



6611 W. CROSS CREEK BEND LANE/ PO Box 279 ~ FULSHEAR, TEXAS 77441

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

WWW.FULSHEARTEXAS.GOV

CHAIRMAN- AMY PEARCE
MEMBER- JOAN BERGER
MEMBER- JOE WARDELL

PLANNING & ZONING:
MEMBER- CHRISTOPHER MALLETT
MEMBER- GREGORY EHMAN

CO-CHAIR- DAR HAKIMZADEH
MEMBER- JOHN DOWDALL

CITY MANAGER: Jack Harper

STAFF:
CITY SECRETARY: Mariela Rodriguez

CITY ATTORNEY: Byron Brown

PLANNING AND ZONING COMMISSION MEETING MINUTES JANUARY 6, 2023

1. Call to Order

A MEETING OF THE FULSHEAR PLANNING AND ZONING COMMISSION WAS CALLED TO ORDER BY CHAIRMAN PEARCE AT 8:30 A.M. ON FRIDAY, JANUARY 06, 2023, AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX, 6611 W CROSS CREEK BEND LANE, FULSHEAR TEXAS 77441

2. Quorum

A QUORUM WAS PRESENT.

MEMBERS PRESENT

*AMY PEARCE
JOAN BERGER
DAR HAKIMZADEH
GREGORY EHMAN
JOE WARDELL
JOHN DOWDALL*

MEMBERS ABSENT

CHRISTOPHER MALLETT

CITY STAFF PRESENT

MARIELA RODRIGUEZ

ZACH GOODLANDER

CLIFF BROUHARD

BYRON BROWN

RODRIGO RODRIGUEZ

KIMBERLY KOPECKY

SHARON VALIANTE

OTHERS PRESENT

BILL CLIFFORD

KAYLEEN NELSON

TREY DEVILLIER

CATHY CROSSNO

KASI SARVER

DANA MANNIRY

SARAH B. JOHNSON

ASHLEY BAADE

MARCUS WHIPPLE

KENT POOL

GEORGE BRIGHT

LIZ BRIGHT

FIONA BRIGHT

SUZANNE MITCHELL

KAYE KAHLICH

AND 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.

THERE WERE NO CITIZEN COMMENTS.

4. Public Hearing

In compliance with the City of Fulshear Zoning Ordinance and Chapter 211 of the Local Government Code, the City will hold two Public Hearings regarding a proposed zoning map amendment for an approximately 18.782 acre tract of land located in the Churchill Fulshear League, Abstract 29, and along Farm-to-Market 1093. The tract of land, currently vacant, and currently zoned General Commercial requests to be zoned into a Planned Unit Development (PUD) zoning district. The first Public Hearing will be held by the Planning and Zoning Commission on January 6, 2023 at 8:30 a.m. The second hearing will be held by the City Council on January 17, 2023 at 7:00 p.m. The hearings will be held at Fulshear Municipal Complex, 6611 W. Cross Creek Bend Ln., Fulshear, Texas 77441. Interested parties may appear at the public hearing and be heard with respect to the application. A copy of the zoning change is on file at the City Secretary's office located at 6611 W. Cross Creek Bend Ln., Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 3 p.m. for all interested parties prior to said hearing. If you have any questions regarding this request please call Rodrigo Rodriguez, City of Fulshear, 281-346-8860.

CHAIRMAN PEARCE OPENED THE PUBLIC HEARING AT 8:33AM

ZACH GOODLANDER, THIS TRACT OF LAND IS ALONG FM 1093 LOCATED EAST OF THE HEB TRACT OF LAND. ZONED GENERAL COMMERCIAL PROPOSING TO ZONING IT INTO PUD (PLANNED UNIT DEVELOPMENT) THEIR INTENT IS TO DO A PORTION OF THEIR DEVELOPMENT AS MULTIFAMILY. THIS TYPE OF DEVELOPMENT IS NOT ALLOWED IN THE GENERAL COMMERCIAL DISTRICT OR DOWNTOWN DISTRICT. STAFF REVIEWED THE PROPOSAL AND MET ALL THE CHECKLIST ITEMS. STAFF RECOMMENDATION IS TO DENY.

BILL CLIFFORD, RESIDENT OF FULSHEAR RUN, SPOKE AGAINST THIS DEVELOPMENT. MR. CLIFFORD STATES HE SEES NO POSITIVES WITH THIS DEVELOPMENT LIKE WATER PRESSURE PROBLEMS, MINIMAL GREEN SPACE, PARKING/ TRAFFIC PROBLEMS.

GEORGE LANE, OWNER OF THE PROPERTY STATE THIS DEVELOPMENT PROCESS WILL NOT HAPPEN.

