (3) stories, not to exceed forty-five (45) feet
- Maximum Height: Accessory Buildings - One (1) story, not to exceed fifteen (15) feet
- Maximum Height: Club House - One (1) Story

Area Regulations:

- Maximum Dwelling Units: Not to exceed three hundred sixty (360) dwelling units
- Lot Area: 18.049 acres

Setback Regulations:

- Minimum Front Building Setback: Thirty-five (35) feet
- Minimum Side Building Setback: Minimum of Fifteen (15) feet, twenty-five (25) feet when adjacent to property zoned for single family residential, twenty-five (25) feet when adjacent to an arterial street, fifteen (15) feet when adjacent to a non-arterial street
- Minimum Rear Setback: Main Building - Minimum of fifteen (15) feet, sixty (60) feet when adjacent to single family, duplex (two family), patio home or single family attached district
- Minimum Rear Setback: Accessory Building - Minimum of fifteen (15) feet, thirty (30) feet when adjacent to single family, duplex (two family), patio home or single family attached district

Building Requirements:

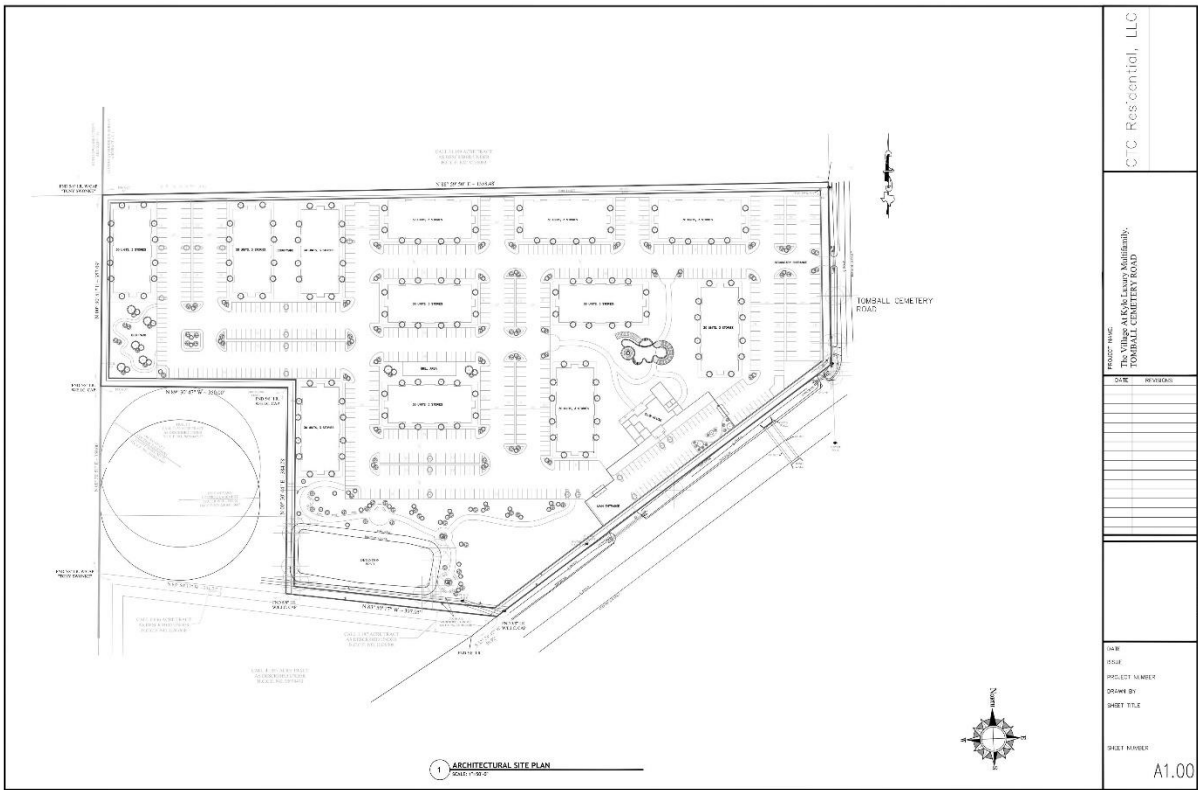
- Minimum Building Separation -1-story building: Fifteen (15) feet for buildings without openings, twenty (20) feet for building with openings
- Minimum Building Separation - 2-story building: Twenty (20) feet for building without openings, thirty (30) feet for buildings with openings
- Minimum Building Separation - Over 2-story building: Thirty-five (35) feet or as required by the adopted building code, whichever is greater
- Minimum Building Separation - Between Main Building and Accessory Building: Ten (10) feet or as required by the adopted building code, whichever is greater
- Minimum Floor Area Per Dwelling Unit – Efficiency Unit: Five hundred seventy-five (575) square feet
- Minimum Floor Area Per Dwelling Unit - One Bedroom: Six hundred fifty (650) square feet
- Minimum Floor Area Per Dwelling Unit -Two Bedroom: Nine hundred and fifty (950) square feet

