



CITY OF FULSHEAR

"FIND YOUR FUTURE IN FULSHEAR"

30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

CHAIRMAN- AMY PEARCE
MEMBER- JOAN BERGER
MEMBER- JASON CHERUBINI

CITY COUNCIL:
CO-CHAIR- AUSTIN WEANT
MEMBER- GREGORY EHMAN
EX-OFFICIO- KAYLEEN NELSON

MEMBER- DAR HAKIMZADEH
MEMBER- JOHN DOWDALL

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

PLANNING AND ZONING COMMISSION MINUTES JULY 6, 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 July 6, 2018 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-Chairman

Dar Hakimzadeh

Jason Cherubini (arrived at 8:33 a.m.)

Joan Berger

Gregory Ehman

John Dowdall

Kayleen Nelson (ex-officio)

City Staff:

Kimberly Kopecky, City Secretary

Brant Gary, Assistant City Manager

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*Byron Brown, City Attorney
David Leyendecker, City Engineer
Sharon Valiante, Public Works Director*

Others Present:

*Carol Riggs
Doris Jones
Trey Devillier
Debra Cates
Bryan Thomas
Jeff Martin
Tommy Kuykendall
And 14 others that did not sign in.*

3. Consideration and possible action to select Chairman and Co-Chairman

A motion was made by Planning and Zoning member Ehman to keep the chairman and co-chairman as is (Amy Pearce, Chairman & Austin Weant, Co-Chairman). It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:

*Ayes: Planning and Zoning members Berger, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant
Nays: None
Absent: Jason Cherubini (arrived at 8:33 a.m.)*

Motion Passes

4. 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

5. PRESENTATION – PLANNING & ZONING 101

Brant Gary gave a brief power point presentation regarding responsibilities, best practices and guidelines for Planning and Zoning members when making decisions. The presentation lasted approximately 30 minutes. (For full presentation, please request audio)

6. PUBLIC HEARING – ZONING CHANGE

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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 July 6, 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 July 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, 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.

Posted: June 25, 2018

Amy Pearce opened the public hearing at 9:05 a.m.

Brant Gary introduced this item and gave a brief history regarding this zoning change request. Anderson Smith of Capital Retail Properties gave a brief presentation and answered questions.

*Carol Riggs- lives on 2nd/Syms for 32 years, this request has already been approved twice
Tommy Kuykendall- asked Planning and Zoning members to change the zoning of this property and support the Woodham family*

(For full commentary, request audio)

Amy Pearce closed the public hearing at 10:14 a.m.

7. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on June 1, 2018

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A motion to approve Minutes from Planning and Zoning Commission meeting held on June 1, 2018 was made by Planning and Zoning member Weant. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:

*Ayes: Planning and Zoning members Cherubini, Hakimzadeh, Pearce, and Weant
Nays/Abstain: Planning and Zoning members Berger, Dowdall, and Ehman
Absent: None*

Motion passes

8. Consideration and possible action to approve Tamarron Section 29 Partial Replat No. 1/Preliminary Plat

David Leyendecker recommended approval of this plat. A motion was made by Planning and Zoning member Hakimzadeh to approve Tamarron Section 29 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 and Zoning members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant
Nays: None
Absent: None*

Motion Passes

9. Consideration and possible action to approve Tamarron Section 53/Preliminary Plat

David Leyendecker recommended approval of this plat. A motion was made by Planning and Zoning member Hakimzadeh to approve Tamarron Section 53/Preliminary Plat. It was seconded by Planning and Zoning member Ehman. The motion was carried by the following vote:

*Ayes: Planning and Zoning members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant
Nays: None
Absent: None*

Motion Passes

10. Consideration and possible action to approve Fulbrook on Fulshear Creek Section 5/Final Plat

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A motion was made by Planning and Zoning member Hakimzadeh to approve Fulbrook on Fulshear Creek Section 5/Final Plat. It was seconded by Planning and Zoning member Berger. The motion was carried by the following vote:

Ayes: Planning and Zoning members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: None

Motion Passes

11. Consideration and possible action to approve Fulbrook on Fulshear Creek Section 13/Final Plat

A motion was made by Planning and Zoning member Weant to approve Fulbrook on Fulshear Creek Section 13/Final Plat. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:

Ayes: Planning and Zoning members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: None

Motion Passes

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

David Leyendecker recommended approval of this plat. A motion was made by Planning and Zoning member Hakimzadeh to approve Fulbrook on Fulshear Creek Lift Station Site No. 9/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: None

Motion Passes

13. Consideration and possible action to approve Tamarron Section 36 Partial Replat No. 1/Final Plat

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David Leyendecker recommended approval of this plat. A motion was made by Planning and Zoning member Hakimzadeh to approve Tamarron Section 36 Partial Replat No. 1/Final Plat. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:

Ayes: Planning and Zoning members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: None

Motion Passes

14. Consideration and possible action to approve Tamarron Lift Station No. 3/Final Plat

David Leyendecker recommended approval of this plat. A motion was made by Planning and Zoning member Ehman to approve Tamarron Lift Station 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 members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: None

Motion Passes

15. Consideration and possible action to approve Tamarron Crossing Section 4 Street Dedication/Final Plat

David Leyendecker recommended approval of this plat. A motion was made by Planning and Zoning member Hakimzadeh to approve Tamarron Crossing Section 4 Street Dedication/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Berger, Cherubini, Dowdall, Ehman, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: None

Motion Passes

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

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A motion was made by Planning and Zoning member Ehman to approve a Zoning change for the Northeast corner of FM 1093 and Syms Road with certain conditions (downtown district prohibited uses apply, downtown district architectural standards apply, downtown district sign standards apply). It was seconded by Planning and Zoning member Berger.

Discussion continues for approximately 40 minutes. (For full commentary, request audio)

The motion was carried by the following vote:

Ayes: Planning and Zoning members Berger, Cherubini, Dowdall, Ehman, Pearce, and Weant

Nays: Planning and Zoning member Hakimzadeh

Absent: None

Motion Passes

17. Adjournment

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

Amy Pearce adjourned the meeting at 11:07 a.m.