



CITY OF Incorporated 1977

FULSHEAR

281-346-1796 (ph) 281-346-2556 (fax)

30603 FM 1093

P.O. Box 279
Fulshear, Texas 77441

**PLANNING AND ZONING COMMISSION MINUTES
APRIL 7, 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 8:30 a.m. on Friday, April 7, 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 Hakimzadeh

Bijay Aryal-(arrived at 8:40 a.m.)

Jason Cherubini

Members Absent:

Harold Collins

Dawn McRea

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:

Belen Valdovinos

Trey Devillier

And 1 other 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

4. PUBLIC HEARING- SPECIAL USE REQUEST

In compliance with the City of Fulshear Zoning Ordinance 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on April 7, 2017 at 8:30 a.m., the second hearing will be held by the City Council on April 18, 2017 at 7:00 p.m. both hearings will be 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 the Downtown District, Lots 7 & 10 Block 12 of the Town of Fulshear, specifically the address is 8525 FM 359 Road, Suite 100 Fulshear, Texas 77441.

The applicant is seeking a Special Use Permit pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Use for Restaurant/Bar.

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

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.

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

Chairman Pearce called the Public Hearing to order at 8:30 a.m.

Michelle Killebrew briefed members on why this is brought to Planning and Zoning. It is a 2,066 square foot restaurant and drinking facility. There are 6 spaces of parking up front and some in back.

Chairman Pearce asked if they would have 2 signs. Michelle Killebrew stated they would only have 1 sign. They are unsure where they are placing it. They will have to meet the sign ordinance.

The discussion continues regarding parking for several minutes.

Chairman Pearce adjourned the Public Hearing at 8:42 a.m.

5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on March 3, 2017

A motion was made by Planning and Zoning member Hakimzadeh to approve minutes from the Planning and Zoning Commission meeting held on March 3, 2017. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

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Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

6. Consideration and possible action to approve Commercial Reserves at FM 1463 (Replat)/Final Plat

David Leyendecker states that staff recommends that it not be approved at this time they were unable to get all their information in. A motion was made by Planning and Zoning member Aryal to reject approval on Commercial Reserves at FM 1463. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes to Reject Approval

7. Consideration and possible action to approve Special Use Request located at 8525 FM 359, Suite 100 Fulshear, TX 77441 (Owner/Applicant: Louis Lippman, Sharif Al-Amin)

Brant Gary, Executive Director of Planning and Development addressed the Planning and Zoning members. He spoke of “confusion outside of this room regarding kinda the role of P and Z and this process. And just to clarify, the ordinance looks to P and Z to provide a recommendation to City Council. So, P and Z isn’t necessarily approving or not approving. You can provide a positive recommendation or a negative recommendation. You can also recommend along with that certain changes or additional requirements that council should consider when making their decision.” “I did want to make that statement just to formalize that and really maybe clear up some misconceptions that might of taken place regarding P and Z’s role in this process.”

There was a brief discussion regarding parking. Several members would like for the owner to seek approval from other local businesses (such as ACE Hardware) to use their parking.

A motion was made by Planning and Zoning member Weant to approve the Special Use Request located at 8525 FM 359, Suite 100, subject to staff’s full recommendations. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

8. Adjournment

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

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

The meeting adjourned at 8:55 a.m.