

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

AGENDA OF:	December 18, 2018	ITEM:	BUS-A
DATE SUBMITTED:	December 12, 2018	DEPARTMENT:	Planning and Development
PREPARED BY:	Sharon Valiante, Public Works Director; Brant Gary, Assistant City Manager Kerry Sigler, Chief Building Official	PRESENTER:	Brant Gary Assistant City Manager Sharon Valiante, Public Works Director Kerry Sigler, Chief Building Official
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR OFFICE/RETAIL LEASE SPACES AT 30415 & 30417 5TH STREET		
ATTACHMENTS:	1.) Completed SUP Application 2.) Owner Affidavit 3.) Vicinity Map 4.) Context Map 5.) Survey 6.) Compliance with the Comprehensive Plan 7.) Preliminary Site Plan 8.) Landscape Plan	9.) Grading & Drainage Plan 10.) Lighting Plan 11.) Elevations 12.) Traffic Impact Study 13.) Signage 14.) Notification to the Public 15.) Sign Notification on the Property 16.) P&Z Recommendation	

EXECUTIVE SUMMARY

The owner of the properties located at 30415 & 30417 5th Street are requesting a Special Use Permit for the properties indicated. The properties are within the Downtown District and are currently occupied by numerous Office/Retail businesses. The owner is requesting an SUP to cover the properties as a whole to streamline the current process required for building tenants.

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. The owner has submitted a letter of intent regarding the proposed use. (See Item 1)
- **Owner Affidavit:** FBCAD records show ownership. This section includes Owner's Affidavits for both properties. The owner is requesting the SUP permits. (See Item 2)
- **Vicinity Map:** A map was provided that shows the location of the properties 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). (See Item 4)
- **Survey:** A survey was provided which shows the existing lot and the buildings that sit on it, along with metes and bounds for the property. (See Item 5)

- **Compliance with the Comprehensive Plan:** After review of the request from the applicant, City Staff finds that the requested use of Office/Vet Clinic with no outside kenneling of animals is an approved and desired use within the Downtown District per Section 5.7 of the Plan. The applicant has also provided a letter attached that commits to compliance with the Comprehensive Plan. (See Item 6)
- **Site Plan:** The site plan shows the building layout and existing parking areas. 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). (See Item 7)
- **Landscape Plan:** The applicant provided a site plan with a rough sketch of the current landscaping and a letter indicating 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 a letter indicating that no modifications were planned at this time and a picture of the existing light fixtures on the buildings that are approved under the Dark Sky Ordinance.(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. (See Item 12)
- **Signage:** The applicant has indicated they will use wall signage and will comply with the sign ordinance for the Downtown District. (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 owner's as required by ordinance. (See Item 14)
- **Sign Notification on the Property:** The sign has been duly posted by the applicant and verified by Staff. (See Item 15)
- **Planning & Zoning Commission Recommendation:** The P&Z Commission met on 12/7 to discuss this item. The motion to recommend approval was passed.

RECOMMENDATION

Staff recommends the City Council approve the SUP for the use of the properties as Office/Retail lease spaces located at 30415 and 30417 5th Street.

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. In addition, this SUP does not address any building code requirements/improvements necessary to obtain a Certificate of Occupancy for any Lessee's.

Completed Special Use Application



CITY OF FULSHEAR

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

ZONING SPECIAL USE APPLICATION

Date of Application: 11-14-2018

Property Address: 30415 - 30417 5th Street

Legal Description of the property: 1.0875 AC Tract

Property Owner Name(s): Go Ki Development Corp / Winter Gordon JR

Address: 30417 @ 30415 5th Street

Phone Number: 281-346-1937 Email Address: gokidevelopmentcorp@gmail.com

Applicant/Agent: Winter Gordon Jr / Go Ki Development Corp Attach
letter of authorization along with this application

Address: P.O. Box 158 Fulshear Texas 77441

Phone Number: 281-346-1937 Email Address: Winter Gordon JR@yahoo.com

Zoning District: Down Town Current use of property: Commercial

Requested use of the property: Retail office space

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

North	<u>Commercial</u>
South	<u>Commercial / Residential</u>
East	<u>Commercial</u>
West	<u>Commercial</u>

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

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

RECEIVED
REGISTRATION & PERMIT DEPT
BUS 4
NOV 14 2018

Continued.... Request Proposal and Description

Retail Office Space Use.

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent: *Winta Bordo* Date: _____

RECORDS
SECTION 141N & PERMITS DEPT

NOV 14 2013 BUS 5

CITY OF PULASKI

LETTER OF INTENT
(Address: 30417 5th and 30415 5th)

This letter confirms our and your mutual interest regarding lease space(s) in the downtown district.

Terms. *The principal terms of the proposed transaction would be as follows.*

- a. Effective Acquisition. Special Use Permit being sought to allow for a commercial business in downtown. The commercial business would abide by all rules and regulations required by the City of Fulshear.*
- b. Consideration. The intent and general purposes of the downtown district will be preserved and maintained.*

Liabilities. *Proposed development will comply with all building codes requirements and ordinances. Adjacent lands use consists of residential and commercial which is established pattern for the downtown area.*

Expenses. *The business owner (Goki Development Corporation, LLC/Winter Gordon Jr) has paid the required fee for this letter of intent.*

Public Announcement. *The company will not make any announcement(s) of the proposed transaction by this letter of intent prior to execution and/or without written approval from the City of Fulshear.*

Enforcement. *This document in and itself does not represent an enforceable legal or binding contract. The granting of the Special Use Permit would allow a commercial/residential mix use that would be in character with the traditional downtown district.*

Closing. *The granting of this Special use permit will not be injurious to the public health, safety or welfare nor will in any way compromise public health or safety. The structure will be ADA complaint and provide a handicapped parking space. The granting of the Special use permit would not confer on the applicant any special privilege that is denied by ordinance to other lands, structures, or buildings in the same district. Instead of the property being vacant, it will be maintained and appear welcoming. The owner is not planning to change the existing lighting plan. The owner and lessee intend to comply with the applicable city ordinances.*

We hope this submittal meet with your approval. If you have any questions or if we can be of further assistance, please let me know.

By: 

Title: Owner

Owner Affidavit

[Short Project Name]
WBS No. [WBS No.]

