

# ***PUBLIC HEARING***

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	April 17, 2017	<b>AGENDA ITEM(S):</b>	III-A & V-J
<b>DATE SUBMITTED:</b>	April 10, 2017	<b>DEPARTMENT:</b>	Building Services
<b>PREPARED BY:</b>	Michelle Killebrew, Building Official	<b>PRESENTER:</b>	Michelle Killebrew, Building Official
<b>SUBJECT:</b>	<b>Special Use Request – 8525 FM 359, Suite 100</b>		
<b>ATTACHMENTS:</b>	<b>Application, Site Plan, Survey, and Related Documents</b>		
<b>EXPENDITURE REQUIRED:</b>			\$0
<b>AMOUNT BUDGETED:</b>			\$0
<b>ACCOUNT:</b>	Development Services		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			\$0
<b>ACCOUNT NO:</b>			

**EXECUTIVE SUMMARY**

The owner of the property located at 8525 FM 359, along with their designated local representative Sharif Alamin, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for retail commercial use. They are requesting to use the property for commercial use, specifically to allow a Restaurant/Bar use. There are modifications planned for the interior of the building.

They have provided the following documents as required by Sec. 1-283 of the City’s Zoning Ordinance (2012-1069) which include the attached items referenced:

- **Completed Special Use Application:** Completed Application from the Owner/Owner’s Representative. (See Item 1)
- **Owner Affidavit:** The owner has submitted a letter of approval to request the Special Use Permit submitted by the Owner’s Representative (See Item 2)
- **Vicinity Map:** Records from Fort Bend County Central Appraisal District show the location of the property in relation to the surrounding areas. (See Item 3)
- **Context Map:** Map shows existing layout, pavement, and access points. Staff accepts this document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). Map also is used for Site Plan Requirements. (See Item 4)
- **Survey:** A survey was provided which shows the existing lot and the building that sits on it, along with metes and bounds for the property and is on file. (See Item 5)
- **Compliance with the Comprehensive plan:** After review of the request from the applicant, City Staff finds that the requested use of a restaurant/bar is **an approved** and desired use within the Downtown District (See Item 6)

- **Site Plan:** The site plan shows the building layout, and the proposed parking areas. Staff accepts these document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). **(See Item 7)**
- **Landscape Plan:** The applicant provided an overview of the current landscaping and indicated that no modifications were planned at this time. **(See Item 8)**
- **Grading and Drainage Plan:** The applicant provided an overview of the current drainage flows and indicated that no modifications were planned at this time that would affect the grading and/or drainage of the area. **(See Item 9)**
- **Lighting Plan:** The applicant provided an overview of the current building lighting under the awning and indicated that no modifications were planned at this time. **(See Item 10)**
- **Elevations:** The applicant provided pictures of the current building elevations and indicated that no modifications were planned at this time. **(See Item 11)**
- **Traffic Impact Study:** This requirement is waived based on the determination of the City Engineer. However, it is staff's recommendation that the parking lot in front of the building be striped and the overflow parking lot be repaved with appropriate egress and striped. **(See Item 12)**
- **Signage:** The applicant has indicated they will use wall signage and will comply with the sign ordinance for the Downtown District requirements. **(See Item 13)**
- **Notification to the Public:** This has been completed. Notice was published in an approved newspaper and a notice was also sent by the City to a verified listing of adjacent property owners within 300' as required by ordinance. **(See Item 14)**
  - **Sign Notification on the Property:** The sign has been duly posted by the applicant. *(Verified by Staff; no attachment item included)*
- **Planning & Zoning Commission Hearing:** On April 7, 2017 the Planning and Zoning Commission conducted a public hearing and unanimously recommended approval with the conditions recommended by Staff as well as to clarify the requirement for compliance with the sign ordinance. **(See Item 15)**

### **STAFF RECOMMENDATION**

Staff recommends the City Council approve the Special Use Permit requesting the use of an eating and drinking establishment to be located at 8525 FM 359, Suite 100, with certain conditions applied. Staff recommends that those conditions include the following:

- 1.) The ratio of alcohol sales remains at 30% as the applicant has indicated in the request documentation.
- 2.) The parking lot in front of the building be striped.
- 3.) The overflow parking lot be repaved with appropriate egress and striped.
- 4.) A requirement that the applicant maintain the lease for the overflow parking while this requested business use is ongoing.

It is Staff's understanding that any conditions placed on the approval of this SUP must be met before a Certificate of Occupancy would be issued by City Staff.



# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441  
Phone: 281-346-8860 ~ Fax: 281-346-8237  
www.fulsheartexas.gov

Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 1: SUP Application  
1 of 2

## ZONING SPECIAL USE APPLICATION

Date of Application: 3/17/2017  
Property Address: 8525 FM 359, Suite 100 Fulshear, TX 77441  
Legal Description of the property: Shopping Center  
Property Owner Name(s): Fulshear II Ltd / Louis Lippman  
Address: 1616 Fountain View Dr., Suite 611 Houston, TX 77057  
Phone Number: 713-446-1152 Email Address: louis.lippman@gmail.com

Applicant/Agent: Sharif Al-Amin  
Attach letter of authorization along with this application  
Address: 1830 Lake Arrowhead Dr., Richmond, TX 77406  
Phone Number: 713-517-7171 Email Address: salamin8884@gmail.com

Zoning District: Downtown District Current use of property: Vacant/Retail  
Requested use of the property: Restaurant/Bar

Land Uses of Adjoining Property:  
(Agricultural, Single Family, Industrial, Business)

North	Downtown District - Commercial
South	Downtown District - Commercial
East	Downtown District - Commercial
West	Downtown District - Commercial

Is the proposed special use allowable in the current zoning designation? Yes

Application Fees: \$150.00 for Residential Use  
\$500.00 for Commercial Use





Project #   **\*\* Notes \*\*** Description   
 Property      Issued to

General | Segments | Financial | Property Info | Information | Comments | History | Footprint | Conditions | Description |

Segment	Description	Status	Fee	Payments	Balance
BLD-COM	COMMERCIAL BUILDING	Not Started	500.00	500.00CR	0.00



1 records			500.00	500.00CR	0.00
-----------	--	--	--------	----------	------

View mkirchner

## **OLD THREE HUNDRED**

8525 FM 359 SUITE 100

Fulshear, TX 77441

Fulshear is nestled nearly 35 miles outside the city of Houston and with the county's rapid growth and financial success of its residents, there is a need for a true restaurant-bar that tailors its atmosphere and service to the work-life balance represented in its population. The city lacks a single establishment where children are welcome and adults are encouraged to unwind after a hard day's work. Old Three Hundred aims to bring big city food and drinks to Fulshear, alleviating the need to drive for over an hour in order to encounter a similar experience. The establishment will offer well curated food, high quality cocktail and beverage program with a "Welcome to our House" feel, a need that has not yet been brought into fruition in Fulshear, Texas.

We want to create a family and adult friendly watering hole in Fulshear, Texas to serve the food and beverage needs of an underserved, but vastly growing community in a suburb outside of Houston metropolitan area. Offer comfort, high quality food and drinks at reasonable prices to allow residents to unwind in their own neck of the woods without having to drive 30+ minutes. (3-fold) Home away from home in their own neighborhood, like no other offerings currently available to residents of Fulshear. 4 star food & drink at 2 star prices, built for Fulshear, by Fulshear - built to serve.

We will be be staffed with 15 total employees with an approximately occupancy of 75. Alcohols sales will accommodate 30% or less of our revenue. Our menu will be New American Foe with seasonal changes. We will have a rotating menu consisting of different meats, seafood, sandwiches,tacos, and with a little BBQ.

We are requesting a Special Use Permit for 8525 FM 359 Suite 100 to

change the building use for Retail to Restaurant/Bar, we will be remodeling the inside of the building to fulfill occupancy requirements.

We will comply with Signage with the city ordinance for the downtown district.

We will be making no modifications regarding to the Drainage.

We will be making no modifications regarding to the Landscaping.

We will comply with Outdoor lightning with the city ordinance for the downtown district.

We will be making no modifications regarding to the front of the building.

The total lease space is 2066 sq ft. These will require us to have 8 spaces. We have 6 spaces in front of the building and have leased the property located at 30311 East 1st St. for overflow and employee parking.

