



CITY OF Incorporated 1977

FULSHEAR

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30603 FM 1093

P.O. Box 279
Fulshear, Texas 77441

**PLANNING AND ZONING COMMISSION MINUTES
APRIL 13, 2018**

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 13, 2018 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas.

2. Quorum

A quorum was present.

Members Present:

Amy Pearce-Chairman

Dar Hakimzadeh

Jason Cherubini

Dawn McRea

Bijay Aryal

Austin Weant-Co-Chairman

Members Absent:

Harold Collins

City Staff:

Kimberly Kopecky, Interim City Secretary

Sharon Valiante, Public Works Director

Brant Gary, Executive Director of Planning and Development

David Leyendecker, City Engineer

Apryl Jensen, Plans Examiner

Others Present:

Trey Devillier

Mark Armstrong

Karen Rogers

Chuck Stewart

Kaye Kahlich

Anderson Smith

**FULSHEAR PLANNING AND ZONING MINUTES
APRIL 13, 2018**

And 13 others that did not sign in.

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.

The only citizen comment was regarding the Public Hearing. Chairman Pearce announced we would hear that comment during the Public Hearing.

4. PUBLIC HEARING – ZONING CHANGE

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on April 13, 2018 at 8:30 a.m., the hearing will be held at city hall located at 30603 FM 1093. The second hearing will be held by the City Council on April 17, 2018 at 7:00 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.

The location of the premises in question is in the Downtown District, C Fulshear League, Abstract 29, Acres 4.99, specifically the location is at the northeast corner of FM 1093 and Syms Rd, Fulshear, Texas 77441.

The applicant's agent, Anderson Smith, of Capital Retail Properties, is seeking a Zoning Change pursuant to the Zoning Ordinance to take the current zoning from Downtown District to Commercial Use for commercial, retail, restaurant, office and/or medical space.

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 p.m. and Fridays from 8:00 a.m. to 3 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.

Posted: April 2, 2018

Chairman Pearce opened the Public Hearing at 8:30 a.m.

Brant Gary introduces the item. This is a 5 acre portion of the Woodham tract. The current proposed site plan has just under 1 acre set aside for detention. The goal for this area is to look at some regional detention and drainage solutions. The plans for now are for self-contained drainage.

Anderson Smith with Capital Retail Properties explains their request for Zone change to Commercial. He has a preliminary site plan. It consists of 17,000 square foot retail building

**FULSHEAR PLANNING AND ZONING MINUTES
APRIL 13, 2018**

planned, a restaurant, and a financial services building planned. He has reconfigured the site plan to move most of the retail on the east side (due to trees). They will do everything they can to keep trees. (For full commentary, request audio)

One issue discussed was traffic.

One issue discussed was making this Commercial in the Downtown District. Mr. Smith explained he wants to match all the architectural for Downtown.

Chuck Stewart spoke regarding this Zoning Change.

(FOR FULL COMMENTARY, REQUEST AUDIO)

Chairman Pearce closed the Public Hearing at 9:17 a.m.

5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on March 2, 2018

A motion was made by Planning and Zoning member Hakimzadeh to approve Minutes from the Planning and Zoning Commission meeting held on March 2, 2018. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning member Aryal, Cherubini, Hakimzadeh, McRea, Pearce, and Weant

Nays: None

Absent: Harold Collins

MOTION PASSES

6. Consideration and possible action to approve a Zoning Change for the Northeast corner of FM 1093 and Syms Road (Capital Retail Properties)

A motion was made by Planning and Zoning member McRea to table this item. Per Planning and Zoning member McRea, she doesn't have enough information to approve this right now. It was seconded by Planning and Zoning member Hakimzadeh. There was further discussion of this item.

Brant explains there has been a site plan that has been provided. There will be a Traffic Impact Analysis done. Provided renderings the owner will comply with architectural standards. He asks what other information we can provide at this stage to help with the decision?

Chairman Pearce would like an elevation view.

Mr. Smith agrees to City approval of architectural requirements.

Commission member Hakimzadeh is concerned with there being little consideration to the historical relevance of this property. Brant Gary discusses this concern.

Planning and Zoning member McRea withdrew her Motion.

**FULSHEAR PLANNING AND ZONING MINUTES
APRIL 13, 2018**

A motion was made by Planning and Zoning member Hakimzadeh to deny a Zoning change for the Northeast corner of FM 1093 and Syms Road (Capital Retail Properties). It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:

*Ayes: Planning and Zoning member Aryal, Hakimzadeh, McRea, and Pearce
Nays: Planning and Zoning member Cherubini and Weant
Absent: Harold Collins*

MOTION PASSES TO DENY

Chairman Pearce moved to take a 5 minute recess. It was seconded by Planning and Zoning member McRea.

*Ayes: Planning and Zoning member Aryal, Cherubini, Hakimzadeh, McRea, Pearce, and Weant
Nays: None
Absent: Harold Collins*

The meeting recessed at 9:55 a.m.

Planning and Zoning member Aryal left the meeting.