AFFIDAVIT OF OWNERSHIP OR CONTROL

ORIG. DEPT.: [DEPARTMENT]

FILE/I.D. NO.: [WBS NO.]

INSTRUCTION: ENTITIES USING AN ASSUMED NAME SHOULD DISCLOSE THAT FACT TO AVOID REJECTION OF THIS AFFIDAVIT. THE FOLLOWING FORMAT IS RECOMMENDED: *CORPORATE/LEGAL NAME DBA ASSUMED NAME.*

STATE OF TEXAS §
COUNTY OF FORT BEND §

AFFIDAVIT OF OWNERSHIP OR CONTROL

BEFORE ME, the undersigned authority, on this day personally appeared Roosevelt Cathey Jr
[FULL NAME] (the "Affiant"),
[STATE TITLE/CAPACITY WITH CONTRACTING ENTITY] of _____
[CONTRACTING ENTITY'S CORPORATE/LEGAL NAME] ("Contracting Entity"), who being by me duly sworn on oath stated as follows:

1. Affiant is authorized to give this affidavit and has personal knowledge of the facts and matters herein stated.
2. Contracting Entity seeks to do business with the City in connection with _____

[DESCRIBE PROJECT OR MATTER] which is expected to be in an amount that exceeds \$50,000.

3. The following information is submitted in connection with the proposal, submission or bid of Contracting Entity in connection with the above described project or matter.

4. Contracting Entity is organized as a business entity as noted below (check box as applicable).

FOR PROFIT ENTITY:

- SOLE PROPRIETORSHIP
- CORPORATION
- PARTNERSHIP
- LIMITED PARTNERSHIP
- JOINT VENTURE
- LIMITED LIABILITY COMPANY
- OTHER (Specify type in space below)

NON-PROFIT ENTITY:

- NON-PROFIT CORPORATION
- UNINCORPORATED ASSOCIATION

5. The information shown below is true and correct for the Contracting Entity; and
6. All owners of 10% or more of the Contracting Entity and, where the Contracting Entity is a non-profit entity, the required information has been shown for each officer, i.e., president, vice-president, secretary, treasurer, etc. [NOTE: IN ALL CASES, USE FULL NAMES, LOCAL BUSINESS AND RESIDENCE ADDRESSES AND TELEPHONE

[Short Project Name]
WBS No. [WBS No.]

AFFIDAVIT OF OWNERSHIP OR CONTROL

NUMBERS. DO NOT USE POST OFFICE BOXES FOR ANY ADDRESS. INCLUSION OF E-MAIL ADDRESSES IS OPTIONAL, BUT RECOMMENDED. ATTACH ADDITIONAL SHEETS AS NEEDED.]

Contracting Entity

Name: Roosevelt Cathey Jr

Business Address [NO./STREET] Supreme WRAPS LLC
[CITY/STATE/ZIP CODE] 30415 5th Street - Suite C
Fulshear TEXAS 77441

Telephone Number (82) 380-0411

Email Address [OPTIONAL] _____

Residence Address [NO./STREET] _____

[CITY/STATE/ZIP CODE] _____

Telephone Number () _____

Email Address [OPTIONAL] _____

10% Owner(s) or More (IF NONE, STATE "NONE.")

Name: _____

Business Address [NO./STREET] _____

[CITY/STATE/ZIP CODE] _____

Telephone Number () _____

Email Address [OPTIONAL] _____

Residence Address [NO./STREET] _____

[CITY/STATE/ZIP CODE] _____

Telephone Number () _____

Email Address [OPTIONAL] _____

[Short Project Name]
WBS No. [WBS No.]

**AFFIDAVIT OF
OWNERSHIP OR CONTROL**

7. Optional Information

Contracting Entity and/or _____ [NAME OF OWNER OR
NON-PROFIT OFFICER] is actively protesting, challenging or appealing the accuracy and/or amount of taxes levied
against _____ [CONTRACTING ENTITY, OWNER OR NON-PROFIT OFFICER] as
follows:

Name of Debtor: _____
Tax Account Nos. _____
Case or File Nos. _____
Attorney/Agent Name _____
Attorney/Agent Phone No. (____) _____
Tax Years _____

Status of Appeal [DESCRIBE] _____

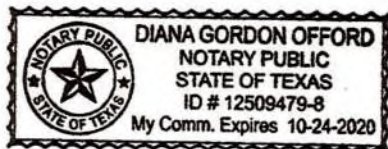
Affiant certifies that he or she is duly authorized to submit the above information on behalf of the Contracting Entity, that Affiant is associated with the Contracting Entity in the capacity noted above and has personal knowledge of the accuracy of the information provided herein, and that the information provided herein is true and correct to the best of Affiant's knowledge and belief.

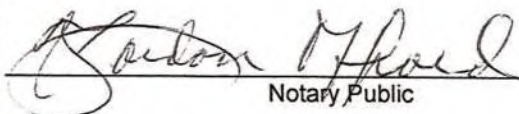
✓ 

Affiant

SWORN TO AND SUBSCRIBED before me this 5th day of September, 2018.

(Seal)





Notary Public

NOTE:

This affidavit constitutes a **government record** as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

EXHIBIT "A"

FIELD NOTES FOR A 1.0875 ACRE TRACT OF LAND SITUATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS, SAID 1.0875 ACRE TRACT BEING OUT OF AND PART OF BLOCK 27 OF THE FULSHEAR TOWNSITE, AND BEING THE SAME LAND CONVEYED TO G.R.P. CONSTRUCTION, RECORDED IN COUNTY CLERK FILE NO. 9755823, OFFICIAL PUBLIC RECORDS, FORT BEND COUNTY, TEXAS, SAID 1.0875 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: WITH ALL BEARINGS BEING BASED ON THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT AND THE NORTH LINE OF FIFTH STREET (60 FOOT RIGHT-OF-WAY) BEING SOUTH 84-DEGREES 30 MINUTES 00 SECONDS WEST;

COMMENCING at a found 1/2 inch iron pipe in concrete marking the intersection of the north line of said Fifth Street and the east line of F.M. 359 (80 foot right-of-way) and the southwest corner of a certain called 0.9707 acre tract in deed to Larry W. Raye and Carolyn A. Raye, recorded in Volume 2432, Page 1215, Official Records Fort Bend County, Texas;