**ACKNOWLEDGEMENTS:**

*I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal before the Zoning Commission and City Council public hearings. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of my zoning request.*

*I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the third Tuesday of the month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard **by the City Council** at the prescribed Council hearing date where a final decision will be made.*

*I further understand that if I am not present nor duly represented at the Commission's public hearing, the Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.*

*I reserve the right to **withdraw** this proposal at any time, upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed zoning / land use of property, within the City of Fulshear, as identified in this application.*

Signature of Owner/ Agent\*  \_\_\_\_\_ Date 3/22/12

(circle one)  
Printed name Sharif Al-Amin Phone. No. 713-517-7171

\*Note: An Agent must furnish a signed Letter of Authorization from the owner when submitting this application.



Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 2: Ownership Affidavit  
3 of 6  
Owner's Designation of Local  
Representative

Regarding Subject Properties:  
8525 FM 359, Suite 100, Fulshear, Texas 77441  
30311 E. 1st Street, Fulshear, TX 77441

From:  
Louis Lippman as Managing Member of  
Keystone Ventures, LLC.,  
General Partner of Fulshear II, Ltd.

-----  
1616 Fountain View Dr., Suite 611  
Houston, TX 77057 or  
[louis.lippman@gmail.com](mailto:louis.lippman@gmail.com)

**To Whom It May Concern:**

On or about March 1st, 2017, Sharif Al-Amin entered into a Lease Agreement for the Subject Properties for the purpose of opening and operating a Restaurant/Bar named "The Old Three Hundred". This Letter confirms for the City of Fulshear that Mr Al-Amin has my permission to operate said business and to apply for Permits, Change of Use, or Special Use Permit, as required by The City Of Fulshear.

Any questions regarding this Letter should be directed to:

Louis Lippman as Managing Member of  
Keystone Ventures, LLC.,  
General Partner of Fulshear II, Ltd.

-----  
1616 Fountain View Dr., Suite 611  
Houston, TX 77057 or  
[louis.lippman@gmail.com](mailto:louis.lippman@gmail.com)

DocuSigned by:

3/22/2017 | 13:25 PM CDT

  
-----

Louis Lippman as Managing Member of  
Keystone Ventures, LLC.,  
General Partner of Fulshear II, Ltd.

<b>Property</b>	<b>Owner</b>	<b>Property Address</b>	<b>2016 Assessed Value</b>
R391020	FULSHEAR II LTD	8525 FM 359 RD, FULSHEAR, TX 77441	\$647,380

**2016 GENERAL INFORMATION**

Property Status: **Active**  
 Property Type: **Real Commercial**  
 Legal Description: **FULSHEAR, BLOCK 2, Lots 7 & 10**  
 Neighborhood: **Fulshear Retail Strip Center**  
 Account: **3380-00-002-0072-901**  
 Related Properties: **P319052, P322870, P329076**  
 Map Number: **A-027-N**

**2016 OWNER INFORMATION**

Owner Name: **Fulshear II Ltd**  
 Owner ID: **O0414134**  
 Exemptions:  
 Percent Ownership: **100%**  
 Mailing Address: **1616 Fountain View DR #APT 611 Houston, TX 77057-2530**

**2016 VALUE INFORMATION**

Improvement Homesite Value	\$0
Improvement Non-Homesite Value	\$376,900
<b>Total Improvement Market Value</b>	<b>\$376,900</b>
Land Homesite Value	\$0
Land Non-Homesite Value	\$270,480
Land Agricultural Market Value	\$0
<b>Total Land Market Value</b>	<b>\$270,480</b>
<b>Total Market Value</b>	<b>\$647,380</b>
Agricultural Use	\$0
<b>Total Appraised Value</b>	<b>\$647,380</b>
Homestead Cap Loss	-\$0
<b>Total Assessed Value</b>	<b>\$647,380</b>

**2016 ENTITIES & EXEMPTIONS**

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
C04- City of Fulshear		\$0	\$647,380	0.156901	0
CAD- Fort Bend Central Appraisal District		\$0	\$647,380	0	0
D01- Ft Bend Drainage		\$0	\$647,380	0.016	0
G01- Ft Bend Co Gen		\$0	\$647,380	0.458	0
R05- Ft Bend Co ESD 4		\$0	\$647,380	0.1	0
S01- Lamar CISD		\$0	\$647,380	1.39005	0

TOTALS

2.120951

**2016 IMPROVEMENTS**

Improvement #1: State Code: **F1 - Real Commercial** Homesite: **No** Total Main Area: **\*** [Expand/Collapse All](#) Market Value: **\$491,810**

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Shopping Center, Chac, 14' Wall	2008	5,130	\$452,910	<a href="#">Details</a>
2	Canopy Roof/slab	2008	990	\$10,250	<a href="#">Details</a>
3	Paving Concrete	2008	5,000	\$28,650	<a href="#">Details</a>

**2016 LAND SEGMENTS**

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Commercial Primary	F1 - Real Commercial	No	\$270,480	\$0	14,000 Sq. ft.

TOTALS

14,000 Sq. ft / 0.321396 acres

**VALUE HISTORY**

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2015	\$437,520	\$162,670	\$600,190	\$0	\$0	\$600,190	\$0	\$600,190
2014	\$380,200	\$162,670	\$542,870	\$0	\$0	\$542,870	\$0	\$542,870
2013	\$269,330	\$162,670	\$432,000	\$0	\$0	\$432,000	\$0	\$432,000
2012	\$269,330	\$162,670	\$432,000	\$0	\$0	\$432,000	\$0	\$432,000
2011	\$301,850	\$162,670	\$464,520	\$0	\$0	\$464,520	\$0	\$464,520

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 2: Ownership Affidavit  
4 of 6  
FBCAD Property Record 1

Property R65697	Owner KEYSTONE VENTURES LLC	Property Address 30311 E 1ST ST	2016 Assessed Value \$36,540
--------------------	--------------------------------	------------------------------------	---------------------------------

**2016 GENERAL INFORMATION**

Property Status	Active
Property Type	Real Commercial
Legal Description	FULSHEAR, BLOCK 2, LOT 11 (PT) (E 34.8 FT)
Neighborhood	Fulshear Service Garage
Account	3380-00-002-0110-901
Map Number	A-027-N

**2016 OWNER INFORMATION**

Owner Name	Keystone Ventures LLC
Owner ID	O0399550
Exemptions	
Percent Ownership	100%
Mailing Address	1616 FOUNTAIN VIEW DR #APT 611 HOUSTON, TX 77057-2530

**2016 VALUE INFORMATION**

Improvement Homesite Value	\$0
Improvement Non-Homesite Value	\$0
Total Improvement Market Value	\$0
Land Homesite Value	\$0
Land Non-Homesite Value	\$36,540
Land Agricultural Market Value	\$0
Total Land Market Value	\$36,540
Total Market Value	\$36,540
Agricultural Use	\$0
Total Appraised Value	\$36,540
Homestead Cap Loss	-\$0
Total Assessed Value	\$36,540

**2016 ENTITIES & EXEMPTIONS**

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING	
C04- City of Fulshear			\$0	\$36,540	0.156901	0
CAD- Fort Bend Central Appraisal District			\$0	\$36,540	0	0
D01- Ft Bend Drainage			\$0	\$36,540	0.016	0
G01- Ft Bend Co Gen			\$0	\$36,540	0.458	0
R05- Ft Bend Co ESD 4			\$0	\$36,540	0.1	0
S01- Lamar CISD			\$0	\$36,540	1.39005	0
<b>TOTALS</b>				<b>2.120951</b>		

**2016 LAND SEGMENTS**

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Commercial Primary	F1 - Real Commercial	No	\$36,540	\$0	1,740 Sq. ft
<b>TOTALS</b>					<b>1,740 Sq. ft / 0.039945 acres</b>

**VALUE HISTORY**

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2015	\$0	\$18,270	\$18,270	\$0	\$0	\$18,270	\$0	\$18,270
2014	\$0	\$18,270	\$18,270	\$0	\$0	\$18,270	\$0	\$18,270
2013	\$0	\$18,270	\$18,270	\$0	\$0	\$18,270	\$0	\$18,270
2012	\$0	\$18,270	\$18,270	\$0	\$0	\$18,270	\$0	\$18,270
2011	\$0	\$18,270	\$18,270	\$0	\$0	\$18,270	\$0	\$18,270

**SALES HISTORY**

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
11/8/2006	Rhemann Karen J & Ronald H	Keystone Ventures LLC	2006141461	
8/23/2006	Bentley, Carl B BENTLEY, CARL B	Rhemann Karen J & Ronald H Bentley, Carl B	2006106481	

Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 2: Ownership Affidavit  
5 of 6  
FBCAD Property Record 2



# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441  
Phone: 281-346-1796 ~ Fax: 281-346-2556  
[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 2: Ownership Affidavit  
4 of 6  
FBCAD Property Record 1

## Special Use Permit Request

Property Address: 8525 FM 359 Suite 100  
Fulshear, Block 2, Lots 7 & 10

### **Re: SUP Owner & Owner's Local Representative**

The City has received documents supporting the information provided concerning the ownership of, interest in, designation of managing partner, and lease information for this property. The contact information for the owner and designated owner's local representative concerning this property are listed below.

