



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
MAY 4, 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, May 4, 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

Austin Weant-Co-Chairman

Members Absent:

Bijay Aryal

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

Byron Brown, City Attorney

Others Present:

Karen Maresh

Fred Woodham

Gerald Grissom

Trey Devillier

Josue Sandoval

Sonya Simmons

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Chuck Stewart

John Dowdall

Kent Pool

Debra Cates

Danny Curtis

Linda Wooten

Jeff Martin

And 16 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.

No citizen comments other than 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 May 4, 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 May 9, 2018 at 6:30 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road.~~ The second hearing has been re-scheduled to be held by the City Council on May 15, 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, Section 1-279, 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

Chairman Pearce opened the public hearing at 8:31 a.m.

(FOR FULL COMMENTARY ON THIS ITEM, REQUEST AUDIO)

Brant Gary explains this item.

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Anderson Smith- showed updated possible site plan

Karen Maresh- discussed the publication, letters to residents, and signs

Mr. Woodham- addressed the concerns on the historical significance of the property

Sonya Simmons- spoke about what citizens want downtown

Mr. Stewart- expressed concerns, Brant, Byron, and Mr. Woodham addressed these concerns

Mr. Smith- spoke about sales tax revenue and trees on the property

Danny Curtis- wants this development done right

Carol Riggs- asked why the rendering (site plan) does not match the current downtown

Linda Wooten- spoke about historical cemetery and access to the cemetery

Chairman Pearce closed the public hearing at 9:43 a.m.

5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on April 13, 2018

A motion was made by Planning and Zoning member Hakimzadeh to approve the Minutes from Planning and Zoning Commission meeting held on April 13, 2018. 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: Bijay Aryal

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)

Discussion continues on this item for approximately 32 minutes. (For full commentary, request audio)

A motion was made by Planning and Zoning member Weant to approve a Zoning Change for the Northeast corner of FM 1093 and Syms Road rezoning it from Downtown to Commercial with the condition that the development complies with Downtown District Architectural, sign and prohibited use standards. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:

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

Nays: Dawn McRea

Absent: Bijay Aryal

Harold Collins

MOTION PASSES

Chairman Pearce asks to take a short recess. A motion was made by Planning and Zoning member Hakimzadeh to recess. It was seconded by Planning and Zoning member Weant. Chairman Pearce recessed at 10:17 a.m.

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Chairman Pearce reconvened the meeting at 10:24 a.m.

7. Consideration and possible action to approve The Market at Cross Creek Ranch Partial Replat No. 2/Preliminary Plat (2nd Review)

David Leyendecker recommends this preliminary plat be approved.

A motion was made by Planning and Zoning member Hakimzadeh to approve The Market at Cross Creek Ranch Partial Replat No. 2/Preliminary Plat per the engineer’s comments. 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: Bijay Aryal

Harold Collins

MOTION PASSES

8. Consideration and possible action to approve Tamarron Lift Station No. 3/Preliminary Plat

This is in the City’s ETJ. They are working with FBC drainage. David Leyendecker recommends this preliminary plat be approved.

A motion was made by Planning and Zoning member Weant to approve Tamarron Lift Station No. 3/Preliminary Plat per the engineer’s comments. 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

9. Consideration and possible action to approve Jordan Ranch Street Dedication No. 4 and Reserves/Preliminary Plat

David Leyendecker recommends this preliminary plat be approved as submitted.

A motion was made by Planning and Zoning member Hakimzadeh to approve Jordan Ranch Street Dedication No. 4 and Reserves/Preliminary 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

Nays: None

Absent: Harold Collins

Bijay Aryal

MOTION PASSES

10. Consideration and possible action to approve Jordan Ranch Section 6/Preliminary Plat

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David Leyendecker recommends approval.

A motion was made by Planning and Zoning member Hakimzadeh to approve Jordan Ranch Section 6/Preliminary Plat per 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

11. Consideration and possible action to approve Jordan Ranch Section 7/Preliminary Plat

The 2 minor notes have been addressed. David Leyendecker recommends approval.

A motion was made by Planning and Zoning member Weant to approve Jordan Ranch Section 7/Preliminary 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

12. Consideration and possible action to approve Jordan Ranch Section 13/Preliminary Plat

David Leyendecker recommends this plat be approved as submitted.

A motion was made by Planning and Zoning member Hakimzadeh to approve Jordan Ranch Section 13/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

13. Consideration and possible action to approve Jordan Ranch Section 15/Preliminary Plat

Per David Leyendecker, this is a preliminary plat and it is in the ETJ. This will also require approval from FBC.

A motion was made by Planning and Zoning member Weant to approve Jordan Ranch Section 15/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

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Absent: Harold Collins

Bijay Aryal

MOTION PASSES

14. Consideration and possible action to approve Jordan Ranch Section 16/Preliminary Plat

David Leyendecker recommends approval.

A motion was made by Planning and Zoning member Hakimzadeh to approve Jordan Ranch Section 16/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 Fulshear Trace Street Dedication 2nd Extension/Final Plat

Per David, they were not able to save a large pecan tree. Per Dawn McRea, the developer has agreed to plant trees within the median.

A motion was made by Planning and Zoning member Hakimzadeh to approve Fulshear Trace Street Dedication 2nd Extension/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

Nays: None

Absent: Harold Collins

Bijay Aryal

MOTION PASSES

16. Consideration and possible action to approve Tamarron Section 38/Final Plat

David Leyendecker recommends approval.

A motion was made by Planning and Zoning member Hakimzadeh to approve Tamarron Section 38/Final 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

17. Adjournment

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

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