THENCE North 84 degrees 30 minutes 00 seconds East (called North 84 degrees 30 minutes 00 seconds East) along the south line of said certain called 0.9707 acre tract and the north line of said Fifth Street, 160.00 feet (called 160.00 feet) to a 1/2 inch iron rod in concrete found for the southwest corner and Place of Beginning of the herein described tract, same being the southeast corner of said adjoining called 0.9707 acre Raye tract;

THENCE North 05 degrees 30 minutes 00 seconds West (called North 05 degrees 30 minutes 00 seconds West) along the west line of the herein described tract and the east line of said adjoining called 0.9707 acre Raye tract, 230.12 feet (called 230.12 feet) to a 1/2 inch iron rod in concrete found for the northwest corner of the herein described tract and the northeast corner of said adjoining called 0.9707 acre Raye tract; said point being in the south line of the residue of a certain adjoining called 13.0675 acre tract (2.5482 acres, Tract III) tract conveyed to James C. Niver, recorded in Volume 1427, Page 567, Official Records, Fort Bend County, Texas;

THENCE North 84 degrees 27 minutes 54 seconds East (called North 84 degrees 27 minutes 54 seconds East) along the north line of the herein described tract and the east line of the residue of said adjoining called 13.0675 acre (2.5482 acres, Tract III) tract, 205.80 feet (called 205.80 feet) to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" found for the northeast corner of the herein described tract lying on the west line of Wilson Street (60 foot right-of-way, unimproved and unopened), and being South 05 degrees 30 minutes 00 seconds East, (called South 05 degrees 30 minutes 00 seconds East), 139.76 feet from a 1/2 inch iron pipe found marking a re-entry corner of the aforementioned called 13.0675 acre Niver tract;

THENCE South 05 degrees 30 minutes 00 seconds East (called South 05 degrees 30 minutes 00 seconds East) along the east line of the herein described tract and the west line of said Wilson Street (unimproved and unopened), 230.24 feet (called 230.24 feet) to a 1/2 inch iron pipe found for the southeast corner of the herein described tract, being the intersection of the west line of Wilson Street with the north line of Fifth Street;

THENCE South 84 degrees 30 minutes 00 seconds West (called South 84 degrees 30 minutes 00 seconds West) along the south line of the herein described tract and the north line of said Fifth Street, 205.80 feet (205.80 feet) to the Place of Beginning, containing 1.0875 acres of land, more or less.

Property Owner Property Address 2018 Assessed Value
R213686 GOKI DEVELOPMENT CORP 30417 5TH ST, FULSHEAR, TX 77441 \$1,465,866

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real Commercial**
 Legal Description **FULSHEAR, BLOCK 27 (PT), ACRES 1.0875**
 Neighborhood **Commercial 115 MVP 2017**
 Account **3380-00-027-0020-901**
 Related Properties **P319068, P332249, P332250, P339919, P339920, P339924, P341515**
 Map Number **A-027-J**

2018 OWNER INFORMATION

Owner Name **Goki Development Corp**
 Owner ID **O0069701**
 Exemptions
 Percent Ownership **100%**
 Mailing Address **PO Box 158 Fulshear, TX 77441-0158**
 Agent -

2018 VALUE INFORMATION

Improvement Homesite Value **\$0**
 Improvement Non-Homesite Value **\$1,104,806**
 Total Improvement Market Value **\$1,104,806**
 Land Homesite Value **\$0**
 Land Non-Homesite Value **\$361,060**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$361,060**
 Total Market Value **\$1,465,866**
 Agricultural Use **\$0**
 Total Appraised Value **\$1,465,866**
 Homestead Cap Loss **-\$0**
 Total Assessed Value **\$1,465,866**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
C04- City of Fulshear		\$0	\$1,465,866	0.16251	0
CAD- Fort Bend Central Appraisal District		\$0	\$1,465,866	0	0
D01- Ft Bend Drainage		\$0	\$1,465,866	0.019	0
G01- Ft Bend Co Gen		\$0	\$1,465,866	0.445	0
R05- Ft Bend Co ESD 4		\$0	\$1,465,866	0.1	0
S01- Lamar CISD		\$0	\$1,465,866	1.39	0
TOTALS				2.11651	

2018 IMPROVEMENTS

Improvement #1 State Code Homesite Total Main Area (Exterior Measured) Market Value
 - F1 - Real Commercial No - \$1,104,806

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	2017		\$374,396	Details
2	Main Area	2007		\$251,068	Details
3	Main Area	2007		\$479,342	Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE	LAND SIZE
1 - Commercial Primary	F1 - Real Commercial	No	\$361,060	\$0	47,150 Sq. ft
TOTALS					47,150 Sq. ft / 1.082415 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$1,047,860	\$361,060	\$1,408,920	\$0	\$0	\$1,408,920	\$0	\$1,408,920
2016	\$470,030	\$376,540	\$846,570	\$0	\$0	\$846,570	\$0	\$846,570
2015	\$436,220	\$376,540	\$812,760	\$0	\$0	\$812,760	\$0	\$812,760
2014	\$418,240	\$376,540	\$794,780	\$0	\$0	\$794,780	\$0	\$794,780
2013	\$489,250	\$235,750	\$725,000	\$0	\$0	\$725,000	\$0	\$725,000

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
3/20/2007	Crown Equities Ltd	Goki Development Corp	2007041474	
	KING FAMILY PARTNERSHIP LTD	Crown Equities Ltd	2003001829	
	GRP, CONSTRUCTION INC	KING FAMILY PARTNERSHIP LTD	2002017686	
	NIVER, JAMES C	GRP, CONSTRUCTION INC	9755823	

DISCLAIMER

Every effort has been made to offer the most current and correct information possible on these pages. The information included on these pages has been compiled by County staff from a variety of sources, and is subject to change without notice. The Fort Bend Central Appraisal District makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy or adequacy of such information and data. The Fort Bend Central Appraisal District reserves the right to make changes at any time without notice. Original records may differ from the information on these pages. Verification of information on source documents is recommended. By using this application, you assume all risks arising out of or associated with access to these pages, including but not limited to risks of damage to your computer, peripherals, software and data from any virus, software, file or other cause associated with access to this application. The Fort Bend Central Appraisal District shall not be liable for any damages whatsoever arising out of any cause relating to use of this application, including but not limited to mistakes, omissions, deletions, errors, or defects in any information contained in these pages, or any failure to receive or delay in receiving information said or implied.