**Property Address:** 8525 FM 359 Suite 100  
Fulshear, Block 2, Lots 7 & 10  
Fulshear Retail Strip Center

**Owner:**  
Fulshear II Ltd

**Owner Contact:**  
Louis Lippman  
1616 Fountain View Drive, Suite 611  
Houston, TX 77057

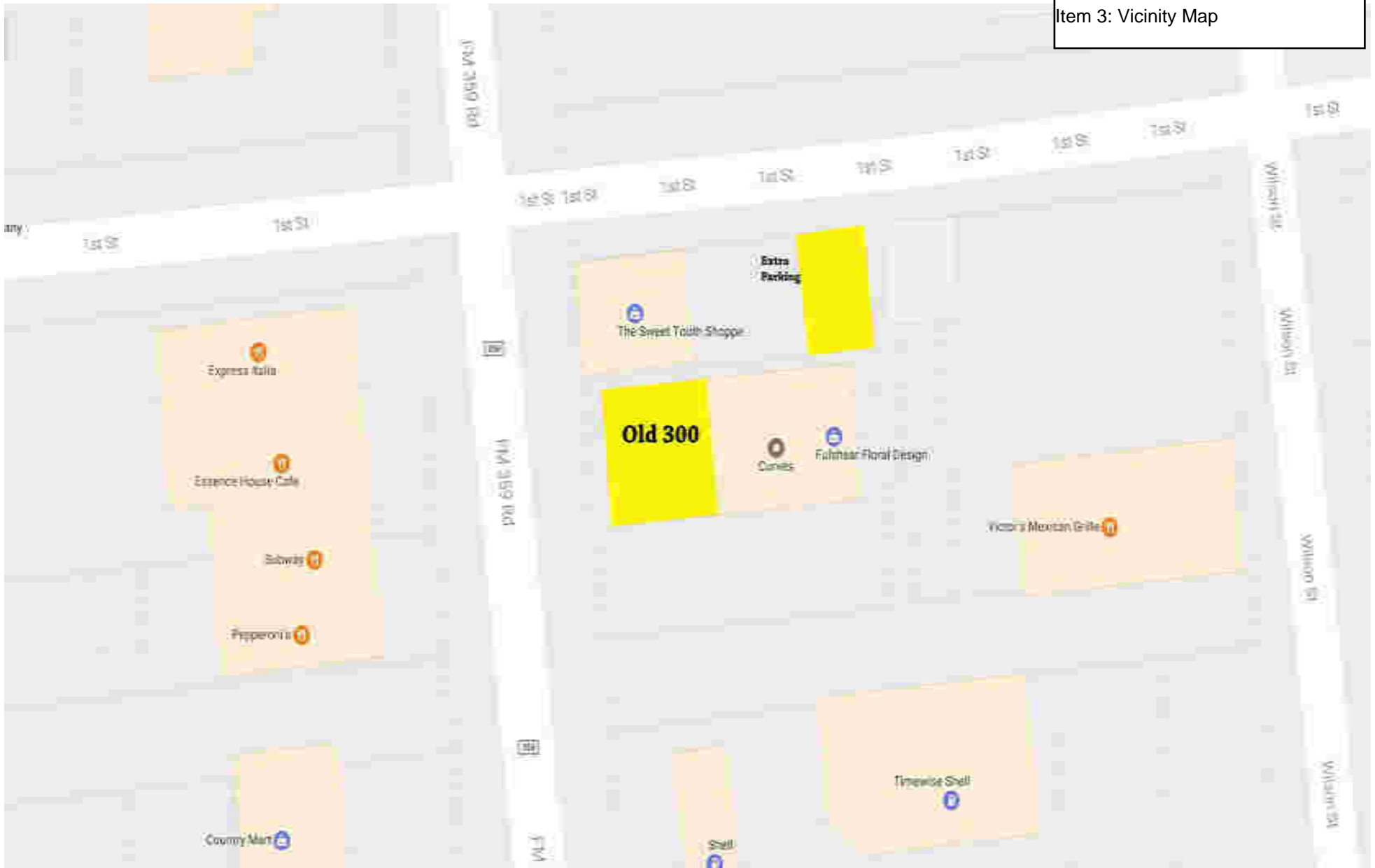
**Owner's Local Representative:**  
Sharif Alamin  
1830 Lake Arrowhead Drive  
Houston, TX 77406

Sincerely,

*Michelle Killebrew*

Michelle Killebrew  
Chief Building Official  
City of Fulshear

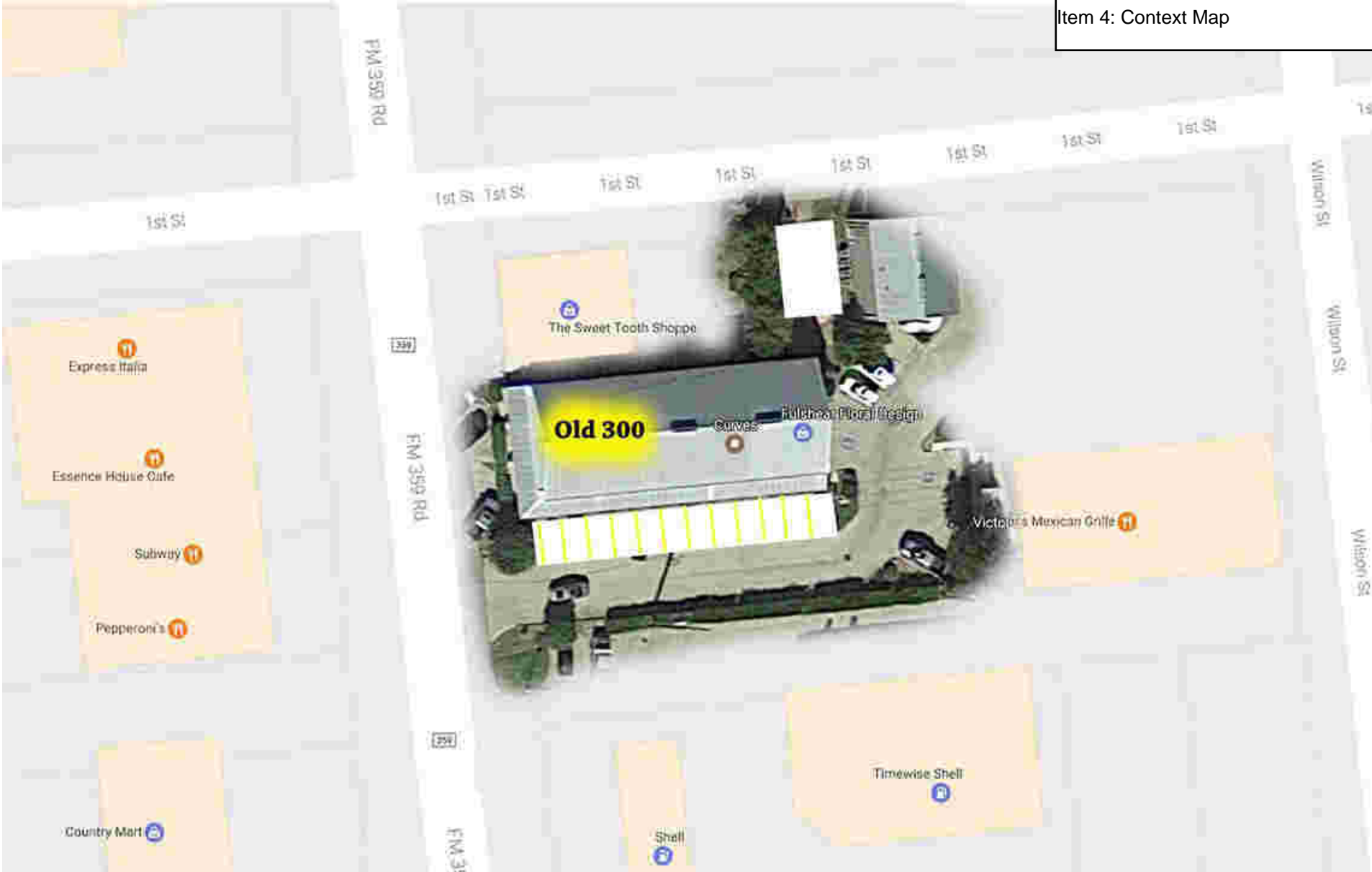
Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 3: Vicinity Map





