



CITY OF Incorporated 1977

# FULSHEAR

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30603 FM 1093

P.O. Box 279  
Fulshear, Texas 77441

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## PLANNING AND ZONING COMMISSION MINUTES SEPTEMBER 2, 2016

### **1. Call to Order**

*A Regular Meeting of the Fulshear Planning and Zoning Commission was called to order by Planning and Zoning Chairman Amy Pearce at 8:32 a.m. on Friday, September 2, 2016 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas.*

### **2. Quorum**

*A quorum was present.*

#### *Members Present:*

*Amy Pearce-Chairman  
Austin Weant-Co-Chair  
Dar Hakimzakeh  
Jason Cherubini  
Harold Collins*

#### *Members Absent:*

*Bijay Aryal  
Dawn McRea*

#### *City Staff:*

*D. (Diana) Gordon Offord, City Secretary  
Kimberly Kopecky, Deputy City Secretary  
C.J. Snipes, City Manager  
Michael Ross, Assistant City Manager  
Tim Kirwin, City Attorney  
David Leyendecker, City Engineer  
Michelle Killebrew  
Victor Ngei (Intern)*

#### *Others Present:*

*Trey Devillier*

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*Gerald Grissom  
Corry Pitts  
And 13 others who did not sign in*

**3. Public Comment**

**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 Comments.*

**4. Consideration and possible action to approve minutes from August 5, 2016 and August 10, 2016 meetings.**

*A motion was made by Planning and Zoning member Collins to approve both sets of minutes. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

**5. Consideration and possible action on Tamarron Trace Section 2-Street Dedication/Preliminary Plat**

*Chairman Pearce stated she would like to take items 5 and 6 together. There were no objections from members. David Leyendecker, City Engineer, stated the changes have been made to these plats. A motion was made by Planning and Zoning member Collins to approve Tamarron Trace Section 2-Street Dedication/Preliminary Plat and Tamarron Trace Section 3-Street Dedication/Preliminary Plat (Items 5 and 6). It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

**6. Consideration and possible action on Tamarron Trace Section 3-Street Dedication/Preliminary Plat**

*Chairman Pearce stated she would like to take items 5 and 6 together. There were no objections from members. David Leyendecker, City Engineer, stated the changes have been made to these*

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*plats. A motion was made by Planning and Zoning member Collins to approve Tamarron Trace Section 2-Street Dedication/Preliminary Plat and Tamarron Trace Section 3-Street Dedication/Preliminary Plat (Items 5 and 6). It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

**7. Consideration and possible action on Tamarron Section 16/Preliminary Plat**

*Chairman Pearce stated she would like to take items 7 and 8 together. There were no objections from members. David Leyendecker, City Engineer, stated all changes were made to Tamarron Section 16 and that there were no changes needed for Tamarron Section 30. A motion was made by Planning and Zoning member Collins to approve Tamarron Section 16/Preliminary Plat and Tamarron Section 30/Preliminary Plat (Items 7 and 8). It was seconded by Planning and Zoning member Weant. The motion was carried by the following:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

**8. Consideration and possible action on Tamarron Section 30/Preliminary Plat**

*Chairman Pearce stated she would like to take items 7 and 8 together. There were no objections from members. David Leyendecker, City Engineer, stated all changes were made to Tamarron Section 16 and that there were no changes needed for Tamarron Section 30. A motion was made by Planning and Zoning member Collins to approve Tamarron Section 16/Preliminary Plat and Tamarron Section 30/Preliminary Plat (Items 7 and 8). It was seconded by Planning and Zoning member Weant. The motion was carried by the following:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

**9. Consideration and possible action on Fulshear Bend Drive Extension No. 2-CCR/Final Plat**

*David Leyendecker recommends approval. A motion was made by Planning and Zoning member Hakimzakeh to approve Fulshear Bend Drive Extension No. 2-CCR/Final Plat. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

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*Nays: None  
Absent: Bijay Aryal  
Dawn McRea*

*Motion Passes*

**10. Consideration and possible action on Creek Cove at Cross Creek Ranch Section 9/Final Plat**

*David Leyendecker recommends approval. A motion was made by Planning and Zoning member Weant to approve Creek Cove at Cross Creek Ranch Section 9/Final Plat. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant  
Nays: None  
Absent: Bijay Aryal  
Dawn McRea*

*Motion Passes*

**11. Consideration and possible action on Bonterra at Cross Creek Ranch Section 5/Final Plat**

*David Leyendecker states corrections have been made and he recommends approval. A motion was made by Planning and Zoning member Collins to approve Bonterra at Cross Creek Ranch Section 5/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant  
Nays: None  
Absent: Bijay Aryal  
Dawn McRea*