[Short Project Name]
WBS No. [WBS No.]

AFFIDAVIT OF OWNERSHIP OR CONTROL

SPECIAL USE PERMIT

ORIG. DEPT.: [DEPARTMENT]

FILE/I.D. NO.: [WBS No.]

INSTRUCTION: ENTITIES USING AN ASSUMED NAME SHOULD DISCLOSE THAT FACT TO AVOID REJECTION OF THIS AFFIDAVIT. THE FOLLOWING FORMAT IS RECOMMENDED: CORPORATE/LEGAL NAME DBA ASSUMED NAME.

STATE OF Texas §
COUNTY OF Fort Bend §

AFFIDAVIT OF OWNERSHIP OR CONTROL

BEFORE ME, the undersigned authority, on this day personally appeared Winter Gordon, Jr.
[FULL NAME] (the "Affiant"), OWNER
[STATE TITLE/CAPACITY WITH CONTRACTING ENTITY] of ROKI DEVELOPMENT CORPORATION
[CONTRACTING ENTITY'S CORPORATE/LEGAL NAME] ("Contracting Entity"), who being by me duly sworn on oath stated as follows:

1. Affiant is authorized to give this affidavit and has personal knowledge of the facts and matters herein stated.
2. Contracting Entity seeks to do business with the City in connection with _____

[DESCRIBE PROJECT OR MATTER] which is expected to be in an amount that exceeds \$50,000.

3. The following information is submitted in connection with the proposal, submission or bid of Contracting Entity in connection with the above described project or matter.

4. Contracting Entity is organized as a business entity as noted below (check box as applicable).

FOR PROFIT ENTITY:

NON-PROFIT ENTITY:

- SOLE PROPRIETORSHIP
- CORPORATION
- PARTNERSHIP
- LIMITED PARTNERSHIP
- JOINT VENTURE
- LIMITED LIABILITY COMPANY
- OTHER (Specify type in space below)

- NON-PROFIT CORPORATION
- UNINCORPORATED ASSOCIATION

5. The information shown below is true and correct for the Contracting Entity; and
6. All owners of 10% or more of the Contracting Entity and, where the Contracting Entity is a non-profit entity, the required information has been shown for each officer, i.e., president, vice-president, secretary, treasurer, etc. [NOTE: IN ALL CASES, USE FULL NAMES, LOCAL BUSINESS AND RESIDENCE ADDRESSES AND TELEPHONE NUMBERS]

[Short Project Name]
WBS No. [WBS No.]

**AFFIDAVIT OF
OWNERSHIP OR CONTROL**

NUMBERS. Do NOT USE POST OFFICE BOXES FOR ANY ADDRESS. INCLUSION OF E-MAIL ADDRESSES IS OPTIONAL, BUT RECOMMENDED. ATTACH ADDITIONAL SHEETS AS NEEDED.]

Contracting Entity

Name: GOKI DEVELOPMENT CORPORATION
Business Address [No./STREET] 30417 5th
[CITY/STATE/ZIP CODE] Fulshear Tx 77441
Telephone Number 281, 346-1937
Email Address [OPTIONAL] gokidevelopmentcorp@gmail.com
Residence Address [No./STREET] _____
[CITY/STATE/ZIP CODE] _____
Telephone Number 281, 346-1937
Email Address [OPTIONAL] _____

10% Owner(s) or More (IF NONE, STATE "NONE.")

Name: _____
Business Address [No./STREET] _____
[CITY/STATE/ZIP CODE] _____
Telephone Number (____) _____
Email Address [OPTIONAL] _____
Residence Address [No./STREET] _____
[CITY/STATE/ZIP CODE] _____
Telephone Number (____) _____
Email Address [OPTIONAL] _____

[Short Project Name]
WBS No. [WBS No.]

**AFFIDAVIT OF
OWNERSHIP OR CONTROL**

7. Optional Information

Contracting Entity and/or _____ [NAME OF OWNER OR
NON-PROFIT OFFICER] is actively protesting, challenging or appealing the accuracy and/or amount of taxes levied
against _____ [CONTRACTING ENTITY, OWNER OR NON-PROFIT OFFICER] as
follows:

Name of Debtor: _____
Tax Account Nos. _____
Case or File Nos. _____
Attorney/Agent Name _____
Attorney/Agent Phone No. (____) _____
Tax Years _____

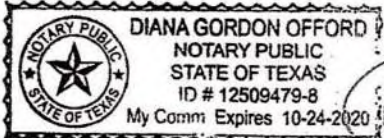
Status of Appeal [DESCRIBE] _____

Affiant certifies that he or she is duly authorized to submit the above information on behalf of the Contracting Entity, that Affiant is associated with the Contracting Entity in the capacity noted above and has personal knowledge of the accuracy of the information provided herein, and that the information provided herein is true and correct to the best of Affiant's knowledge and belief.

Walter Kouch

Affiant

SWORN TO AND SUBSCRIBED before me this 5th day of September, 2018.

(Seal)  *Diana Offord*

Notary Public

NOTE:
This affidavit constitutes a government record as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

Property	Owner	Property Address	2018 Assessed Value
R213686	GOKI DEVELOPMENT CORP	30417 5TH ST. FULSHEAR, TX 77441	\$1,465,866

2018 GENERAL INFORMATION

Property Status: **Active**
 Property Type: **Real Commercial**
 Legal Description: **FULSHEAR, BLOCK 27 (PT), ACRES 1.0875**
 Neighborhood: **Commercial 115 MVP 2017**
 Account: **3380-00-027-0020-901**
 Related Properties: **P319068, P332249, P332250, P339919, P339920, P339924, P341515**
 Map Number: **A-027-J**

2018 OWNER INFORMATION

Owner Name: **Goki Development Corp**
 Owner ID: **00069701**
 Exemptions:
 Percent Ownership: **100%**
 Mailing Address: **PO Box 158 Fulshear, TX 77441-0158**
 Agent: **-**