Lot requirements:

- Maximum Lot Coverage: Fifty percent (50%) total, including main and accessory buildings, pools, ponds. (does not include paving or carports).
- Screening: Per section 50-115 of the Tomball Code of Ordinances. All refuse containers shall be screened, a six-foot solid fence, wall or opaque screening device is required on the side adjacent to a single-family zoned property.
- Parking:
 - A. One and three-fourths (1.75) parking spaces for each one-bedroom unit
 - B. Two (2) parking spaces for each two-bedroom unit
- Landscape: Per Section 50-113 of the Tomball Code of Ordinances
- Green Space/Recreational Areas – A Minimum of 20% of the gross platted area shall be open green space and common recreational areas. This area will include underground irrigation systems and continuous maintenance will be provided.

Additional Requirements:

- Fire easement accessibility, fire sprinkler system, walkways, building length, oversized parking areas, signage, lighting, gated/secured entrances, streets, or driveways per Section 50-73 of the Tomball Code of Ordinances



Legal Description and Metes and Bounds for 15800 FM 2920 Tomball, Tx

All that certain tract or parcel containing 18.049 acres of land out of that certain call 21.001 acre tract of land situated in the Chauncey Goodrich Survey, A-311, in Harris County, Texas, said 21.001 acre tract being that same tract as described in

STEWART TITLE

a Deed filed for record under Harris County Clerk's File No. U-682638, Real Property Records of Harris County, Texas; said 18.0487 being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with Tony Swonke cap (found) in the West right-of-way line of Tomball Cemetery Road, (60.00 feet in width), marking the Southeast corner of that certain call 31.159 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. V-256093, the Northeast corner of said 21.001 acre tract of land and the Northeast corner of the herein described 18.049 acre tract of land;

THENCE S 00°58'38" E, (call S 00°58'05" E), a distance of 340.12 feet to a 5/8" iron rod with Tony Swonke cap (found) marking the intersection of the West right-of-way line of said Tomball Cemetery Road with the Northwest right-of-way line of F. M. 2920, (120.00 feet in width), the Easterly-Southeast corner of said 21.001 acre tract of land and the Easterly-Southeast corner of the herein described 18.049 acre tract of land;

THENCE S 53°02'00" W, a distance of 783.46 feet along the Northwest right-of-way line of said F. M. 2920 and the Southeast line of said 21.001 acre tract of land to a 5/8" iron rod with EIC cap (found) marking the Southerly-Southeast corner of said 21.001 acre tract of land, the Northeast corner of that certain call 0.636 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. U-761658 and the Northeast corner of that certain call 1.187 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. U-620508 and the Southerly-Southeast corner of the herein described 18.049 acre tract of land;

THENCE N 83°50'17" W, a distance of 397.05 feet along the common line of said 0.636 acre, said 1.187 acre and said 21.001 acre tracts of land to a 5/8" iron rod with EIC cap (set) marking the Southeast corner of that certain call 2.952 acre tract of land known as Tract 1 as described in a deed filed for record under Harris County Clerk's File No. 20090443955 and the Southerly-Southwest corner of the herein described 18.049 acre tract of land;

THENCE N 00°30'44" E, (call N 00°31'48" E), a distance of 384.78 feet along the East line of said Tract 1 to a 5/8" iron rod with EIC cap (set) marking the Northeast corner of said Tract 1 and an interior corner of the herein described 18.049 acre tract of land;