*Motion Passes*

**12. Consideration and possible action on Bonterra at Cross Creek Ranch Section 6/Final Plat**

*A motion was made by Planning and Zoning member Collins to approve Bonterra at Cross Creek Ranch Section 6/Final Plat. It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant  
Nays: None  
Absent: Bijay Aryal  
Dawn McRea*

*Motion Passes*

**13. Consideration and possible action on Box's Playground/Final Plat**

*David Leyendecker states there are 3 sets of liens on this property. He recommends to deny this plat. A motion was made by Planning and Zoning member Collins to deny Box's*

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*Playground/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*PLAT NOT APPROVED(FAILED)*

**14. Consideration and possible action on The Market at Cross Creek Ranch (2<sup>nd</sup> Review)/Final Plat**

*David Leyendecker states this plat was previously approved. Now the reserves have been reduced to 5. He recommends approval. A motion was made by Planning and Zoning member Collins to approve The Market at Cross Creek Ranch (2<sup>nd</sup> Review)/Final Plat. It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

**15. Consideration and possible action on Pleasant Grove/Final Plat**

*David Leyendecker states there are only 2 minor issues that need to be changed before this plat goes to council. A motion was made by Planning and Zoning member Collins to approve Pleasant Grove/Final Plat subject to David's recommendations being corrected before this goes to council. It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

***Chairman Pearce requests to take Item 18 next.***

*A motion was made by Planning and Zoning member Weant to move Item 18. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes (Move Item 18 Next)*

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**18. Consideration and possible action on an Amendment for Tamarron Master Sign Plan**

*Michelle Killebrew stated there would be 3 signs spaced along FM 1463 and the signs would be flush with the ground. Dar asked "Is this a temporary sign?" Michelle responded, "Yes." A motion was made by Planning and Zoning member Collins to approve the Amendment for Tamarron Master Sign Plan. It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion Passes*

***Chairman Pearce states at 8:42 a.m. the Committee would like to adjourn into executive session.***

*A motion is made by Planning and Zoning member Hakimzakeh to adjourn into executive session. It is seconded by Planning and Zoning member Collins. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*(A quorum was present)*

***Chairman Pearce Reconvened the meeting at 9:36 a.m. A quorum was present.***

**16. Discussion: The Market at Cross Creek Ranch (FM 1463 and Fulshear Bend Drive) presented by Read King Commercial Real Estate**

*Julie Ward starts presentation identifying signs to get rid of. Eliminate down to 12 signs and 2 field readers. New plan to contain 6 type "A", 2 type "B", 3 type "D", 1 type "G", and 2 type "H" signs/readers (For a copy of all of the discussion, please request audio)*

*Planning and Zoning member Collins made a Motion to approve the number of signs (approve 12 signs instead of 14) and amend the locations. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*Motion to approve number of signs and sizes passes.*

*Even with the passages of the number of signs that would be allowed, it was not a satisfactory option. The debate continued over signage.*

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*There was an hour plus debate on the signs for this project between the developer, PnZ members, city manager, and city attorney. The developers noted that there is no ordinance that addresses multiple tenants and signage is important in order for the merchants of the businesses. The members of the commission stated that the sign ordinances is in the process of being revised and currently the plan presented does not meet the current ordinances. It was also stated that now some legal issues appear to be coming to light and there is a need to return to executive session to seek advice from the city attorney. The debate then turned to several individuals discussing the issues among themselves. PnZ Chairman Pearce called for order and to move into a second executive session.*

**Executive Session #2**

*A motion is made by Planning and Zoning member Hakimzakeh to adjourn into second executive session at 10:34 a.m. It is seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

*(A quorum was present)*

***Chairman Pearce reconvenes at 11:09 a.m. A quorum is present.***

**17. Consideration and possible action to approve Master Signage Plan for The Market at Cross Creek Ranch**

*A motion was made by Planning and Zoning member Hakimzakeh to Deny the signage as presented due to it doesn't meet the ordinance (Master Signage Plan for The Market at Cross Creek Ranch). It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*

**MASTER SIGNAGE PLAN NOT APPROVED (FAILED)**

**19. Adjournment**

*A motion was made by Planning and Zoning member Weant to adjourn. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Cherubini, Collins, Hakimzakeh, Pearce, and Weant*

*Nays: None*

*Absent: Bijay Aryal*

*Dawn McRea*