2018 VALUE INFORMATION

Improvement Homesite Value: **\$0**
 Improvement Non-Homesite Value: **\$1,104,806**
 Total Improvement Market Value: **\$1,104,806**
 Land Homesite Value: **\$0**
 Land Non-Homesite Value: **\$361,060**
 Land Agricultural Market Value: **\$0**
 Total Land Market Value: **\$361,060**
 Total Market Value: **\$1,465,866**
 Agricultural Use: **\$0**
 Total Appraised Value: **\$1,465,866**
 Homestead Cap Loss: **-\$0**
 Total Assessed Value: **\$1,465,866**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING	
C04- City of Fulshear			\$0	\$1,465,866	0.16251	0
CAD- Fort Bend Central Appraisal District			\$0	\$1,465,866	0	0
D01- Ft Bend Drainage			\$0	\$1,465,866	0.019	0
G01- Ft Bend Co Gen			\$0	\$1,465,866	0.445	0
R05- Ft Bend Co ESD 4			\$0	\$1,465,866	0.1	0
S01- Lamar CISD			\$0	\$1,465,866	1.39	0
TOTALS				2.11651		

2018 IMPROVEMENTS

Improvement #1	State Code	Homesite No	Total Main Area (Exterior Measured)	Market Value	ADD'L INFO
-	F1 - Real Commercial		-	\$1,104,806	
RECORD	TYPE	YEAR BUILT	SQ FT	VALUE	ADD'L INFO
1	Main Area	2017		0	\$374,396 Details
2	Main Area	2007		0	\$251,068 Details
3	Main Area	2007		0	\$479,342 Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE	LAND SIZE
1 - Commercial Primary	F1 - Real Commercial	No	\$361,060	\$0	47,150 Sq. ft
TOTALS					47,150 Sq. ft / 1.082415 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$1,047,860	\$361,060	\$1,408,920	\$0	\$0	\$1,408,920	\$0	\$1,408,920
2016	\$470,030	\$376,540	\$846,570	\$0	\$0	\$846,570	\$0	\$846,570
2015	\$436,220	\$376,540	\$812,760	\$0	\$0	\$812,760	\$0	\$812,760
2014	\$418,240	\$376,540	\$794,780	\$0	\$0	\$794,780	\$0	\$794,780
2013	\$489,250	\$235,750	\$725,000	\$0	\$0	\$725,000	\$0	\$725,000

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
3/20/2007	Crown Equities Ltd	Goki Development Corp	2007041474	
	KING FAMILY PARTNERSHIP LTD	Crown Equities Ltd	2003001829	
	GRP, CONSTRUCTION INC	KING FAMILY PARTNERSHIP LTD	2002017686	
	NIVER, JAMES C	GRP, CONSTRUCTION INC	9755823	

DISCLAIMER

Every effort has been made to offer the most current and correct information possible on these pages. The information included on these pages has been compiled by County staff from a variety of sources, and is subject to change without notice. The Fort Bend Central Appraisal District makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy or adequacy of such information and data. The Fort Bend Central Appraisal District reserves the right to make changes at any time without notice. Original records may differ from the information on these pages. Verification of information on source documents is recommended. By using this application, you assume all risks arising out of or associated with access to these pages, including but not limited to risks of damage to your computer, peripherals, software and data from any virus, software, file or other cause associated with access to this application. The Fort Bend Central Appraisal District shall not be liable for any damages whatsoever arising out of any cause relating to use of this application, including but not limited to mistakes, omissions, deletions, errors, or defects in any information contained in these pages, or any failure to receive or delay in receiving information said or implied.

Vicinity Map



30415 & 30417 5th St. Context Map

Write a description for your map.



Legend

- 30417 5th St
- 30415 5th St
- Bob Luttis Fishshear
- Feature 1
- BU
- First Texas Home H

Google Earth

© 2018 Google

400 ft





Context Map

30415 & 30417 5th St. Context Map

Write a description for your map.



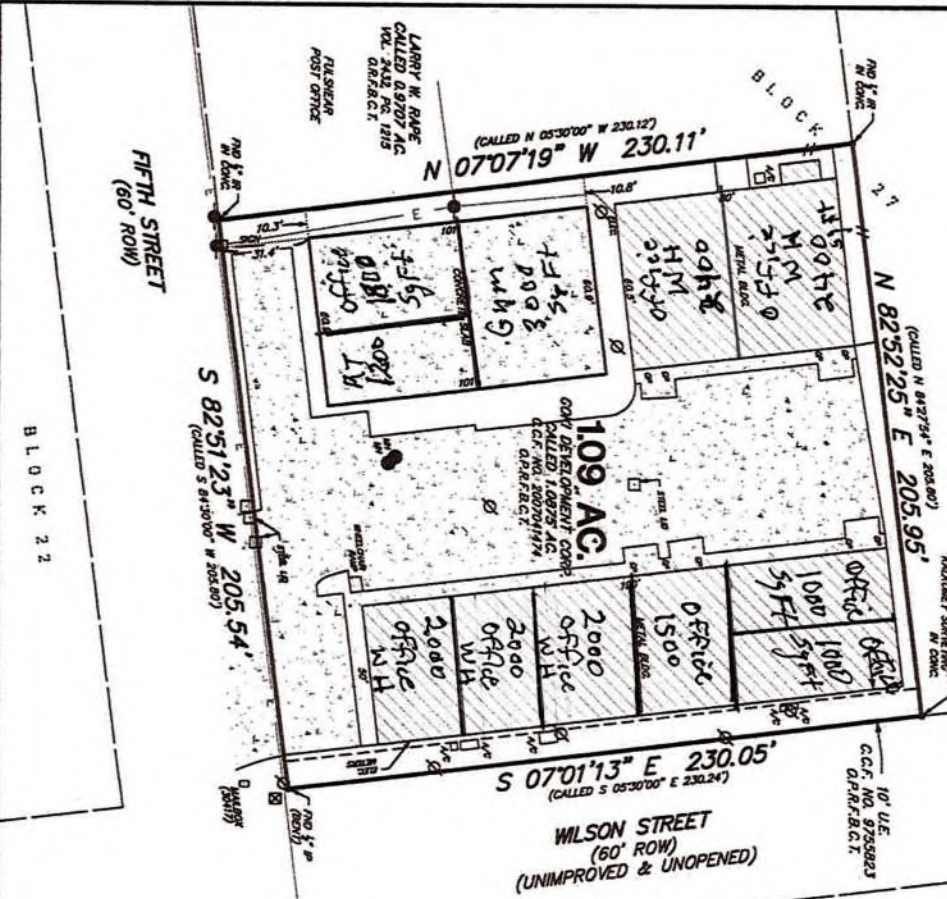
Legend

-  30417 5th St
-  Bob Lutts Fulshhear Simon Barton LLC
-  Feature 1
-  First Texas Home Health

Survey

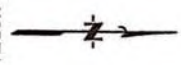
FULSHEAR TOWNSITE
 VOL. U, PG. 180
 D. R. F. B. C. T.

