



# CITY OF FULSHEAR

*"FIND YOUR FUTURE IN FULSHEAR"*

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

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[WWW.FULSHEARTEXAS.GOV](http://WWW.FULSHEARTEXAS.GOV)

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

**PLANNING & ZONING:**  
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

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## **PLANNING AND ZONING COMMISSION MEETING MINUTES DECEMBER 7, 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, December 7, 2018 at City Hall, 30603 FM 1093, Fulshear, Texas 77441.*

### **2. Quorum**

*A quorum was present.*

#### **Members Present**

*Amy Pearce, Chairman*

*Austin Weant*

*Gregory Ehman*

*Dar Hakimzadeh*

*John Dowdall*

*Joan Berger*

*Kayleen Nelson (ex-officio)*

#### **Members Absent**

*Jason Cherubini*

### **City Staff**

*Kimberly Kopecky, City Secretary*

*Sharon Valiante, Public Works Director*

*Kerry Sigler, Building Official*

*David Leyendecker, City Engineer (arrived at 8:34 a.m.)*

*Brant Gary, Assistant City Manager*

*Chandler Marks, Economic Development Coordinator (arrived at 9:47 a.m.)*

### **Others Present**

*Bryan Thomas*

*Carol Riggs*

*Kaye Kahlich*

*Gerald Grissom*

*Andrew Lang*

*Sonya Simmons*

*Danny Curtis*

*Viola Randle*

*Trey Devillier*

*Josue Sandoval*

*Doris Jones*

*And about 6 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.*

*Citizens chose to speak during the public hearing.*

### **4. PUBLIC HEARING- SPECIAL USE PERMIT**

**In compliance with the City of Fulshear Ordinance Number 2012-1069, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on December 7, 2018 at 8:30AM. The hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on December 18, 2018 at 7:00PM. 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, Fulshear, Block 27 (PT), Acres 1.0875, specifically the address is 30415 5<sup>th</sup> Street and 30417 5<sup>th</sup> Street, Fulshear, Texas 77441.**

The applicant is seeking a Special Use Permit pursuant to the Ordinance # 2012-1069, Section 1-193, (c), (2), (f), (g), if 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 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.

POSTED: 11/26/2018

*Amy Pearce opened the Public Hearing at 8:31 a.m.*

*There was discussion between Winter Gordon, Sharon Valiante, and the Planning and Zoning Commission. Sharon clarified that this SUP would cover the entire site (existing buildings on this property). (For full discussion, request audio)*

*Amy Pearce closed the Public Hearing at 8:38 a.m.*

## **5. PUBLIC HEARING- SPECIAL USE PERMIT**

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The location of the premises in question is in the Downtown District, Fulshear, Block 27 (PT), Acres 1.0875, specifically the address is 8418 Syms Street, Fulshear, Texas 77441.

The applicant is seeking a Special Use Permit pursuant to the Ordinance # 2012-1069, Section 1-193, (c), (2), (b) & (g), if 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 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.

POSTED: 11/26/2018

*Amy Pearce opened this Public Hearing at 8:39 a.m. Many citizens spoke, as well as the applicants. (For full discussion, request audio)*

*Amy Pearce closed the Public Hearing at 9:25 a.m.*

**6. Consideration and possible action to approve Minutes from Planning and Zoning Commission meetings held on November 2, 2018**

*A motion was made by Planning and Zoning member Dowdall to approve the minutes from the November 2, 2018 meeting. It was seconded by Planning and Zoning member Berger. 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*

**7. Consideration and possible action to approve a Special Use Permit for 30415 5<sup>th</sup> Street and 30417 5<sup>th</sup> Street, Fulshear, Texas 77441**

*A motion was made by Planning and Zoning member Ehman to approve a Special Use permit for 30415 5<sup>th</sup> Street and 30417 5<sup>th</sup> Street. It was seconded by Planning and Zoning member Berger. 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*

**8. Consideration and possible action to approve a Special Use Permit for 8418 Syms Street, Fulshear, Texas 77441**

*A motion was made by Planning and Zoning member Ehman to approve a Special Use permit for 8418 Syms Street with conditions: no outdoor kennels, operating hours no later than 6 pm unless an emergency situation, privacy fencing must be installed at back yard, and all noise ordinances, lighting, signage, and architectural ordinances for downtown district must be followed. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:*

*Ayes: Planning and Zoning members Ehman, Hakimzadeh, and Weant*

*Nays: Planning and Zoning members Berger, Dowdall, and Pearce*

*Absent: Jason Cherubini*

*Amy Pearce called for a short recess at 9:54 a.m.*

*Amy Pearce reconvened the meeting at 10:00 a.m.*

**~~9. Discussion and possible action relating to variances to the Subdivision Ordinance 04-913 and allowances under the Cross Creek Ranch Development Agreement for Creek Cove at Cross Creek Ranch Section 13~~**

*This item was pulled by the developer.*

**10. Consideration and possible action to approve Tamarron Crossing Section 3- Street Dedication/Preliminary Plat**

*A motion was made by Planning and Zoning member Ehman to approve Tamarron Crossing Section 3-Street Dedication/Preliminary Plat. 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*

**11. Consideration and possible action to approve Texana Center/Preliminary Plat**

*A motion was made by Planning and Zoning member Weant to approve Texana Center/Preliminary Plat. It was seconded by Planning and Zoning member Berger. 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*

**12. Consideration and possible action to approve Tamarron Section 13/Preliminary Plat**

*A motion was made by Planning and Zoning member Ehman to approve Tamarron Section 13/Preliminary Plat. 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*

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

*This item was pulled by the Developer.*

**14. Consideration and possible action to approve West Cross Creek Bend Extension No. 5/Preliminary Plat**

*A motion was made by Planning and Zoning member Ehman to approve West Cross Creek Bend Extension No. 5/Preliminary Plat. 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*

**15. Consideration and possible action to approve Creek Trace at Cross Creek Ranch Section 1/Preliminary Plat**

*A motion was made by Planning and Zoning member Weant to approve Creek Trace at Cross Creek Ranch Section 1/Preliminary Plat. 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*

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

*A motion was made by Planning and Zoning member Hakimzadeh to approve Tamarron Lift Station No. 3/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, Dowdall, Ehman, Hakimzadeh, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

**17. Consideration and possible action to approve Tamarron Section 12/Final Plat**

*A motion was made by Planning and Zoning member Hakimzadeh to approve Tamarron Section 12/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, Dowdall, Ehman, Hakimzadeh, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

**18. Consideration and possible action to approve Creek Cove at Cross Creek Ranch Section 12/Final Plat**

*A motion was made by Planning and Zoning member Weant to approve Creek Cove at Cross Creek Ranch Section 12/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, Dowdall, Ehman, Hakimzadeh, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

**19. Consideration and possible action to approve Willows at Cross Creek Ranch Section 2/Final Plat**

*A motion was made by Planning and Zoning member Berger to approve Willows 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 and Zoning members Berger, Dowdall, Ehman, Hakimzadeh, Pearce and Weant  
Nays: None  
Absent: Jason Cherubini*

**20. Consideration and possible action to approve Childrens Lighthouse at Jordan Ranch/Final Plat**

*A motion was made by Planning and Zoning member Hakimzadeh to approve Childrens Lighthouse at Jordan Ranch/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, Dowdall, Ehman, Hakimzadeh, Pearce and Weant  
Nays: None  
Absent: Jason Cherubini*

**21. Adjournment**

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

*Amy Pearce adjourned the meeting at 10:16 a.m.*