THENCE N 89°30'47" W, (call N 89°28'12" W), a distance of 350.00 feet along the North line of said tract 1 to a 5/8" iron rod with EIC cap (set) in the West line of said Chauncey Goodrich Survey, the West line of said 21.001 acre tract of land, the East line of the John Edwards Survey, A-20 in said Harris County, Texas and the East line of that certain call 18.7500 acre residue of that certain call 130.971 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. T-469927 marking the Northwest corner of said Tract 1

and the Westerly- Southwest corner of the herein described 18.049 acre tract of land;

THENCE N 00°30'15" E, a distance of 357.09 feet along the common line of said Chauncey Goodrich Survey, said 21.001 acre tract of land, said John Edwards Survey and said 18.7500 acre residue tract of land to a 5/8" iron rod with Tony Swonke cap (found) in the South line of said 31.159 acre tract of land marking the Northwest corner of said 21.001 acre tract of land, the Northeast corner of said 18.7500 acre residue tract of land and the Northwest corner of the herein described 18.049 acre tract of land;

THENCE N 88°59'50" E, a distance of 1,358.48 feet, (call 1,358.53 feet), along the common line of said 21.001 acre and said 31.159 acre tracts of land to the POINT OF BEGINNING and containing 18.049 acres of land.

8/4/2021

Mail - Tolu E Akindele - Outlook

Receipt #R01274996

noreply@tomballtx.gov <noreply@tomballtx.gov>

Wed 08/04/21 3:19 PM

To: Tolu E Akindele <teakindele@creek-rd.com>

401 Market Street

401 Market Street

Tomball, TX 77375

(281) 351-5484

DATE : 8/4/2021 3:16 PM

OPER : RP

TKBY : rp

TERM : 2

REC# : R01274996

130.0000 PLANNING AND ZONING

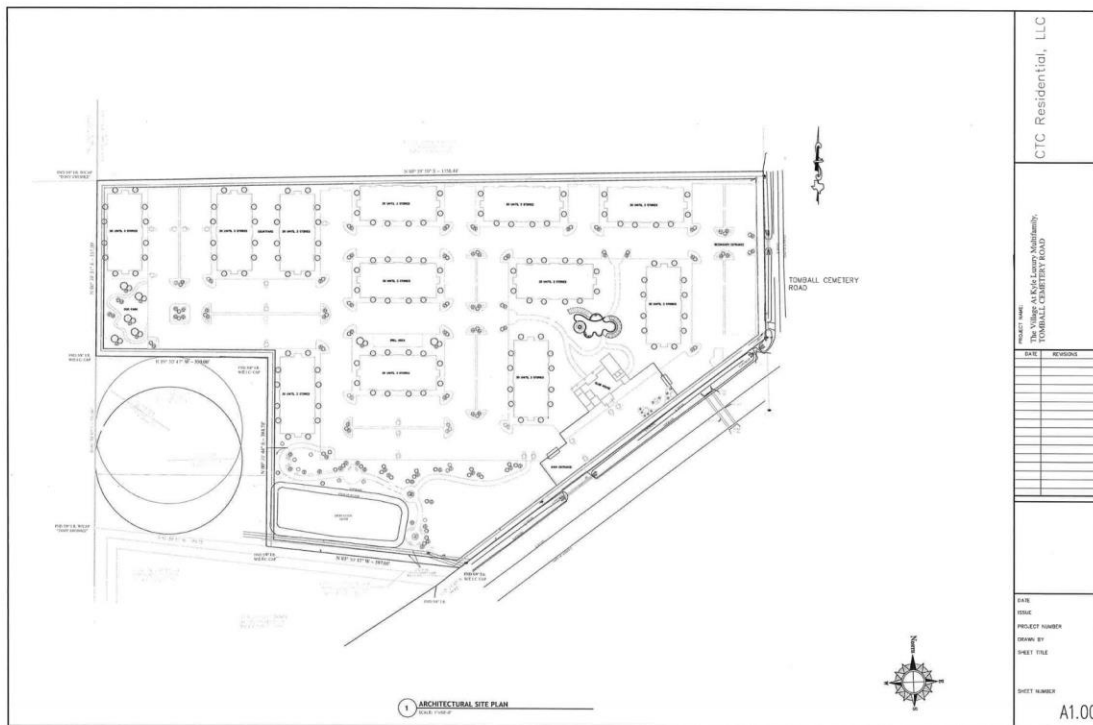
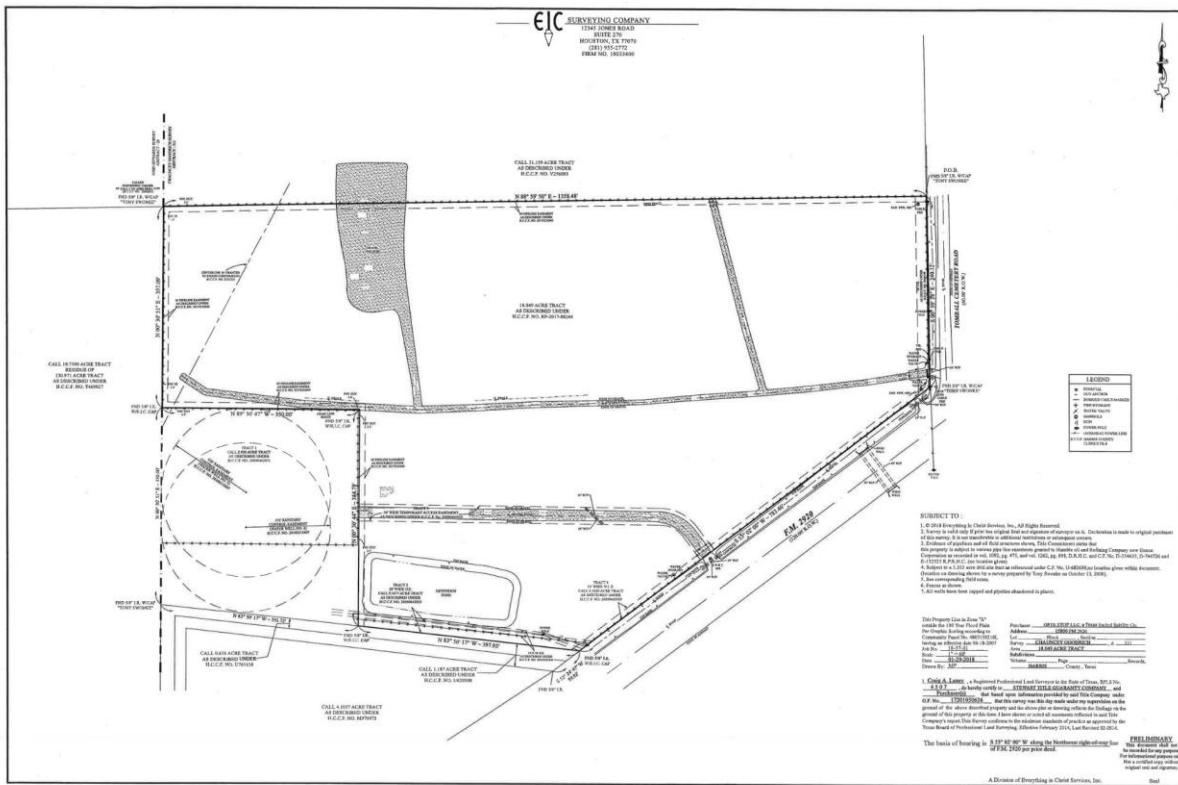
15800 Fm 2920 1000.00

Paid By:15800 Fm 2920

4-CC 1000.00AUTH:874296 REF:w amex

<https://outlook.office.com/mail/deeplink?popoutv2=1&version=2021072701.04>

1/1



Revised 5/19/15



**APPLICATION FOR
PLANNED DEVELOPMENT**
Community Development Department
Planning Division

The PD, Planned Development, district is a district which accommodates planned associations of uses developed as integral land use units such as office parks, retail/commercial or service centers, shopping centers, residential developments having a mixture of housing options (e.g., single-family, multi-family, Duplex (Two Family), etc.), or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts.