FULSHEAR PROFESSIONAL PARK
 RESTRICTED RESERVE 1/4
 C.C.F. NO. 20000068
 P.R.F.R.C.T.



LEGEND

- These standard symbols will be found in the drawing:
- - WATER METER
 - - CLEAN OUT
 - ⊙ - POWER POLE
 - ⊗ - TELE. PED.
 - - - OVERHEAD UTILITY LINE



SCALE: 1" = 30'

BLOCK 2 B

GENERAL NOTES:

1. This tract lies within Zone "X" of the Flood Insurance Rate Map, Community Map Number 4815700088, Panel 85, Suite "A", dated April 2, 2014, County, Texas and Incorporated areas. Zone "X" is defined as areas determined to be outside the 0.2% annual chance flood zone. This flood statement does not imply that the property or structures thereon are free from flooding or flood damage. On very exceptional occasions, heights may be increased by man-made or natural causes. This flood statement not create liability on the part of the surveyor.
2. The location of the flood zone shown hereon was determined by scaling from the Flood Insurance Rate Map. The location of the flood zone is assumed to be the accuracy of the location of the flood zone as shown on the map.
3. A current title report was not available at the time of this survey; possible that all easements of record may not be shown hereon.
4. Erections shown hereon are based upon the Texas Coordinate System, South NAD83, based upon GPS observations.
5. Erections shown hereon are based on 1" (NAD83 - 2001 adjustment).
6. Fences shown hereon are graphic only; with dimensional lines shown at appropriate locations. Dimensions shown hereon may not necessarily represent measured locations. The dimensions showing the distance between property lines also indicates which side of the property line the fence is on.
7. The surveyor has not been provided with construction plans showing underground utilities. Underground utilities may exist which are not shown hereon.
8. Temporary Benchmark "X" being a 504 Spike in PP near the NE corner of lot. Elevation = 145.24' (NAD83 - 2001 adjustment).
9. Visible improvements / utilities were located with this survey; no subsurface excavation or exploration was performed for this survey.

Subject to the General Notes above:
 We, the undersigned, acting by and through Chris D. Kalkomey, a Registered Professional Land Surveyor, have carefully examined this plat and certify that it correctly represents the facts found at the time of survey.
 Surveyed: 04-24-17



Chris D. Kalkomey
 Registered Professional Land Surveyor
 No. 5869
 cdk@cmjpsurveyor.com

SLAB SURVEY
 ON
109 ACRES
 OUT OF THE
CHURCHILL FULSHEAR
LEAGUE ABSTRACT 29
 CITY OF FULSHEAR
 FORT BEND COUNTY, TEXAS
 APRIL 2017



Compliance with the Comprehensive Plan



Residential

1. Residential areas should not be located next to industrial areas.
2. Residential and commercial areas may be adjacent if separated by a buffer.
3. Schools, parks and community facilities should be located close to or within residential neighborhoods.
4. Houses should have direct access to local residential streets but not to arterial streets.
5. Houses should not be adjacent to major highways.
6. New residential development should be buffered from arterial streets.
7. Residential developments should include adequate area for parks and recreation facilities, schools and places of worship.

Retail / Office

1. Neighborhood retail and service uses should be located at intersections of arterial or collector streets or at the edge of logical neighborhood areas unless appropriately placed within a planned development.
2. Retail development should be clustered throughout the city and convenient to residential areas.
3. Buffers should separate retail/office uses and residential areas.
4. Downtown should be a major focus for office, retail and service activities, particularly through adaptive re-use of existing structures or redevelopment of vacant properties and sites with heavy commercial or industrial uses.
5. Office and professional uses should be compatible with nearby residential areas and other uses through appropriate building height limitations and adequate buffering and landscaping.
6. Low-intensity office and professional uses should provide a transition between more intense uses and residential areas.

Heavy Commercial

1. Commercial uses with more intensive operational or traffic characteristics should be located away from most residential areas.
2. Heavy commercial development should be concentrated in nodes at intersections and along major thoroughfares that are designed and constructed to accommodate higher traffic volumes.

3. Buffers should separate heavy commercial uses from any adjacent residential areas, especially where the commercial use involves visible display or outdoor storage of merchandise or materials.

Industrial

1. Industrial development should not be directly adjacent to residential areas.
2. Industrial uses should be located in dedicated industrial development areas.
3. Industrial development should be separated from other uses by buffers.
4. Industrial development should have good access to major streets and highways.
5. Industrial development involving trucking operations should have good access to truck routes, designated hazardous material routes, and railroads.

Parks and Open Space

1. Parks should be evenly distributed throughout the city and include larger community parks and smaller neighborhood parks.
2. Pedestrian connections should be provided between parks, schools, residential areas, and employment centers.
3. Parks are a desirable use for floodplain areas.
4. Parks and open space should be used to buffer incompatible land uses.
5. Natural features should be used as buffers or preserved open space between or around developed areas.

Community Facilities

1. Community facilities should be located in easily accessible areas within the community.
2. Community facilities, depending on their scale and level of activity, should be located adjacent to major streets to accommodate traffic.
3. Community facilities should be well buffered from nearby residential areas.
4. Downtown should continue to be enhanced as a preferred location for civic, cultural, entertainment and tourism activities.



