



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 FEBRUARY 3, 2017

### **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, February 3, 2017 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  
Bijay Aryal  
Jason Cherubini  
Dawn McRea*

#### Members Absent:

*Harold Collins*

#### City Staff:

*D. (Diana) Gordon Offord, City Secretary  
Kimberly Kopecky, Deputy City Secretary  
Michelle Killebrew, Chief Building Official  
Sharon Valiante, Public Works Director  
David Leyendecker, City Engineer  
Brant Gary, Exec. Director of Planning & Dev.*

#### Others Present:

*Gerald Grissom  
Trey Devillier  
And 10 others that did not sign in*

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**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 10 speakers and each speaker is limited to three minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for consideration.

*No Citizen Comments*

*Sharon Valiante introduced Brant Gary, Executive Director of Planning and Development*

**4. PUBLIC HEARING- SPECIAL USE REQUEST**

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the Planning and Zoning Commission will hold a Public Hearing on February 3, 2017 at 8:30 a.m. in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093, at which time and place all interested persons will be given an opportunity to be heard.

The location of the premises in question is located in Downtown District, 0029 C Fulshear Tract 87-C, specifically the address is 30136 FM 1093 Fulshear, Texas 77441.

The applicant is seeking a Special Use Permit so as to permit the existing structure to be used as Commercial Office/Business.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 3:00 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request, please call the City Secretary's office at 281-346-1796 x204.

Posted: 1-17-2017

*Chairman Pearce called the Public Hearing to order at 8:32 a.m.*

*Michelle Killebrew explains they saw this some time ago but the survey and notification was missing. So it has been re-done and brought back. Nothing has changed. It was procedural paperwork that needed to be done. This will be re-zoned for an office. There will be no other use allowed. They have to come back for another type of use. They have to meet parking and signage requirements. Inspections have not been done. Michelle explains she holds inspections until it gets approved.*

*Chairman Pearce adjourned the Public Hearing at 8:36 a.m.*

**5. PUBLIC HEARING- SPECIAL USE REQUEST**

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold a Public Hearing. The Public Hearing will be held by the Planning and Zoning Commission on February 3, 2017 at 8:30 a.m. in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093 at which time and place all interested persons will be given an opportunity to be heard.

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The location of the premises in question is located in the Downtown District, 1.09 Acres out of the Churchill Fulshear League Block 27, specifically the address is 30415 5<sup>th</sup> Street Fulshear, Texas, 77441.

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance so as to permit the use of a structure to be Commercial Use.

Specific relief is requested from Section 1-193 (c) (2) (g) which states that the use of office within the Downtown District is permitted if they are approved in the process outlined in Section 1-283.

The applicant is also requesting a variance to the Zoning Ordinance for relief of the required parking, from Section 1-164 (3) (d).

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board/Council.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 3:00 p.m. in the City Secretary's office for all interested parties prior to said hearing.

City Secretary's Number: 281-346-1796 x204

Posted: 1-17-2017

*Chairman Pearce called the Public Hearing to order at 8:37 a.m.*

*Michelle Killebrew explains that this is a new building. An old building was torn down at a car wash and this now requires a Special Use Permit. There is also a variance in here for parking. They are wanting to build a 6,000 square foot building for a fitness center, office use, barber shop and retail type businesses.*

*Mr. Gordon explains about the parking.*

*Michelle explains that part of the property is zoned for warehouse use.*

*Brant Gary recommends to set the use of businesses for now and come back and re-open the process if necessary for future changes in businesses.*

*Chairman Pearce adjourns the Public Hearing at 8:46 a.m.*

**6. Presentation by Costello Inc. – Drainage 101**

*Sharon Valiante introduces the presentation and speakers: Stephen Wilcox and Sam Cruz from Costello Engineers.*

*Stephen Wilcox presents a slide show about the drainage of Fulshear for almost an hour. (For full presentation, request audio)*

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**7. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on January 6, 2017**

*A motion was made by Planning and Zoning member Weant to approve Minutes from the Planning and Zoning Commission meeting held on January 6, 2017. It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Cherubini, Hakimzakeh, McRea, Pearce, and Weant  
Nays- None  
Absent- Harold Collins*

*Motion Passes*

**8. Consideration and possible action to approve A Special Use Request for a Commercial Office/Business located at 30136 FM 1093 Fulshear, Texas 77441**

