



CITY OF Incorporated 1977

FULSHEAR

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30603 FM 1093

P.O. Box 279
Fulshear, Texas 77441

PLANNING AND ZONING COMMISSION MINUTES MARCH 4, 2016

1. Call to Order

A Regular Meeting of the Fulshear Planning and Zoning Commission was called to order by Chairman Einkauf at 8:37 a.m. on Friday, March 4, 2016 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.

Present:

Derek Einkauf, Chairman
Bill Heede
Austin Weant
Amy Pearce
Ira Leary

Absent:

David Worley, Co-chairman
Harold Collins

City Staff:

D. (Diana) Gordon Offord, City Secretary
C. J. Snipes, City Administrator
Michelle Killebrew, Building Official
David Leyendecker, City Engineer

Others:

Zain Walkabout
David Santh
Gerald Grissom
Juan Serna
J. D. McCann
Sonya Simmons
David Jalbez
Tim and Karen Oneill
And 12 others who did not sign in (Tricia Krenek, Council Member, came in at 9:16 a.m.)

2. Quorum

Chairman Einkauf announced that a quorum was present.

3. Citizen's Comments

Citizens who desire to address the Planning And Zoning Commission with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for Consideration.

There were no Citizen's Comments.

4. PUBLIC HEARING-VARIANCE REQUEST

Notice is hereby given that a Public Hearing shall be held by the Planning and Zoning Commission of the City of Fulshear at its March 4, 2016 meeting at 8:30 A.M. in the Fulshear City Hall, Council Chambers located at 30603 FM 1093, Fulshear, Texas 77441.

The purpose of the hearing is to receive comments from interested individuals regarding request for Variance Application.

The property owner has requested for a Variance Application to allow for the following.

1. WordServe Church to use available Fulshear Downs complex parking based on Fulshear Downs tenant's hours of operation and available adjacent ReMax complex parking (Sundays only) as an exception to the literal interpretation of the parking requirements in the City Ordinance.

Project Site location: 29810 FM 1093, Fulshear, Texas 77441

Property Owner: Squirrel Holdings, LLC, 33210 West Forest Court., Fulshear, Texas 77441

A copy of the Variance Application request is available for review. Please contact the office of the City Secretary , 30603 FM 1093, Fulshear, Texas 77441 for more information or telephone 281-346-1796 X204.

Posted: January 26, 2016

Chairman Einkauf announced that Agenda Item Number 4 has been pulled from the agenda.

5. PUBLIC HEARING- SPECIAL USE PERMIT

NOTICE OF PUBLIC HEARING-SPECIAL USE PERMIT

Notice is hereby given that a Public Hearing shall be held by the PLANNING AND ZONING COMMISSION of the City Fulshear at its meeting MARCH 4, 2016 at 8:30 A.M., in the Fulshear City Hall, Council Chambers located at 30603 FM 1093 West, Fulshear, Texas 77441.

The purpose of the hearing is to receive comments from interested individuals regarding request for Special Use Permit in the downtown area.

The property owner has requested for a Special Use to allow vacant land within the downtown district to build commercial buildings for use of: Business, Retail, & Restaurant.

Property Address: 8411 FM 359

Zoning: Downtown District

Legal Description: 1.550 ac- lots 1-9, Block 7, Fulshear, Texas

Current use: Vacant Land

Represented by Property Owner: Rob Johnson Interests

A copy of the Special Use Permit Request is available for review. Please contact the office of the City Secretary, D. (Diana) Gordon Offord, City Hall, 30603 FM 1093 West, Fulshear, Texas 77441 for more information or telephone 281-346-1796 X204.

Posted: February 9, 2016

Chairman Einkauf opened the hearing at 8:38 a.m. He stated that there is a presentation associated with this Public Hearing as well as comments. He announced we are now open for comments.

Sonya Simmons stated she is a realtor and longtime resident. Ms. Simmons gave suggestions for changing the parking for the proposed commercial development and adding shrubs and landscaping in the front as she wishes for the small town charm to remain.

Chairman Einkauf stated that the City's has an architectural design ordinance in place which the developer will have to meet these requirements. Also, this developer has made several changes to his design already at the request of the City.

Mr. Rob Johnson stated that they have the Ace Hardware already in place and parking is essential to their development.