Special Use Permit Request:  
8525 FM 359, Suite 100

Item 4: Context Map





**LEGEND**

-  ASPHALT
-  CONCRETE
-  COVERED AREA



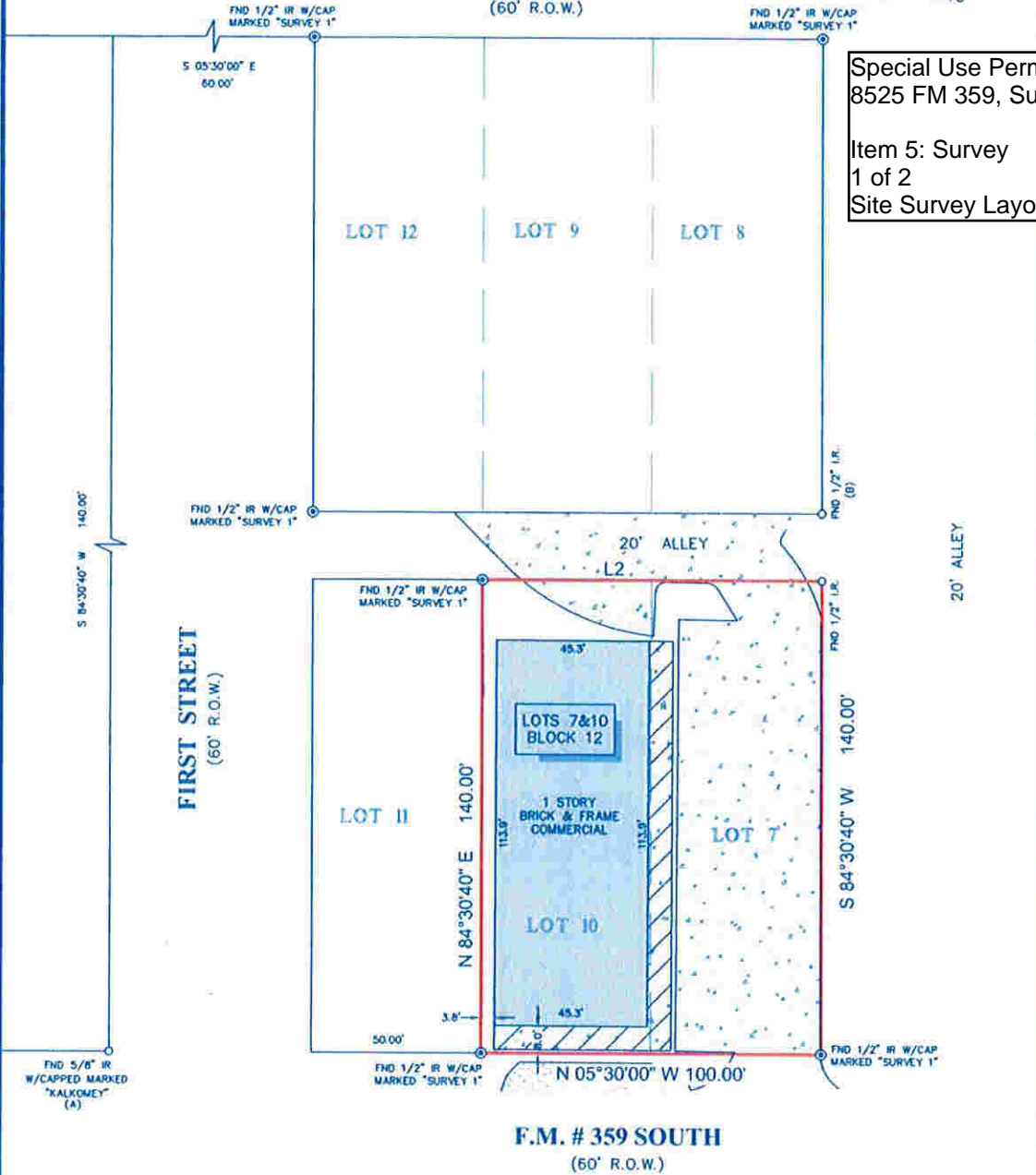
LINE	BEARING	DISTANCE
L2	S 05°30'00" E	100.00'

**WILSON STREET**  
(60' R.O.W.)



Special Use Permit Request:  
8525 FM 359, Suite 100

Item 5: Survey  
1 of 2  
Site Survey Layout



**NOTES:**

1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE SUBDIVISION PLAT NAMED BELOW, POINTS (A) AND (B) WERE HELD FOR HORIZONTAL CONTROL.
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF INFORMATION CONTAINED IN A TITLE REPORT PER THE REQUEST OF THE BUYER.
3. THIS SURVEY IS CERTIFIED TO SHARIQ AL-AMRI FOR THIS TRANSACTION ONLY; IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
5. THERE ARE NO NATURAL DRAINAGE COURSES ON SUBJECT PROPERTY.

LEGAL DESCRIPTION: LOTS 7 & 10, IN BLOCK 12, OF TOWN OF FULSHEAR, A SUBDIVISION IN FORT BEND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME U, PAGE 180 OF THE MAP RECORDS OF FORT BEND COUNTY, TEXAS.



**SURVEYOR'S CERTIFICATE:**  
IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON MARCH 18, 2017 AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING; AND THAT THERE ARE NO ENCROACHMENTS OR PROBLEMS, EXCEPT AS SHOWN.

*Richard Fussell*  
RICHARD FUSSELL  
RPLS #4148

<b>CLIENT:</b> TBD		<b>FIELD CREW:</b> JJ		<b>TECH:</b> AR	
<b>ADDRESS:</b> 8525 F.M. #359 SOUTH		<b>DRAFTER:</b> AR		<b>FINAL CHECK:</b> EF	
www.survey1inc.com survey1@survey1inc.com		<b>DATE:</b> 3-16-17		<b>JOB#</b> 3-52253-17	
Survey 1, Inc. Your Land Survey Company		Firm Registration No. 100758-00 P.O. Box 2543   AHN, TX 77512   (281)393-1382			

**DESCRIPTION OF A TRACT OF LAND CONTAINING  
0.3613 ACRES (15,740 SQUARE FEET) SITUATED  
TOWN OF FULSHEAR, A SUBDIVISION RECORDED  
IN VOLUME U, PAGE 180 OF THE MAP RECORDS OF  
FORT BEND COUNTY, TEXAS**

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 5: Survey  
2 of 2  
Survey Metes & Bounds

Being a tract of land containing 0.3613 acres (15,740 square feet), being all of Lots 7 and 10, and the east 34.80 feet of Lot 11, in Block 12, of Town of Fulshear, a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded in Volume U, Page 180 of the Map Records of Fort Bend County, Texas. Said 0.3613-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the northwest corner of said Lot 11 at the intersection of the south right-of-way line of First Street (60 feet wide) with the east right-of-way line of F.M. 359 South (variable width);