The meeting was reconvened at 10:02 a.m. Chairman Pearce moved item 7 to the end of the agenda per staff recommendation. (move to item 8)

7. Presentation by Johnson Development for Alternative Residential Design

Rob Bamford starts the presentation. This is related to Cross Creek Ranch. Todd Hamilton explains this is off Fulshear Bend Drive (when extended). It will run right up against Flewellen Creek. They brought a concept section to show the mix of uses. They passed out images of the products by David Weekley Homes. This will be a gated section with private streets. (For full commentary, request audio)

8. Consideration and possible action to approve Fulbrook on Fulshear Creek Section 5/Preliminary Plat

David Leyendecker recommends approval. A motion was made by Planning and Zoning member Hakimzadeh to approve Fulbrook on Fulshear Creek Section 5/Preliminary Plat per the Engineer recommendations. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

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

MOTION PASSES

**FULSHEAR PLANNING AND ZONING MINUTES
APRIL 13, 2018**

9. Consideration and possible action to approve Fulbrook on Fulshear Creek Lift Station No. 9/Preliminary Plat

With the addition of a 25' building line, David Leyendecker recommends approval. A motion was made by Planning and Zoning member Weant to approve Fulbrook on Fulshear Creek Lift Station No. 9/Preliminary Plat with the addition of 25' building line per the Engineer's recommendation. It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:

Ayes: Planning and Zoning member Cherubini, Hakimzadeh, McRea, Pearce and Weant

Nays: None

Absent: Harold Collins

Bijay Aryal

MOTION PASSES

10. Consideration and possible action to approve Fulshear Trace- Street Dedication Second Extension/Preliminary Plat

David Leyendecker recommends approval as submitted. A motion was made by Planning and Zoning member Hakimzadeh to approve Fulshear Trace-Street Dedication Second Extension/Preliminary Plat. Per Alex Khoshakhlagh, he will look into relocation/preservation of a 100 year old pecan tree. Per David Leyendecker they may be able to try and make the ROW go around the tree. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning member Cherubini, Hakimzadeh, McRea, Pearce, and Weant

Nays: None

Absent: Harold Collins

Bijay Aryal

MOTION PASSES

11. Consideration and possible action to approve Jade Springs Lane- Street Dedication/Preliminary Plat

David Leyendecker recommends approval with an identifier added on the contour lines (they have no elevations on). A motion was made by Planning and Zoning member Weant to approve Jade Springs Lane- Street Dedication/Preliminary Plat subject to the Engineer's recommendation. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:

Ayes: Planning and Zoning member Cherubini, Hakimzadeh, McRea, Pearce, and Weant

Nays: None

Absent: Harold Collins

Bijay Aryal

MOTION PASSES

12. Consideration and possible action to approve Creek Cove at Cross Creek Ranch Section 15/Preliminary Plat

**FULSHEAR PLANNING AND ZONING MINUTES
APRIL 13, 2018**

David Leyendecker recommended approval with identifiers added to the contour lines. A motion was made by Planning and Zoning member Hakimzadeh to approve Creek Cove at Cross Creek Ranch Section 15/Preliminary Plat with the Engineer's recommendation. It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:

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

MOTION PASSES

13. Consideration and possible action to approve Creek Cove at Cross Creek Ranch Section 16/Preliminary Plat

David recommends approval per the corrections being made from his Engineer review. A motion was made by Planning and Zoning member Hakimzadeh to approve Creek Cove at Cross Creek Ranch Section 16/Preliminary Plat per the Engineer recommendations. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:

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

MOTION PASSES

14. Consideration and possible action to approve The Market at Cross Creek Ranch-Partial Replat No. 2/Preliminary Plat

David Leyendecker recommends denial of this plat due to no direct access to a street. A motion was made by Planning and Zoning member Hakimzadeh to deny approval of The Market at Cross Creek Ranch-Partial Replat No. 2/Preliminary Plat. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:

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

MOTION PASSES TO DENY

15. Consideration and possible action to approve Fulbrook Section 2 "B"/Final Plat

Per David Leyendecker, this plat is in the City's ETJ. Approval will be required by Fort Bend County and Fort Bend County drainage district. Fort Bend County will enforce the lien holder subordination. A motion was made by Planning and Zoning member Hakimzadeh to approve Fulbrook Section 2 "B"/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, Hakimzadeh, McRea, Pearce, and Weant

**FULSHEAR PLANNING AND ZONING MINUTES
APRIL 13, 2018**

Nays: None

Absent: Harold Collins

Bijay Aryal

MOTION PASSES

16. Consideration and possible action to approve Cross Creek Ranch Water Plant No. 3/Final Plat

David Leyendecker recommends approval as submitted. A motion was made by Planning and Zoning member Weant to approve Cross Creek Ranch Water Plant No. 3/Final Plat. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:

Ayes: Planning and Zoning member Cherubini, Hakimzadeh, McRea, Pearce, and Weant

Nays: None

Absent: Harold Collins

Bijay Aryal

MOTION PASSES

At 10:16 a.m. we moved back to item 7.

17. Adjournment

A motion was made by Planning and Zoning member Hakimzadeh to adjourn. It was seconded by Planning and Zoning member Weant.

Chairman Pearce adjourned the meeting at 10:39 a.m.