There was a debate between Ms. Simmons, Mr. Oneill, Mr. Johnson, the City Building Official, Michelle Killebrew, and the Commission for about 20 minutes. (for all of the comments request a copy of the tape)

Tim Oneill stated he was concerned about the big trucks, drainage, trash, where are the workers going to park, etc. Mr. Oneill stated he is glad this development is coming but need answers what process will be once it gets started. (for all of the comments, request a copy of the tape)

Chairman Einkauf asked if there were any more questions, and if not the Public Hearing official closed at 8:59 a.m.

6. Consideration and possible action to approve minutes from February 5, 2016

A motion was made by Planning and Zoning Member Pearce to approve Minutes as presented. It was seconded by Planning and Zoning Member Leary. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

7. Consideration and possible action to approve Fulbrook on Fulshear Creek- Section 9-Final Plat

David Leyendecker, City Engineer, stated everything has been corrected but we need a variance for the Right of way for Farm Hillway north of the intersection of Green Grove Lane to be reduced to 50 foot and he would recommend approval.

A motion was made by Planning and Zoning Member Heede to approve Fulbrook on Fulshear Creek Section 9 Final Plat per recommendation from City Engineer, David Leyendecker. It was seconded by Planning and Zoning Member Weant. This motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

8. Consideration and possible action to approve Fulshear Bend Dr. Extension No. 2/Cross Creek Ranch/Preliminary Plat

David Leyendecker recommends approval as submitted.

Planning and Zoning Member Pearce asked if this street will become a boulevard. Mr. Snipes, City Administrator, stated yes.

A motion was made by Planning and Zoning Member Pearce to approve Fulshear Bend Dr. Extension No. 2/ Cross Creek Ranch Preliminary Plat per David Leyendecker's recommendations. It was seconded by Planning and Zoning Member Heede. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

9. Consideration and possible action to approve Creek Cove at Cross Creek Ranch/Section 9/Cross Creek Ranch/ Preliminary Plat

David Leyendecker stated this is a Preliminary Plat and he recommends approval.

A motion was made by Planning and Zoning Member Heede to approve Creek Cove at Cross Creek Ranch Section 9 Preliminary Plat per David Leyendecker's recommendations. It was seconded by Planning and Zoning Member Pearce. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant
 Nays: None
 Absent: Planning and Zoning Member Collins and Worley

10. Consideration and possible action to approve Willows at Cross Creek/Cross Creek Ranch/Section 1 /Preliminary Plat

David Leyendecker, City Engineer, stated that this is a little different. He stated the lots are 28X105. He stated they are building two structures together with a common wall (town houses) He recommends at final platting that it needs to show which lot is going to have the common wall and the zero lot line need to be delineated. He stated we also need to discussed with them about off street parking as could be potential for illegal parking due to 28 foot width lot and the street R.O.W. is only 50-foot wide and emergency vehicles needing passage. He stated this is a preliminary plat and he recommends approval.

A motion was made by Planning and Zoning Member Pearce to approve Willows at Cross Creek/Cross Creek Ranch Section One/ Preliminary Plat subject to recommendations by City Engineer, David Leyendecker. It was seconded by Planning and Zoning Member Heede. The motion was carried by the following vote:
 Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant
 Nays: None
 Absent: Planning and Zoning Member Collins and Worley

11. Consideration and possible action to approve Fulshear Trace Crossing/Final Plat

Chairman Einkauf announced that Agenda Item Number 11 is being pulled from the agenda and offered the developer to contact the City for special meeting to address consideration from the Planning and Zoning Commission.

12. Consideration and possible action to approve The Market at Cross Creek Ranch SWC,LLC / Final Plat

David Leyendecker, City Engineer, stated that this plat has been revised and he recommends approval.

A motion was made by Planning and Zoning Member Pearce to approve the Market at Cross Creek Ranch SWC,LLC Final Plat subject to recommendations from City Engineer, David Leyendecker. It was seconded by Planning and Zoning Member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

13. Consideration and possible action to approve The Brooks at Cross Creek Ranch/Section 1 Partial Replat No. 1/ Final Plat

City Engineer, David Leyendecker, makes references to review notes: "Note item number 15 does not seem to apply as there is a 5-foot easement to SI energy which he identifies as a pipeline."

Planning and Zoning Member Pearce asked about treatment for the Lake so cars don't wind up submerged. The developer stated "none" however, hopes that the curve will entice cars to slow down. Chairman Einkauf stated he would recommend a meeting to address this issue. He stated that accidents occur when vehicles are travelling at a high rate of speed.