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Description of Proposed Project: market-rate, luxury multi-housing community

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

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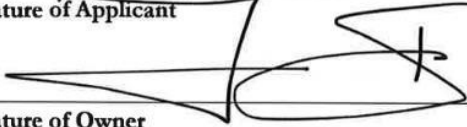
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<u>X</u>		<u>8/4/2021</u>
	Signature of Applicant	Date
<u>X</u>		<u>8/4/2021</u>
	Signature of Owner	Date

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August 4, 2021

Mr. Craig Meyers, PE, CFM
Community Development Director
City of Tomball
501 James Street
Tomball, TX 77375

RE: Planned Development ("PD") Application for the property located at 15800 FM 2920 Tomball, TX 77377 ("Property" or "Site") - 1.7 miles West of SH 249

Dear Mr. Meyers:

Creek Road and CTC Residential (jointly "Applicants") would like to formally request the City of Tomball consider and review the attached Planned Development ("PD") Application for the 18.05-acre property located at 15800 FM 2920 Tomball, Texas – approximately 1.7 miles west of SH 249. As reflected in the City of Tomball Zoning Map, the Property is zoned C – Commercial District. On October 7, 2019, the City of Tomball adopted the Final Comprehensive Report as presented by Halff Associates, Inc. In this report, on page 63, the Site is classified as "Corridor Commercial" as it pertains to Tomball Future Land Use Plan. And on page 70, under the Corridor Commercial section, appropriate uses include multifamily. The application proposes the current zoning designation be revised to a Planned Development District, consisting of market-rate, luxury multifamily land use with specified regulations. This Property will welcome both residents and visitors into Tomball, as it is situated at the west entrance of the city. Based on our analysis and review of the City of Tomball's goals as it relates to its continued growth to keep up with the demand in housing for young professionals and working population, we believe this is the highest and best use of this Property given its proximity to retail/shopping, schools and access to major throughfares.

Please feel free to contact us with any questions regarding the attached application. Thank you for your review and consideration.

Sincerely,



Tolu E. Akindele



Sean C. Ratterree

PROPOSED PLANNED DEVELOPMENT MULTI FAMILY

Permitted Uses:

- Any use permitted in the Multi-Family Residential District, MF

Height Regulations:

- Maximum Height: Main Buildings -Three (3) stories, not to exceed forty-five (45) feet
- Maximum Height: Accessory Buildings - One (1) story, not to exceed fifteen (15) feet
- Maximum Height: Club House - One (1) Story

Area Regulations:

- Maximum Dwelling Units: Not to exceed three hundred sixty (360) dwelling units
- Lot Area: 18.049 acres

Setback Regulations:

- Minimum Front Building Setback: Thirty-five (35) feet
- Minimum Side Building Setback: Minimum of Fifteen (15) feet, twenty-five (25) feet when adjacent to property zoned for single family residential, twenty-five (25) feet when adjacent to an arterial street, fifteen (15) feet when adjacent to a non-arterial street
- Minimum Rear Setback: Main Building - Minimum of fifteen (15) feet, sixty (60) feet when adjacent to single family, duplex (two family), patio home or single family attached district
- Minimum Rear Setback: Accessory Building - Minimum of fifteen (15) feet, thirty (30) feet when adjacent to single family, duplex (two family), patio home or single family attached district

Building Requirements:

- Minimum Building Separation -1-story building: Fifteen (15) feet for buildings without openings, twenty (20) feet for building with openings
- Minimum Building Separation - 2-story building: Twenty (20) feet for building without openings, thirty (30) feet for buildings with openings
- Minimum Building Separation - Over 2-story building: Thirty-five (35) feet or as required by the adopted building code, whichever is greater
- Minimum Building Separation - Between Main Building and Accessory Building: Ten (10) feet or as required by the adopted building code, whichever is greater
- Minimum Floor Area Per Dwelling Unit – Efficiency Unit: Five hundred seventy-five (575) square feet
- Minimum Floor Area Per Dwelling Unit - One Bedroom: Six hundred fifty (650) square feet
- Minimum Floor Area Per Dwelling Unit -Two Bedroom: Nine hundred and fifty (950) square feet

Lot requirements:

- Maximum Lot Coverage: Fifty percent (50%) total, including main and accessory buildings, pools, ponds. (does not include paving or carports).
- Screening: Per section 50-115 of the Tomball Code of Ordinances. All refuse containers shall be screened, a six-foot solid fence, wall or opaque screening device is required on the side adjacent to a single-family zoned property.
- Parking:
 - A. One and three-fourths (1.75) parking spaces for each one-bedroom unit
 - B. Two (2) parking spaces for each two-bedroom unit
- Landscape: Per Section 50-113 of the Tomball Code of Ordinances
- Green Space/Recreational Areas – A Minimum of 20% of the gross platted area shall be open green space and common recreational areas. This area will include underground irrigation systems and continuous maintenance will be provided.