THENCE North 84° 30' 40" East along the south right-of-way line of said First Street and the north line of said Lot 11, a distance of 105.20 feet to a found 1/2-inch iron rod for the northerly northwest corner and POINT OF BEGINNING of said tract herein described;

THENCE continuing North 84° 30' 40" East along the south right-of-way line of said First Street and the north line of said Lot 11, a distance of 34.80 feet to a found 1/2-inch iron rod at the intersection of the south right-of-way line of said First Street with the west line of a 20 foot wide alley, for the northeast corner of said Lot 11, and for the northeast corner of said tract herein described;

THENCE South 05° 30' 00" East along the east line of said Lots 11, 10 and 7, and the west line of said 20 foot alley, a distance of 150.00 feet to a found 1/2-inch iron rod at the intersection of the west line of said alley with the north line of a 20 foot wide alley for the southeast corner of said Lot 7 and for the southeast corner of said tract herein described;

THENCE South 84°30' 40" West along the north line of said alley and the south line of said Lot 7, a distance of 140.00 feet to a found 1/2-inch iron rod with cap marked "Survey 1" in the west right-of-way line of said F.M. 359 South, for the southwest corner of said Lot 7, and for the southwest corner of said tract herein described;

THENCE North 05° 30' 00" West along the east right-of-way line of said F.M. 359 South, and the west line of said Lots 7 and 10, a distance of 100.00 feet to a found 1/2-inch iron rod with cap marked "Survey 1" for the northwest corner of said Lot 10, for the southwest corner of said Lot 11, and for the westerly northwest corner of said tract herein described;

THENCE North 84° 30' 40" East along the common line of said Lots 10 and 11, a distance of 105.20 feet to a found 1/2-inch iron rod for an interior corner of said tract herein described;

THENCE North 05° 30' 00" West, a distance of 50.00 feet to the POINT OF BEGINNING and containing 0.3613 acres (15,740 square feet), more or less.

*Note: This metes and bounds description is referenced to a survey drawing prepared by Survey I, Inc. (Firm Registration No. 100758-00) dated March 16, 2017, job number 3-52253-17.*

Survey I, Inc.  
P.O. Box 2543  
Alvin, TX 77512  
281-393-1382



March 16, 2017



# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441  
Phone: 281-346-1796 ~ Fax: 281-346-2556  
www.fulsheartexas.gov

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 6: Conformance with  
the Comprehensive Plan  
(Staff Memo)

## Special Use Permit Request

Property Address: 8525 FM 359 Suite 100  
Fulshear, Block 2, Lots 7 & 10

### **Re: Special Use Permit Request/ Conformance with the Comprehensive Plan:**

**Property Address:** 8525 FM 359  
Lots 7&10, Block 12, Town of Fulshear

The owner of the property located at 8525 FM 359, along with their designated local representative Sharif Alamin, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for retail. They are requesting to use the property for commercial use, specifically for eating and drinking establishment.

As it concerns the requested use of this property in the Downtown District, the City of Fulshear Comprehensive Plan addresses this possibility. We find that the section cited below provides specific relevance to this request:

#### **City of Fulshear Comprehensive Plan Page 5.3**

*As indicated by the many design-related comments from Fulshear residents captured in the Introduction section to this plan, the strong desire for high-quality non-residential development that is compatible with Fulshear's traditional character, and that brings additional niche retail and unique restaurants rather than typical chain establishments.*

Based on a review of the documentation and of the Comprehensive Plan, City Staff has reason to believe that the property will allow for the eating and drinking establishment use as requested by the applicant and will not increase the danger of fire; will not adversely affect the public health, safety and well-being; nor will it substantially diminish or impair the property values within the neighborhood. Thus, we find that the request for the property located at 8525 FM 359 is in line with the Comprehensive Plan.