November 27, 2018

To Whom It May Concern:

RE: Special Use Permit

Property Address: 30415 5th and 30417 5th, Fulshear, Texas 77441

The undersigned, being the owner of GOKI Development Corporation, LLC., a Texas limited liability company does hereby consent to the following stipulations regarding the above said property:

1. All existing and future businesses will be consistent with the comprehensive plan for the downtown district.
2. Landscaping Plan- there will be no modifications to the existing layout.
3. Lighting Plan- there will be no modifications to the existing layout.
4. All existing and future signs will follow the current sign ordinance for the downtown district.

We hope this submittal meet with your approval.

Yours truly,

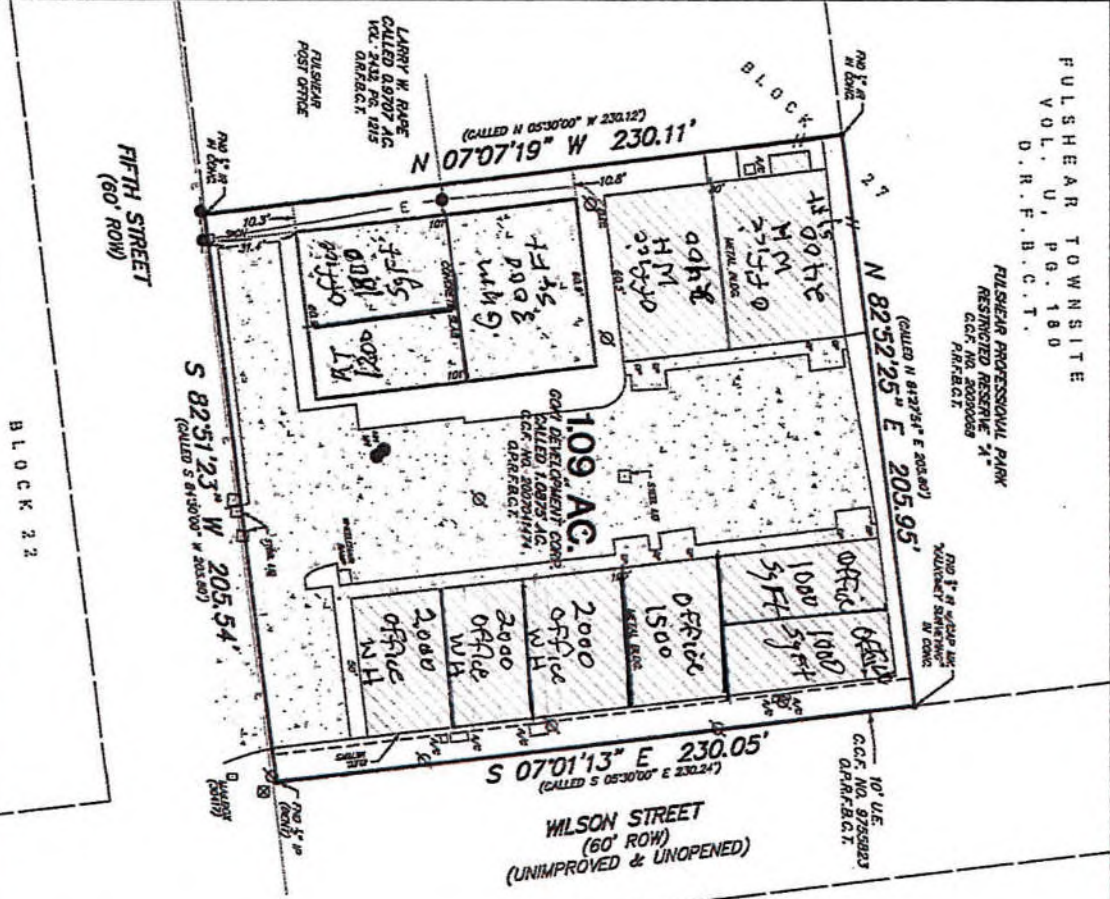
A handwritten signature in black ink, appearing to read "Winter Gordon, Jr.", written in a cursive style.

Winter Gordon, Jr., Owner
Goki Development Corporation

Site Plan

FULSHEAR TOWNSITE
 VOL. U, PG. 180
 D. R. F. B. C. T.

FULSHEAR PROFESSIONAL PARK
 RESTRICTED RESERVE "A"
 C.C.F. NO. 20000068
 P.A.R.F.R.C.T.



LEGEND

- These standard symbols will be found in the drawing.
- - WATER METER
 - - CLEAN CUT
 - ⊕ - POWER POLE
 - ⊖ - TELE. PED.
 - — — OVERHEAD UTILITY LINE



Subject to the General Notes shown:
 We, undersigned, acting by and through Chris D. Kalkomey, a Registered Professional Land Surveyor, hereby certify that this plat correctly represents the facts found at the time of survey.
 Surveyed: 04-24-17



Chris D. Kalkomey
 Registered Professional Land Surveyor
 No. 5889
 cdkalkomey@jonescarte.com