Additional Requirements:

- Fire easement accessibility, fire sprinkler system, walkways, building length, oversized parking areas, signage, lighting, gated/secured entrances, streets, or driveways per Section 50-73 of the Tomball Code of Ordinances

Legal Description and Metes and Bounds for 15800 FM 2920 Tomball, Tx

All that certain tract or parcel containing 18.049 acres of land out of that certain call 21.001 acre tract of land situated in the Chauncey Goodrich Survey, A-311, in Harris County, Texas, said 21.001 acre tract being that same tract as described in

STEWART TITLE

a Deed filed for record under Harris County Clerk's File No. U-682638, Real Property Records of Harris County, Texas; said 18.0487 being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with Tony Swonke cap (found) in the West right-of-way line of Tomball Cemetery Road, (60.00 feet in width), marking the Southeast corner of that certain call 31.159 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. V-256093, the Northeast corner of said 21.001 acre tract of land and the Northeast corner of the herein described 18.049 acre tract of land;

THENCE S 00°58'38" E, (call S 00°58'05" E), a distance of 340.12 feet to a 5/8" iron rod with Tony Swonke cap (found) marking the intersection of the West right-of-way line of said Tomball Cemetery Road with the Northwest right-of-way line of F. M. 2920, (120.00 feet in width), the Easterly-Southeast corner of said 21.001 acre tract of land and the Easterly-Southeast corner of the herein described 18.049 acre tract of land;

THENCE S 53°02'00" W, a distance of 783.46 feet along the Northwest right-of-way line of said F. M. 2920 and the Southeast line of said 21.001 acre tract of land to a 5/8" iron rod with EIC cap (found) marking the Southerly-Southeast corner of said 21.001 acre tract of land, the Northeast corner of that certain call 0.636 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. U-761658 and the Northeast corner of that certain call 1.187 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. U-620508 and the Southerly-Southeast corner of the herein described 18.049 acre tract of land;

THENCE N 83°50'17" W, a distance of 397.05 feet along the common line of said 0.636 acre, said 1.187 acre and said 21.001 acre tracts of land to a 5/8" iron rod with EIC cap (set) marking the Southeast corner of that certain call 2.952 acre tract of land known as Tract 1 as described in a deed filed for record under Harris County Clerk's File No. 20090443955 and the Southerly-Southwest corner of the herein described 18.049 acre tract of land;

THENCE N 00°30'44" E, (call N 00°31'48" E), a distance of 384.78 feet along the East line of said Tract 1 to a 5/8" iron rod with EIC cap (set) marking the Northeast corner of said Tract 1 and an interior corner of the herein described 18.049 acre tract of land;

THENCE N 89°30'47" W, (call N 89°28'12" W), a distance of 350.00 feet along the North line of said tract 1 to a 5/8" iron rod with EIC cap (set) in the West line of said Chauncey Goodrich Survey, the West line of said 21.001 acre tract of land, the East line of the John Edwards Survey, A-20 in said Harris County, Texas and the East line of that certain call 18.7500 acre residue of that certain call 130.971 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. T-469927 marking the Northwest corner of said Tract 1

and the Westerly- Southwest corner of the herein described 18.049 acre tract of land;

THENCE N 00°30'15" E, a distance of 357.09 feet along the common line of said Chauncey Goodrich Survey, said 21.001 acre tract of land, said John Edwards Survey and said 18.7500 acre residue tract of land to a 5/8" iron rod with Tony Swonke cap (found) in the South line of said 31.159 acre tract of land marking the Northwest corner of said 21.001 acre tract of land, the Northeast corner of said 18.7500 acre residue tract of land and the Northwest corner of the herein described 18.049 acre tract of land;

THENCE N 88°59'50" E, a distance of 1,358.48 feet, (call 1,358.53 feet), along the common line of said 21.001 acre and said 31.159 acre tracts of land to the POINT OF BEGINNING and containing 18.049 acres of land.

