



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

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

**PLANNING & ZONING:**  
MEMBER- RANDY STACY  
MEMBER- GREGORY EHMAN

CO-CHAIR- DAR HAKIMZADEH  
MEMBER- JOHN DOWDALL

**STAFF:**

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

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## **PLANNING AND ZONING COMMISSION MEETING MINUTES SEPTEMBER 6, 2019**

**NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF FULSHEAR TO BE HELD ON FRIDAY, SEPTEMBER 6, 2019 AT 8:30 A.M. IN THE CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING ITEMS.**

*"Incidental Meeting Notice:* A quorum of the City of Fulshear City Council, Planning & Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks & Recreation Commission, Historic Preservation & Museum Commission, Zoning Board of Adjustment, or any or all of these, may be in attendance at the meeting specified in the foregoing notice, which attendance may constitute a meeting of such governmental body or bodies as defined by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Therefore, in addition to the foregoing notice, notice is hereby given of a meeting of each of the above-named governmental bodies, the date, hour, place, and subject of which is the same as specified in the foregoing notice."

### **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, SEPTEMBER 6, 2019 AT CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS 77441.*

## **2. Quorum:**

*A QUORUM WAS PRESENT*

### *MEMBERS PRESENT:*

*AMY PEARCE  
DAR HAKIMZADEH  
JOAN BERGER  
GREGORY EHMAN  
JOHN DOWDALL  
RANDY STACY*

### *CITY STAFF*

*KIM KOPECKY, CITY SECRETARY  
KAYLA VILLAGOMEZ, ASST. CITY  
SECRETARY  
BRANT GARY, ASSISTANT CITY MANAGER  
CHANDLER MARKS, ECONOMIC DEVELOPMENT  
COORD. DAVID LEYENDECKER, CITY ENGINEER  
KERRY SIGLER, BUILDING OFFICIAL*

## **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 Code of Ordinances, Appendix A, Article V, Section 1-278, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on September 6, 2019 at 8:30 AM. The hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on September 17, 2019 at 7:00 PM. The hearing will be held at the Irene Stern Community 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 a Commercial Zone, 0029 C Fulshear, Tract 2 & 1 (PT), Acres 2.53, specifically the address is 7215 FM 359 Road South, Fulshear, Texas 77441.

The applicant is seeking a Special Use Permit pursuant to the Code of Ordinances, Appendix A, Article III, Division 2. Section 1-188, (d), (2), 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 Thursday from 8:00AM to 3:00PM and Fridays from 8:00AM to 3:00PM 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: August 26, 2019 & August 30, 2019

*CHAIRPERSON AMY PIERCE OPENED THE PUBLIC HEARING AT 8:30 AM.*

*(FOR FULL DISCUSSION, REQUEST AUDIO)*

*CHAIRPERSON AMY PEARCE CLOSED THE PUBLIC HEARING AT 9:27AM.*

**5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on August 2, 2019 and August 27, 2019**

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER EHMAN TO APPROVE MINUTES FROM PLANNING AND ZONING COMMISSION MEETINGS HELD ON AUGUST 2, 2019 AND AUGUST 27, 2019. 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, CHERUBINI, AND STACY.*

*NAYS: NONE*

**6. Consideration and possible action to approve a Special Use Permit for 7215 FM 359 Road South, Fulshear, Texas 77441**

*THERE WAS DISCUSSION BETWEEN APPLICANT, PLANNING AND ZONING MEMBERS, AND CITIZEN'S IN ORDER TO CLARIFY THE USAGE OF THE PROPERTY.*

*MOTION AMENDED TO APPROVE THE SPECIAL USE PERMIT WITHOUT THE USE OF TEMPORARY STRUCTURES. A MOTION WAS MADE BY PLANNING AND ZONE MEMBER DOWDALL AND SECONDED BY PLANNING AND ZONING MEMBER HAZIMZADEH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

*(FOR FULL DISCUSSION, REQUEST AUDIO)*

**7. Update regarding annexation of land into the City of Fulshear's ETJ and the Fulshear Lakes development**

*BRANT GARY UPDATED THE COMMISSION REGARDING ANNEXATION OF ADDITIONAL LAND PURCHASED BY THE DEVELOPER.*

**8. Consideration and possible action to approve Fulbrook on Fulshear Creek Section 14 Final Replat No. 1**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE FULBROOK ON FULSHEAR CREEK SECTION 14 FINAL REPLAT NO. 1. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**9. Consideration and possible action to approve Fulshear Run Section 3 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER EHMAN TO APPROVE FULSHEAR RUN SECTION 3 PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