A motion was made by Planning and Zoning Member Heede to approve the Brooks at Cross Creek Ranch Section 1 Partial Replat No. 1/ Final Plat. It was seconded by Planning and Zoning Member Pearce. The motion was carried by the following vote:

] Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

14. Consideration and possible action to approve variance request to allow WordServe Catholic Church to use available Fulshear Downs complex parking based on tenant's hours of operation and available adjacent ReMax complex parking (Sundays only) as an exception to the literal interpretation of the parking requirements in the City ordinance.

Chairman Einkauf stated this item was withdrawn along with the Public Hearing. No action was taken.

15. Consideration and possible action to approve special use permit to allow vacant land within the downtown district to build commercial buildings for use of: business, retail, and restaurant

The Commission and the Building Official, Michelle Killebrew, Mr. Rob Johnson (developer), and the audience had another discussion regarding the construction of the building and explored lighting regarding to the dark sky ordinance, sidewalks, and being a good neighbor for another 15 minutes.

A motion was made by Planning and Zoning Member Pearce to approve special use permit to allow vacant land within the downtown district to building commercial buildings for use of business, retail, and restaurant. It was seconded by Planning and Zoning Member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

16. Consideration and possible action to approve Tamarron Section 1 Partial Replat/Final Plat

A motion was made by Planning and Zoning Member Leary to approve Tamarron Section 1 Partial Replat Final Plat. It was seconded by Planning and Zoning Member Pearce. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

17. Consideration and possible action to approve Sugar Creek Montessori Fulshear/Preliminary Plat

A motion was made by Planning and Zoning Member Pearce to approve Sugar Creek Montessori Fulshear Preliminary Plat subject to the recommendations by City Engineer, David Leyendecker. It was seconded by Planning and Zoning Member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

18. Consideration and possible action to approve ALDI Cross Creek Ranch/Final Plat

Michelle Killebrew, Building Official, stated issues regarding deliveries and dark sky has been addressed but they are also looking at doing some buffering.

Mr. Snipes, City Administrator, also shared comments with the group.

A motion was made by Planning and Zoning Member Heede to approve ALDI Cross Creek Ranch/ Final Plat. It was seconded by Planning and Zoning Member Leary. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant

Nays: None

Absent: Planning and Zoning Member Collins and Worley

19. Consideration and possible action to approve Master Signage Plan for Jordan Ranch

Chairman Einkauf stated that this is the seconded time these plans have been before the commission. Chairman Einkauf stated the biggest issue that they were not flushed with the ground. Mr. Snipes, City Administrator, stated part of this project is in Katy's ETJ, City of Fulshear, and also Fulshear's ETJ on another side.

A motion was made by Planning and Zoning Member Pearce to approve Master Signage Plan for Jordan Ranch. It was seconded by Planning and Zoning Member Leary. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant
Nays: None
Absent: Planning and Zoning Member Collins and Worley

20. Consideration and possible action to approve Master Signage Plan for Fulshear Run

Michelle Killebrew, Building Official, stated that the developer had made some changes, however, the wayfinding signs are not flushed, amenity area signs need to be flushed to be revised and several other comments.

Chairman Einkauf stated that all the signs need to be flushed with the ground and only exception is the “post” signs. He stated that all the signs needs to be consistent design with the other signs. The Commission and the building officials pointed out several revisions regarding the Master Signage Plan for Fulshear Run. Approximately a ten minute discussion continued among the developer and the Commission.

A motion was made by Planning and Zoning Member Heede to return for additional data and changes. It was seconded by Planning and Zoning Member Pearce. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant
Nays: None
Absent: Planning and Zoning Member Collins and Worley

21. Consideration and possible action to approve West Cross Bend Lane Extension No. 3/Cross Creek Ranch/ Preliminary Plat

A motion was made by Planning and Zoning Member Leary to approve West Cross Bend Lane Extension No. 3/ Cross Creek Ranch/ Preliminary Plat. It was seconded by Planning and Zoning Member Pearce. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant
Nays: None
Absent: Planning and Zoning Member Collins and Worley

22. Adjournment

A motion was made by Planning and Zoning Member Pearce to adjourn. It was seconded by Planning and Zoning Member Leary. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Einkauf, Heede, Leary, Pearce, and Weant
Nays: None
Absent: Planning and Zoning Member Collins and Worley

Chairman Einkauf announced that we are adjourned.