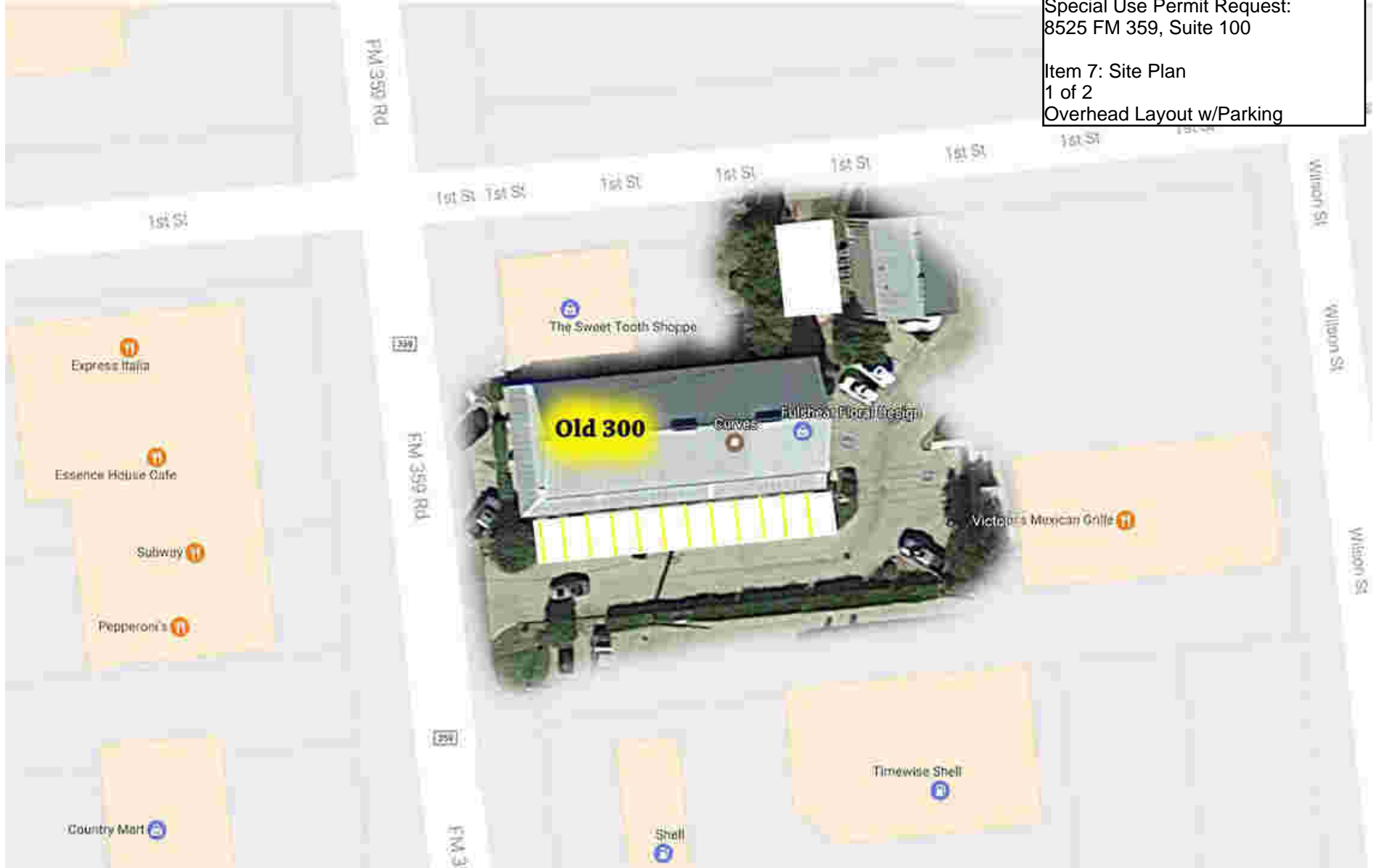
Sincerely,

*Michelle Killebrew*

Michelle Killebrew  
Chief Building Official  
City of Fulshear

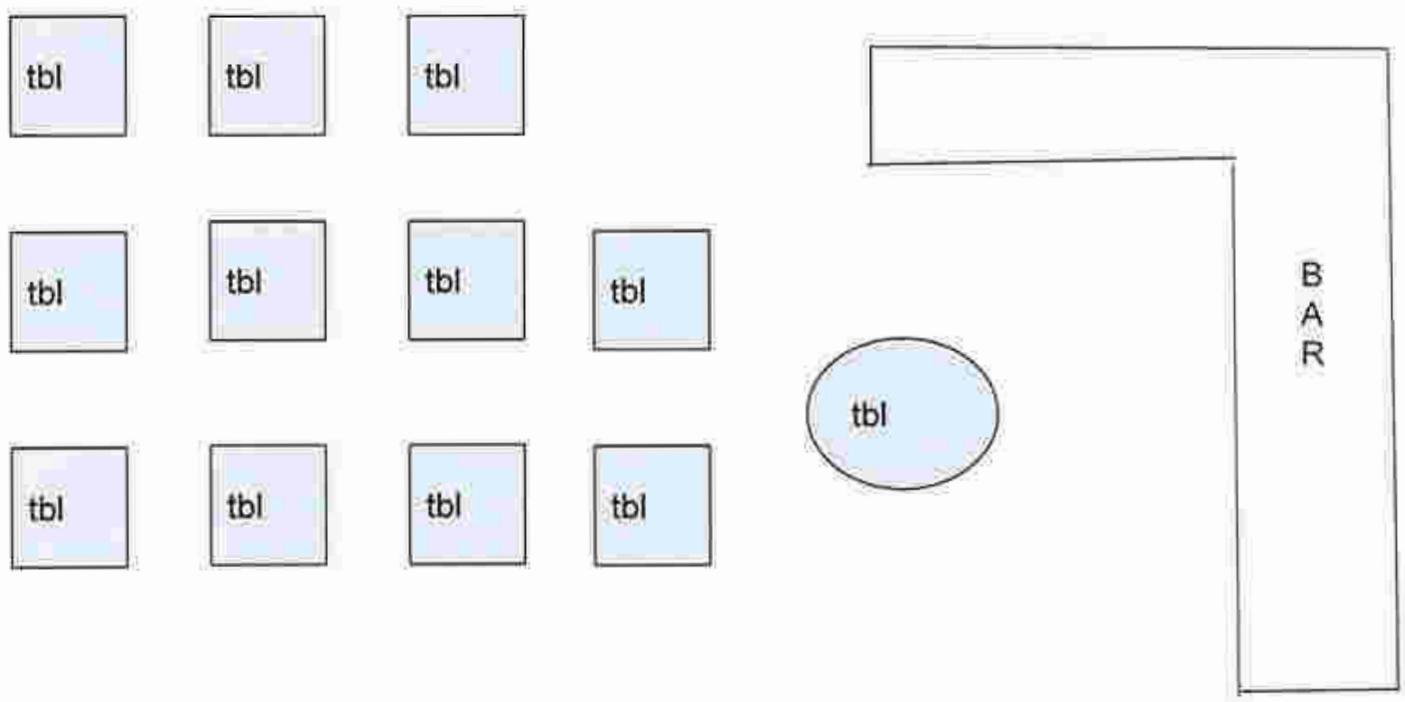
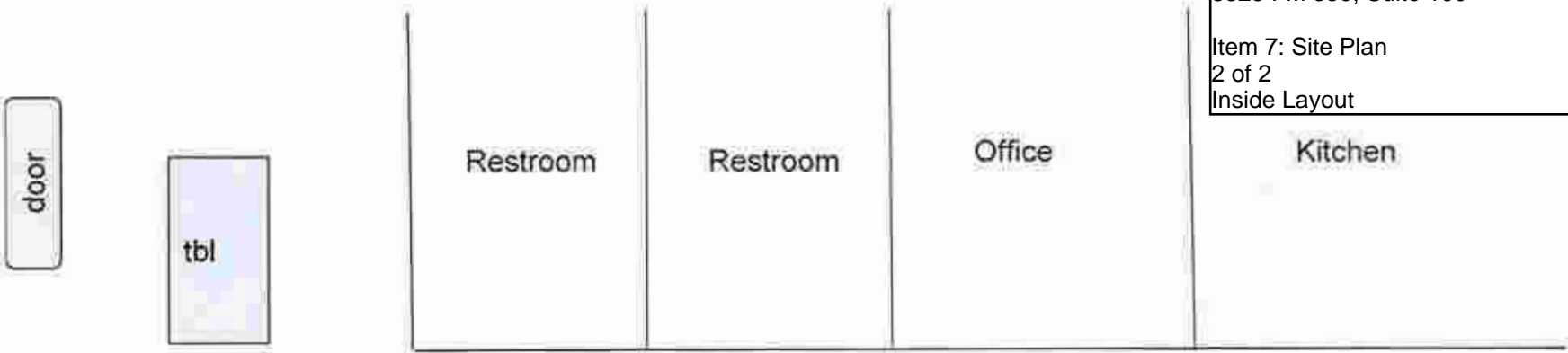


Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 7: Site Plan  
1 of 2  
Overhead Layout w/Parking





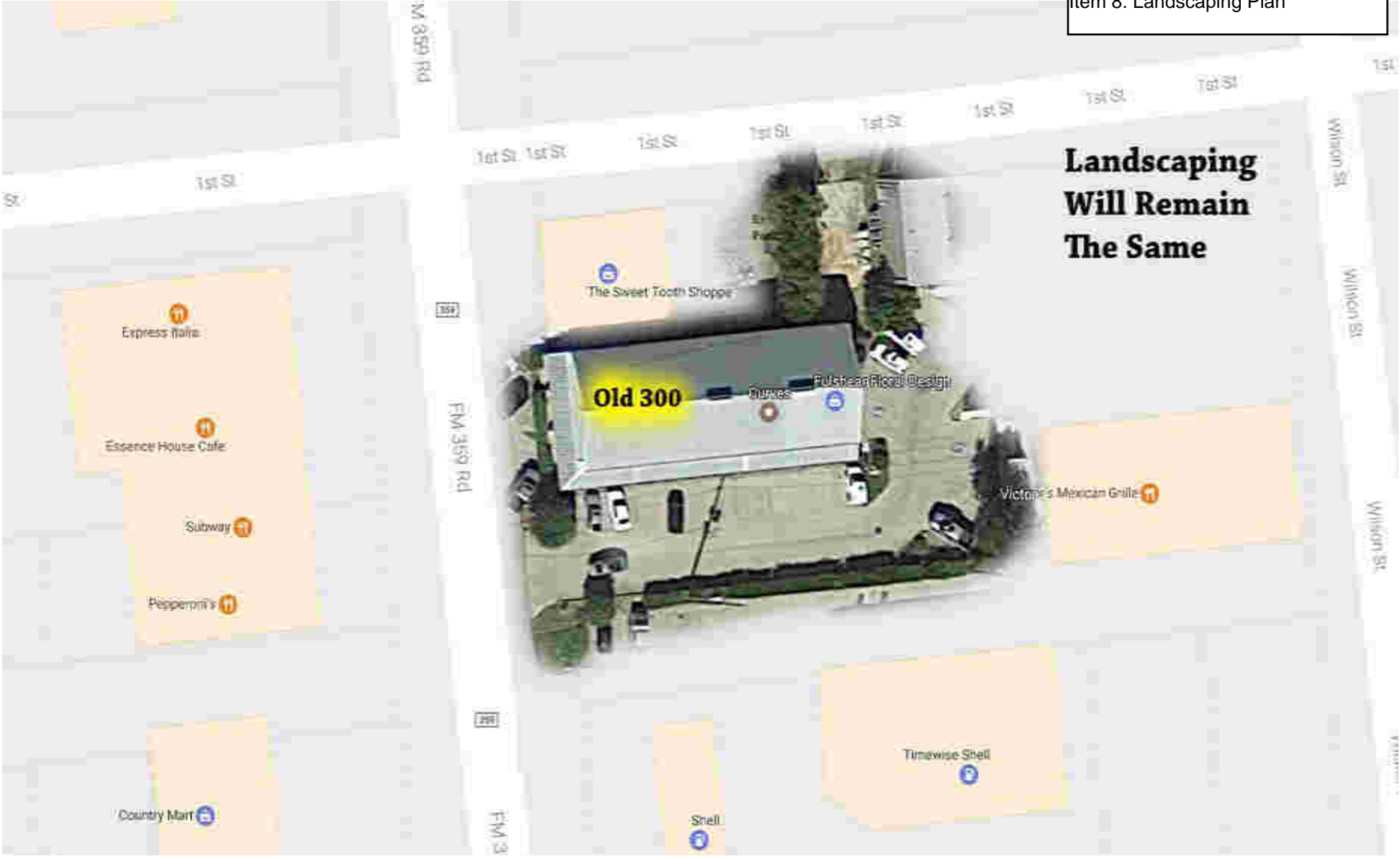
Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 7: Site Plan  
2 of 2  
Inside Layout