*PLANNING AND ZONING MEMBER DOWDALL RECUSED HIMSELF FROM THE VOTE.*

**10. Consideration and possible action to approve Ivy Kids Cross Creek Final Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER BERGER TO APPROVE IVY KIDS CROSS CREEK FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**11. Consideration and possible action to approve Plaza on South Firethorne Final Replat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE PLAZA ON SOUTH FIRETHORNE FINAL REPLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER STACY. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**12. Consideration and possible action to approve R1 Rogers Road Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER EHMAN TO DENY SUBJECT TO CONSIDERATIONS OF R1 ROGERS ROAD PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**13. Consideration and possible action to approve Flewellen Way NWC Tract Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE FLEWELLEN WAY NWC TRACT PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN,*

*CHER HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**14. Consideration and possible action to approve Morgans Spur Drive Extension  
No. 1 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER  
EHMAN TO APPROVE MORGANS SPUR DRIVE EXTENSION NO. 1 PRELIMINARY  
PLAT PENDING REVIEW OF APPLICATION ACREAGE TOTALS. IT WAS  
SECONDED BY PLANNING AND ZONING MEMBER BERGER. THE MOTION  
CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN,  
HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**15. Consideration and possible action to approve Morgans Spur Drive Extension  
No. 2 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER  
EHMAN TO APPROVE MORGANS SPUR DRIVE EXTENSION NO. 2 PRELIMINARY  
PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER BERGER. THE  
MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN,  
HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**16. Consideration and possible action to approve Creek Trace at Cross Creek  
Ranch Section 6 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER  
EHMAN TO APPROVE CREEK TRACE AT CROSS CREEK RANCH SECTION 6  
PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER  
HAKIMZADEH. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN,  
HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**17. Consideration and possible action to approve Creek Trace at Cross Creek Ranch Section 4 Final Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER BERGER TO APPROVE CREEK TRACE AT CROSS CREEK RANCH SECTION 4 FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**18. Consideration and possible action to approve Bonterra at Cross Creek Ranch Section 7 Final Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER EHMAN TO APPROVE PENDING CORRECTIONS NOTED WITH RESERVE TABLE FOR BONTERRA AT CROSS CREEK RANCH SECTION 7 FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**19. Consideration and possible action to approve Bonterra at Cross Creek Ranch Section 8 Final Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER EHMAN TO APPROVE BONTERRA AT CROSS CREEK RANCH SECTION 8 FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**20. Consideration and possible action to approve Jordan Ranch Street Dedication No. 6 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER EHMAN TO APPROVE JORDAN RANCH STREET DEDICATION NO. 6*

*PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER BERGER. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**21. Consideration and possible action to approve Jordan Ranch Section 20 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE JORDAN RANCH SECTION 20 PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**22. Consideration and possible action to approve Jordan Ranch Section 21 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE JORDAN RANCH SECTION 21 PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**23. Consideration and possible action to approve Jordan Ranch Section 22 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE JORDAN RANCH SECTION 22 PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*



**24. Consideration and possible action to approve Jordan Ranch Section 23 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE JORDAN RANCH SECTION 23 PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**25. Consideration and possible action to approve Jordan Ranch Section 24 Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE JORDAN RANCH SECTION 24 PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**26. Consideration and possible action to approve Jordan Ranch Street Dedication No. 3 Final Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER BERGER TO APPROVE JORDAN RANCH STREET DEDICATION NO.3 FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**27. Consideration and possible action to approve Jordan Ranch Section 17 Final Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER EHMAN TO APPROVE JORDAN RANCH SECTION 17 FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**28. Consideration and possible action to approve Jordan Ranch Section 18 Final Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING COMMISSION MEMBER HAKIMZADEH TO APPROVE JORDAN RANCH SECTION 18 FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER CHERUBINI. THE MOTION CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

**29. Adjournment**

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER BERGER TO ADJOURN. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: PLANNING AND ZONING MEMBERS BERGER, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, CHERUBINI, AND STACY.*

*NAYS: NONE*

*CHARIMAN PEARCE ADJOURNED THE MEETING AT 9:59 A.M.*