*A motion was made by Planning and Zoning member McRea to approve the Special Use Request for a Commercial Office/Business located at 30136 FM 1093 Fulshear, Texas 77441. It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Cherubini, Hakimzakeh, McRea, Pearce, and Weant  
Nays- None  
Absent- Harold Collins*

*Motion Passes*

**9. Consideration and possible action to approve A Special Use Request for a structure to be Commercial Use located at 30415 5<sup>th</sup> Street Fulshear, Texas 77441**

*A motion was made by Planning and Zoning member Weant to approve the Special Use Request for a structure to be Commercial Use located at 30415 5<sup>th</sup> Street Fulshear, Texas 77441 (restricting the space use to office, barber shop, warehouse, fitness center and restaurant under 2,000 square feet due to parking constraints). It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Hakimzakeh, McRea, Pearce, and Weant  
Recused- Jason Cherubini  
Absent- Harold Collins*

*Motion Passes*

**10. Consideration and possible action to approve The Brooks at Cross Creek Ranch Section 2/Final Plat**

*A motion was made by Planning and Zoning member Hakimzakeh to approve The Brooks at Cross Creek Ranch Section 2/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Cherubini, Hakimzakeh, McRea, Pearce, and Weant  
Nays- None  
Absent- Harold Collins*

*Motion Passes*

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**11. Consideration and possible action to approve Tamarron Section 32/ (Amended) Final Plat**

*See item 15*

**12. Consideration and possible action to approve Tamarron Trace Section 2- Street Dedication/Final Plat**

*See item 15*

**13. Consideration and possible action to approve Tamarron Trace Section 3- Street Dedication/Final Plat**

*See item 15*

**14. Consideration and possible action to approve Tamarron Coles Canyon and Riley's Ridge- Street Dedication/Final Plat**

*See item 15*

**15. Consideration and possible action to approve Tamarron Section 16/Final Plat**

*Chairman Pearce asks the Planning and Zoning members to take items 11-15 together. There were no objections. A motion was made by Planning and Zoning member Hakimzakeh to approve Items 11-15 (Tamarron Section 32/(Amended) Final Plat)(Tamarron Trace Section 2- STD/Final Plat)(Tamarron Trace Section 3- STD/Final Plat)(Tamarron Coles Canyon and Riley's Ridge- STD/Final Plat)(Tamarron Section 16/Final Plat). It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Cherubini, Hakimzakeh, McRea, Pearce, and Weant*

*Nays- None*

*Absent- Harold Collins*

*Motion Passes*

**16. Consideration and possible action to approve Tamarron Section 24/Preliminary Plat**

*See item 17*

**17. Consideration and possible action to approve Tamarron Section 31/Preliminary Plat**

*Chairman Pearce asks Planning and Zoning members to take Items 16-17 together. There were no objections. A motion was made by Planning and Zoning member Hakimzakeh to approve Tamarron Section 24/Preliminary Plat and Tamarron Section 31/Preliminary Plat. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Cherubini, Hakimzakeh, McRea, Pearce, and Weant*

*Nays- None*

*Absent- Harold Collins*

*Motion Passes*

**18. Consideration and possible action to approve The Market at Cross Creek Ranch- Partial Replat No. 1/Preliminary Plat**

*A motion was made by Planning and Zoning member Hakimzakeh to approve The Market at Cross Creek Ranch Partial Replat No. 1/Preliminary Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Cherubini, Hakimzakeh, McRea, Pearce, and Weant*

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*Nays- None  
Absent- Harold Collins*

*Motion Passes*

**19. Consideration and possible action to approve Katy ISD Elementary School No. 41/Preliminary Plat**

*Per David Leyendecker, they will need a new Traffic Impact Study when they come back with a final plat. He recommends approval. A motion was made by Planning and Zoning member Hakimzakeh to approve Katy ISD Elementary School No. 41/Preliminary Plat. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:*

*Ayes- Planning members Aryal, Cherubini, Hakimzakeh, McRea, Pearce, and Weant  
Nays- None  
Absent- Harold Collins*

*Motion Passes*

**20. Adjournment**

*A motion was made by Planning and Zoning member McRea to adjourn. It was seconded by Planning and Zoning member Hakimzakeh. Chairman Pearce adjourned the meeting at 9:57 a.m.*