Floor plan

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 8: Landscaping Plan



**Landscaping  
Will Remain  
The Same**

**Old 300**

Express Italia

Essence House Cafe

Subway

Peppermill's

Country Mart

The Sweet Tooth Shoppe

Dunes

Full House Floral Design

Victor's Mexican Grill

Timewise Shell

Shell

FM 359 Rd

FM 359 Rd

FM 359 Rd

Wilkison St

Wilkison St

Wilkison St

Wilkison St

1st St

1st St

2nd St

3rd St

4th St

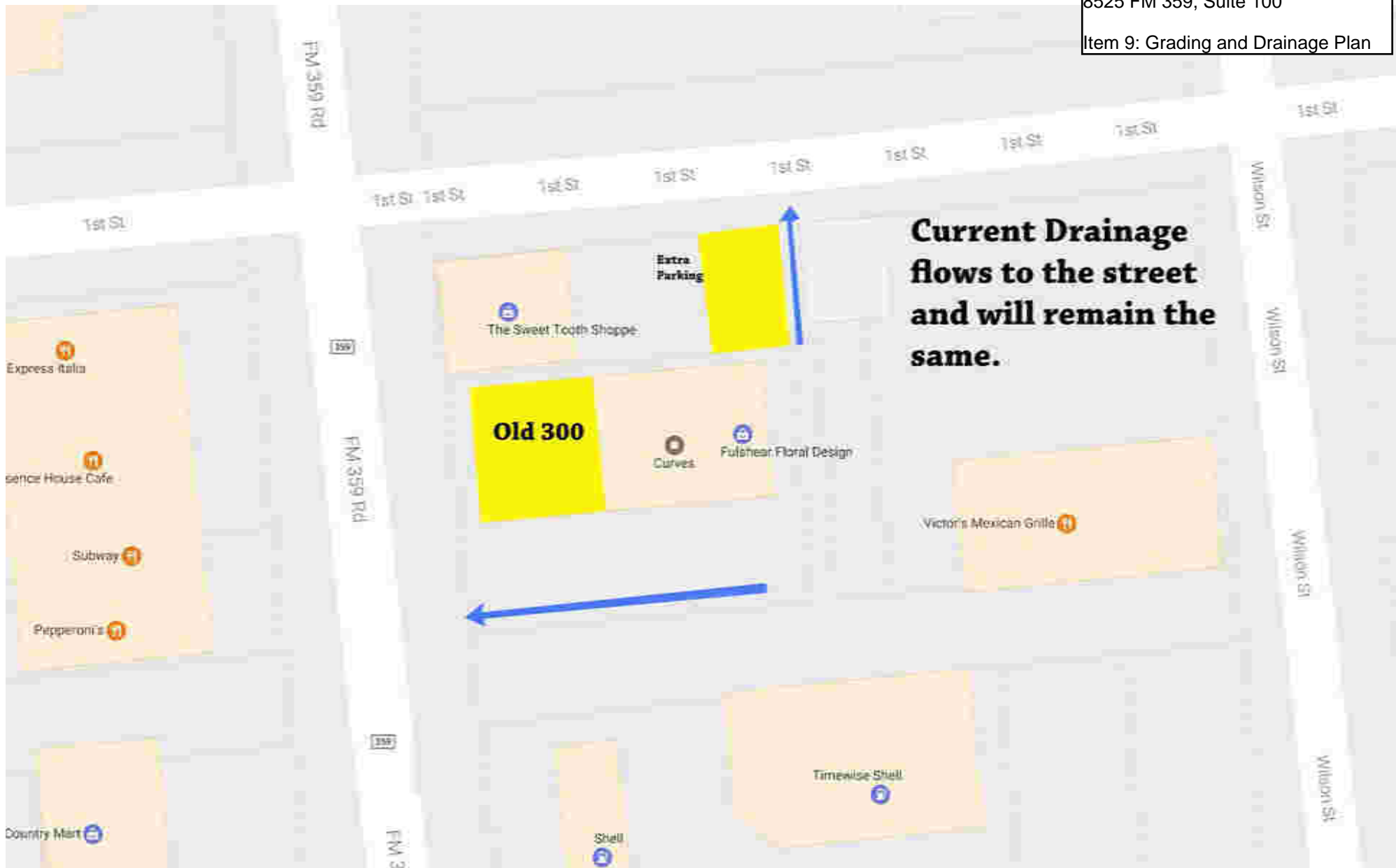
5th St

6th St

7th St

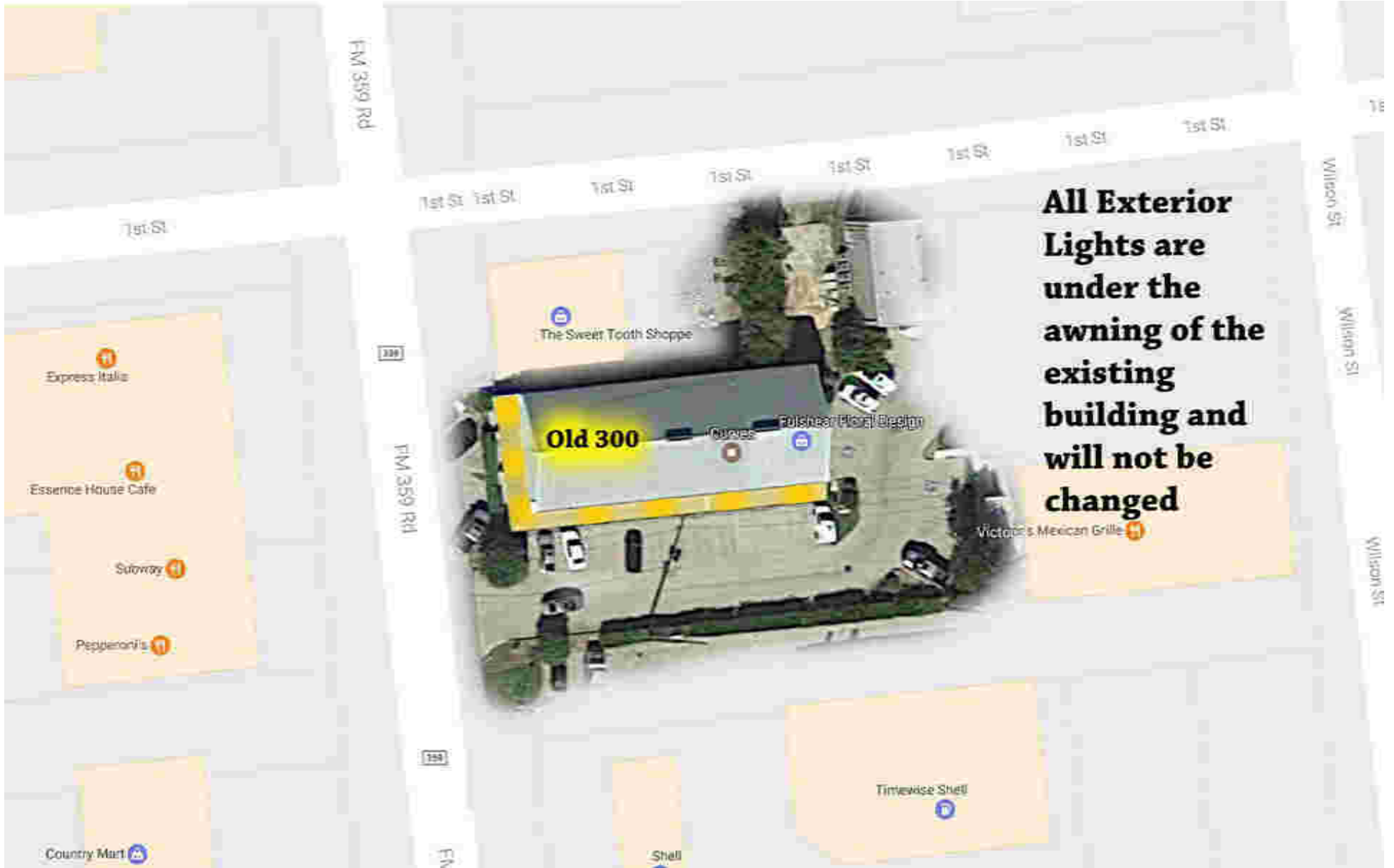
15th St

Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 9: Grading and Drainage Plan



Special Use Permit Request:  
8525 FM 359, Suite 100

Item 10: Lighting Plan



**All Exterior  
Lights are  
under the  
awning of the  
existing  
building and  
will not be  
changed**

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 11: Elevations

No modifications are currently proposed to the building elevations.





Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 12: Signage Plan

359

The Sweet Tooth Shoppe

FM 359 Rd



Curves



Fulshear Floral Design

Wall signs will meet  
the requirements of  
the City Sign  
Ordinance

March 31, 2017

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 13: Traffic Impact Study  
City Engineer's Memo

Michelle Killebrew, Building Official  
City of Fulshear  
P.O. Box 279  
Fulshear, TX 77441

Re: Proposed Restaurant  
8525 F.M. 359, Suite 100  
Fulshear, Texas

Dear Michelle:

I have reviewed the location of the proposed restaurant at 8525 F.M. 359 and do not see a Traffic Impact Analysis being needed. I do recommend that the parking lot be striped for parking spaces and that no head in parking be allowed that will back out into F.M. 359.

Very truly yours,



David Leyendecker, P.E., R.P.L.S.  
Engineer for the City of Fulshear

DL/pe

PUBLISHER'S AFFIDAVIT

Special Use Permit Request: 8525 FM 359, Suite 100
Item 14: Public Notice
1 of 3
Publisher's Affidavit

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of Fort Bend Herald and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

- 1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

FIRST PUBLIC HEARING- SPECIAL USE PERMIT PLANNING AND ZONING COMMISSION
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 April 7, 2017 at 8:30 a.m., the second hearing will be held by the City Council. Both hearings will be in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093 at which time and place all interested persons will be given an opportunity to be heard.
The location of the premises in question is located in the Downtown District, Lots 7&10 Block 12 of the Town of Fulshear, specifically the address is 8525 FM 359 Road, Suite 100 Fulshear, Texas 77441.
The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Use for Restaurant/Bar.
Specific relief is requested from Section 1-193 (c) (2) (e) which states that the use of eating and drinking places within the Downtown District is permitted if they are 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.
If you have any questions regarding this request please call the City Secretary's office at 281-346-1796 X204.
Posted on the bulletin board: March 27, 2017

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

3-27

\_\_\_\_\_, A.D. 2017

[Signature]

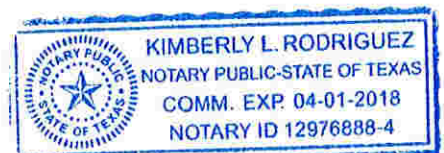
Lee Hartman
Publisher

SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

- X a) is personally known to me, or
b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 28th day of March, A.D. 2017 to certify which witness my hand and seal of office.

[Signature]
Notary Public, State of Texas





# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 14: Public Notice  
2 of 3  
Notice Sent to Area Property  
Owners

## **Notice of Special Use Request**

1/17/2017

TO WHOM IT MAY CONCERN;

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 April 7, 2017 at 8:30 a.m., the second hearing will be held by the City Council on April 18, 2017 at 7:00 p.m. both hearings will be in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093 at which time and place all interested persons will be given an opportunity to be heard.

The location of the premises in question is located in the Downtown District, Lots 7&10 Block 12 of the Town of Fulshear, specifically the address is 8525 FM 359 Road, Suite 100 Fulshear, Texas 77441.

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Use for Restaurant/Bar.

Specific relief is requested from Section 1-193 (c) (2) (e) which states that the use of eating and drinking places within the Downtown District is permitted if they are 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.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

Sincerely,

Michelle Killebrew  
Building Official

Sheet1

Property Address (tax record)	Owner of Record (tax record)	Mailing Address (tax record)
1 MAIN ST, FULSHEAR, TX 77441	Haas, Rebecca Shirlene	1716 Magnolia LN Richmond, TX 77469-4850
2 MAIN ST, FULSHEAR, TX 77441	Haas, Rebecca Shirlene	1716 Magnolia LN Richmond, TX 77469-4850
3 30530 1ST ST	Fulshear KU Ltd	c/o Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018
4 MAIN ST, FULSHEAR, TX 77441	Fulshear Main Street Crossing LP	5 Riverway #STE 340 Houston, TX 77056-1864
5 30410 1ST ST, FULSHEAR, TX 77441	Fulshear Main Street Crossing LP	5 Riverway #STE 340 Houston, TX 77056-1864
6 8526 FM 359 RD, FULSHEAR, TX 77441	ZMKR Inc	PO Box 1046 Fulshear, TX 77441-1046
7 8526 FM 359 RD S, FULSHEAR, TX 77441	ZMKR Inc	PO Box 1046 Fulshear, TX 77441-1046
8 30522 W FRONT ST	Fulshear Ku Ltd	C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018
9 FIRST ST, FULSHEAR, TX 77441	City of Fulshear	c/o Diana Gordon Offord PO Box 279 Fulshear, TX 77441-0279
10 N HARRIS ST	Fulshear KU Ltd	C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018
11 FIRST ST, FULSHEAR, TX 77441	Fulshear KU Ltd	C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018
12 8510 MAIN ST, FULSHEAR, TX 77441	Fulshear KU Ltd	C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018
13 8506 FM 359 RD, FULSHEAR, TX 77441	Fulshear KU Ltd	C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018
14 30402 E FRONT ST	Arellano, Lauro	822 W 17TH ST HOUSTON, TX 77008-3528
15 E FRONT ST	Landmark Industries INC	c/o Time Wise # 3901 11111 Wilcrest Green DR #STE 100 Houston, TX 77042-4813
16 30430 FM 1093 RD, FULSHEAR, TX 77441	Texas Petroleum Group LLC	11111 Wilcrest Green DR #STE 100 Houston, TX 77042-4739
17 8525 FM 359 RD, FULSHEAR, TX 77441	Fulshear II Ltd	1616 Fountain View DR #APT 611 Houston, TX 77057-2530
18 30311 E 1ST ST	Keystone Ventures LLC	1616 FOUNTAIN VIEW DR #APT 611 HOUSTON, TX 77057-2530
19 8503 FM 359 RD, FULSHEAR, TX 77441	Tate, Kathryn E	29102 WALKER LN RICHMOND, TX 77406-7712

Special Use Permit Request:  
8525 FM 359, Suite 100

Item 14: Public Notice  
2 of 3  
Listing of Property Owners  
Notified





Special Use Permit Request:  
8525 FM 359, Suite 100  
Item 15: Record of P&Z  
Hearing/Recommendation

## Special Use Permit

APPLICANT/OWNER: Sharif Al-Amin / Louis Lippman

ADDRESS OF PREMISES: 8525 FM 359, Suite 100 Fulshear, TX 77441

REQUESTING: to use the property for Commercial Use, specifically to allow a Restaurant / Bar use.

HEARING DATE: 4-7-2017

### PLANNING AND ZONING COMMISSION REVIEW

GRANTED

DENIED

RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: APPROVED PER STAFF RECOMMENDATIONS - "OFFSITE/EMPLOYEE" PARKING LOT MUST BE PAVED AND STRIPED. APPLICANT WAS ENCOURAGED TO SEEK ADDITIONAL PARKING AGREEMENT(S) WITH NEIGHBORING BUSINESSES. APPLICANT WILL FOLLOW SIGN ORDINANCE WHICH ALLOWS ONLY ONE BUILDING SIGN.  
CHAIRMAN SIGNATURE: [Signature] DATE: 7 APRIL 2017 (ONE STREET FRONTAGE)

\* NOTE: PARKING ALONG FM 359 IS NOT INCLUDED IN PARKING CALCULATIONS.

"The Planning and Zoning Commission finds that granting the Special Use Permit will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being, or substantially diminish or impair property values within the neighborhood."

### CITY COUNCIL REVIEW

GRANTED

DENIED

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_