WARREN JOHNSON WITH JOHNSON DESIGN GROUP, SPOKE ABOUT DIFFERENT IDEAS AND TECHNIQUES TO CREATE MORE PLAZA'S AND GREEN SPACE FOR THE RESIDENTS AS WELL AS TYPES OF COMMERCIAL BUSINESSES THAT FIT INTO THE CITY'S EXISTING COMPREHENSIVE PLAN. HE ASKED TO THE MEMBERS TO DENY THE REQUEST OR APPROVE IT WITH CONDITIONS.

GEORGE BRIGHT, RESIDENT OF FULBROOK, WANTED TO HAVE ON RECORD HE IS AGAINST THIS DEVELOPMENT.

JOHN MCCAN SPOKE ABOUT THE POST OFFICE.

RICHARD MAHAD, RESIDENT OF FULBROOK ON FULSHEAR CREEK, STATED HIS BIGGEST CONCERN IS THE SCHOOL SYSTEM AND IS OPPOSED TO THE REZONING.

CJ MCDANIEL, STATED HE SUPPORTS GEORGE LANE BUT IS AGAINST THE DEVELOPMENT AND ASKS THE CITY AND RESIDENTS GIVE HIM AN OPPORTUNITY TO COME BACK WITH A PLAN THAT IS FAIR AND REASONABLE.

CATHY CROSSNO, RESIDENT OF FULBROOK, STATED HER BIGGEST CONCERN ABOUT BRINGING MULTIFAMILY IS THE CRIME RATE.

CHAIRMAN PEARCE CLOSED THIS PUBLIC HEARING AT 8:56 AM.

*** THE PLANNING AND ZONING COMMISSION INVITED THE ZONING BOARD OF ADJUSTMENT COMMITTEE TO JOIN THE MEETING AND REMAIN ON STANDBY ***

THE ZONING BOARD OF ADJUSTMENTS COMMITTEE CALLED THEIR MEETING TO ORDER

5. Public Hearing

In compliance with the City of Fulshear Zoning Ordinance and Chapter 211 of the Local Government Code, the City will hold two Public Hearings regarding a proposed zoning map amendment for an approximately 70.681 acre tract of land located in the Churchill Fulshear League, Abstract 29, and at the southern terminus of James Lane. The tract of land, currently vacant, and not zoned, requests to be zoned into the Suburban Residential (SR) District upon annexation into the City. The first Public Hearing will be held by the Planning and Zoning Commission on January 6, 2023 at 8:30 a.m. The second hearing will be held by the City Council on January 17, 2023 at 7:00 p.m. The hearings will be held at Fulshear Municipal Complex, 6611 W. Cross Creek Bend Ln., Fulshear, Texas 77441. Interested parties may appear at the public hearing and be heard with respect to the application. A

copy of the zoning change is on file at the City Secretary's office located at 6611 W. Cross Creek Bend Ln., Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 3 p.m. for all interested parties prior to said hearing. If you have any questions regarding this request please call Rodrigo Rodriguez, City of Fulshear, 281-346-8860.

CHAIRMAN PEARCE OPENED THE PUBLIC HEARING AT 9:03 A.M.

ZACH INTRODUCED THIS ITEM AND EXPLAINED THIS TRACT IS LOCATED AT THE END OF JAMES LANE. THE INTENT IS TO ANNEX IT AT CITY COUNCIL MEETING AND ZONE IT INTO THE SUBURBAN RESIDENTIAL DISTRICT. THIS DEVELOPMENT AGREEMENT WAS SIGNED BETWEEN TRI POINT AND CITY OF FULSHEAR BACK IN NOVEMBER OF 2021. THIS AGREEMENT HELPED STIPULATE A NUMBER OF THINGS.

CITY STAFF ANSWERED QUESTIONS FROM THE MEMBERS.

KAYLEEN NELSON, RESIDENT OF JAMES LANE, SPOKE REGARDING FLOODING CONCERNS, ANNEXATION ISSUES, TRAFFIC ON JAMES LANE. HOMEOWNERS HAVE HAD NO NOTIFICATION OF THE CITY ANNEXING JAMES LANE.

JOHN MCCANN DIRECTED HIS COMMENTS TO TRI-POINTE ASKED IF THERE COULD BE MORE THAN ONE LOT PURCHASED. HE SPOKE REGARDING THE RAIL BRIDGE, FLOODING, AND ACCESS POINTS FOR THE DEVELOPER.

JON D'BOIRS- RESIDENT OF JAMES LANE WANTS ON RECORD THAT HE AGREES WITH MS. NELSON AND MR. MCCANN'S COMMENTS.

CHAIRMAN PEARCE CLOSED THE PUBLIC HEARING AT 9:23 A.M.

6. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on December 2, 2022

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO APPROVE THE MINUTES FROM PLANNING AND ZONING COMMISSION MEETING HELD ON DECEMBER 02, 2022. IT WAS SECONDED BY PLANNING AND ZONING MEMBER BERGER. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PEARCE, BERGER, HAKIMZADEH, EHMAN, WARDELL, DOWDALL

NAYS:

ABSTAIN:

ABSENT: MALLETT

7. Consideration and possible action to recommend or deny approval of a zoning map amendment for an approximately 70.681-acre tract of land, currently not zoned, into the Suburban Residential (SR) District upon annexation into the city limits ZACH GOODLANDER AND BYRON BROWN ANSWERED QUESTIONS FROM THE MEMBERS.

PER ZACH CITY STAFF RECOMMENDS APPROVAL.

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO RECOMMEND APPROVAL. IT WAS SECONDED BY PLANNING AND ZONING MEMBER DOWDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PEARCE, BERGER, HAKIMZADEH, EHMAN, WARDELL, DOWDALL

NAYS:

ABSTAIN:

ABSENT: MALLETT

8. Consideration and possible action to recommend or deny approval of a zoning map amendment for an approximately 18.782-acre tract of land, currently zoned General Commercial (GC), into a Planned Unit Development (PUD) district

ZACH GOODLANDER STATED THAT STAFF RECOMMENDS DENIAL OF THIS PLAN AS PRESENT.

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO RECOMMEND DENIAL. IT WAS SECONDED BY PLANNING AND ZONING MEMBER BERGER. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PEARCE, BERGER, HAKIMZADEH, EHMAN, WARDELL, DOWDALL
NAYS:
ABSTAIN:
ABSENT: MALLETT

9. Consideration and possible action to move into a joint meeting with the Zoning Board of Adjustment for the purpose of discussing possible updates to the Consolidated Development Ordinance (CDO)

A MOTION WAS MADE BY PLANNING AND ZONING MEMBER BERGER TO MOVE INTO A JOINT MEETING. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PEARCE, BERGER, HAKIMZADEH, EHMAN, WARDELL, DOWDALL
NAYS:
ABSTAIN:
ABSENT: MALLETT

***ZBA MOTIONED TO JOIN THE JOINT MEETING WITH THE PLANNING AND ZONING COMMISSION ***

ZACH GOODLANDER INTRODUCED THIS ITEM AND EXPLAINED THESE CHANGES COME FROM ZONING CHANGES AS WELL AS VARIANCES THAT THE ZBA HAS SEEN OVER THE LAST FEW YEARS. HE EXPLAINED THAT P&Z AS WELL AS COUNCIL HAVE DISCUSSED SOME OF THE ITEMS AND NOW ARE WELCOMING ZBA INTO THE DISCUSSION.

BOTH PLANNING AND ZONING AND ZONING BOARD OF ADJUSTMENTS MEMBERS DISCUSSED POSSIBILITIES TO GET INPUT FROM THE PUBLIC, DEVELOPERS, AND BUSINESS OWNERS. THEY ALSO REQUESTED THE POSSIBILITY OF BEING PART OF THE REVIEW OF FUTURE DEVELOPMENT AGREEMENTS.

THE FOLLOWING ITEMS WERE DISCUSSED BETWEEN BOTH BOARDS AND STAFF:

- *STREET NAMES*
- *STREET SIGNS*
- *PARK AND TRAIL NAMING POLICY*
- *UNDERUTILIZED UTILITY CORRIDOR*

- REGIONAL PARK FEES
- PLATTING
- FOOD TRUCKS
- HEMP & CANNABINOID SALES
- CHANGES TO THE DOWNTOWN DISTRICT
- RAISING THE BAR OF THE GENERAL COMMERCIAL DISTRICT
- ARCHITECTURAL STANDARDS
- MULTIFAMILY STANDARDS
- INCREASE OF LANDSCAPING STANDARDS
- CLEAN UP OF LANGUAGE FOR CONSISTENCY
- SIDEWALKS
- REFUSE CONTAINERS
- ETJ SIGNS
- ROUNDABOUT SIGNS/ STRUCTURES
- MONUMENT SIGNS
- REQUIREMENT OF LEGAL COST, ENGINEERING COST, & UP-FRONT COST DEVELOPMENT AGREEMENT
- WETLANDS
- STREETLIGHTS
- VARIANCES

CITY STAFF ANSWERED QUESTIONS FROM THE MEMBERS AND EXPLAINED MANY OF THESE CHANGES ARE PENDING LEGAL REVIEW.

COUNCIL MEMBER POOL MADE A COMMENT AND STATED WE NEED TO MOVE ON THESE CHANGES IN PLACE NOW AND NOT WAIT FOR A COMMITTEE.

10. Adjournment

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

AYES: PEARCE, HAKIMZADEH, BERGER, EHMAN, WARDELL, DOWDALL

NAYS:

ABSTAIN:

ABSENT: MALLETT

CHAIRMAN PEARCE ADJOURNED THE MEETING AT 10:36 A.M

*** ZBA ADJOURNED THE JOINT MEETING***