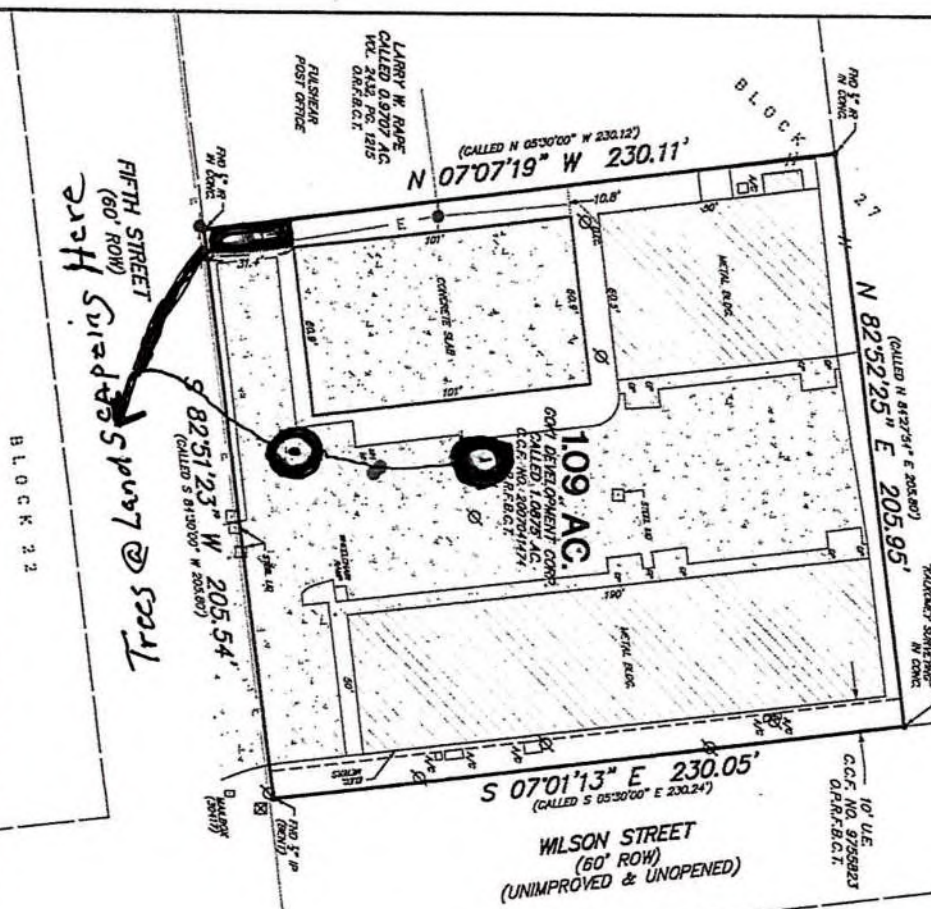
SLAB SURVEY
 ON
 109 ACRES
 OUT OF THE
 CHURCHILL FULSHEAR
 LEAGUE ABSTRACT 28
 CITY OF FULSHEAR
 FORT BEND COUNTY, TEXAS
 APRIL 2017

15198000\18000-0109-02 Christian Price - 1.008 Acres in the City of Surveying Phase\GMD Final\GMD.dwg Apr 28, 2017 - 8:08am at SURVEYOR-CADK/DRAFTSMAN-P.E.D. JOB No. R82000-0109-02 DWG. No.

Landscape Plan

FULSHEAR TOWNSITE
 VOL. U, PG. 18D
 D. R. F. B. C. T.

FULSHEAR PROFESSIONAL PARK
 RESERVICED RECEIPIE #1
 C.C.F. NO. 20090066
 P.R.F.B.C.T.



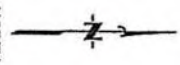
Handwritten: Fifth Street (60' ROW) is here

BLOCK 2.2

K:\V\000\0108-02 Christian Piles - 1000 Acres in the City\Surveying Piles\CAD Files\Yield Day\Yield.dwg - 8/20/2017 - 8:00am dt

LEGEND

- These standard symbols will be found in the drawing:
- - WATER METER
 - - CLEAN OUT
 - - POWER POLE
 - ⊗ - TELE. PED.
 - — — OVERHEAD UTILITY LINE



SCALE: 1" = 30'

BLOCK 2.2

GENERAL NOTES:

1. This tract lies within Zone "X" of the Flood Insurance Rate Map, Community Map Number 4815700080L, Point 95, Suite "2", dated April 2, 2014, County, Texas and incorporated areas. Zone "X" is defined as areas determined to be outside the 0.2% annual flood heights may be increased by non-structural measures. This flood statement does not imply that the property or structures thereon are not subject to occasional floods that will occur from time to time. The flood heights may be increased by non-structural measures. This flood statement does not create liability on the part of the surveyor.
2. The location of the flood zone shown hereon was determined by scaling from map. The actual location on determined by elevation contours may differ. It is possible that all easements of record may not be shown hereon.
3. Bearings shown are based upon the Texas Coordinate System, South (NAD83), based upon G-3 observations.
4. Elevation is shown hereon on or based on 1. Elevation = 7 (NAD83 - 2001 adjustment).
5. Fences shown hereon are graphic only, with dimensional lines shown at spot corners. The surveyor has not been provided with construction plans showing the underground utilities. Underground utilities may exist which are not shown hereon. The surveyor has not been provided with construction plans showing the underground utilities. Underground utilities may exist which are not shown hereon. The surveyor has not been provided with construction plans showing the underground utilities. Underground utilities may exist which are not shown hereon.
6. The surveyor has not been provided with construction plans showing the underground utilities. Underground utilities may exist which are not shown hereon. The surveyor has not been provided with construction plans showing the underground utilities. Underground utilities may exist which are not shown hereon.
7. Temporary Benchmark "X" being a 60d Spike in PP near the NE corner of L Elevation = 115.24 (NAD83 - 2001 adjustment).
8. While improvements / utilities were located with this survey, no subsurface excavation or exploration was performed for this survey.

Subject to the General Notes shown:
 We, Jonathan Carter, acting by and through Chris D. Kalkomey, a Registered Professional Land Surveyor, have carefully surveyed this plot and correctly represents the facts found at the time of this survey.
 Surveyed 04-24-17



Signature of Chris D. Kalkomey
 Chris D. Kalkomey
 Registered Professional Land Surveyor
 No. 6809
 cdkalkomey@jonescarter.com



SLAB SURVEY
 ON
1.09 ACRES
 OUT OF THE
CHURCHILL FULSHEAR
LEAGUE, ABSTRACT 28
 CITY OF FULSHEAR
 FORT BEND COUNTY, TEXAS
 APRIL 2017

SURVEYOR - C.D.K. / DRAFTSMAN - P.E.D. JOB No. 06000-0109-02 DWG. NO.

Texas Board of Professional Land Surveying Registration No. 1000
 6415 Reading Road - Rosenberg, Texas 77471 - 281.342



November 27, 2018

To Whom It May Concern:

RE: Special Use Permit

Property Address: 30415 5th and 30417 5th, Fulshear, Texas 77441

The undersigned, being the owner of GOKI Development Corporation, LLC., a Texas limited liability company does hereby consent to the following stipulations regarding the above said property:

1. All existing and future businesses will be consistent with the comprehensive plan for the downtown district.
2. Landscaping Plan- there will be no modifications to the existing layout.
3. Lighting Plan- there will be no modifications to the existing layout.
4. All existing and future signs will follow the current sign ordinance for the downtown district.

We hope this submittal meet with your approval.

Yours truly,

A handwritten signature in cursive script, appearing to read "Winter Gordon, Jr.", is written in dark ink.

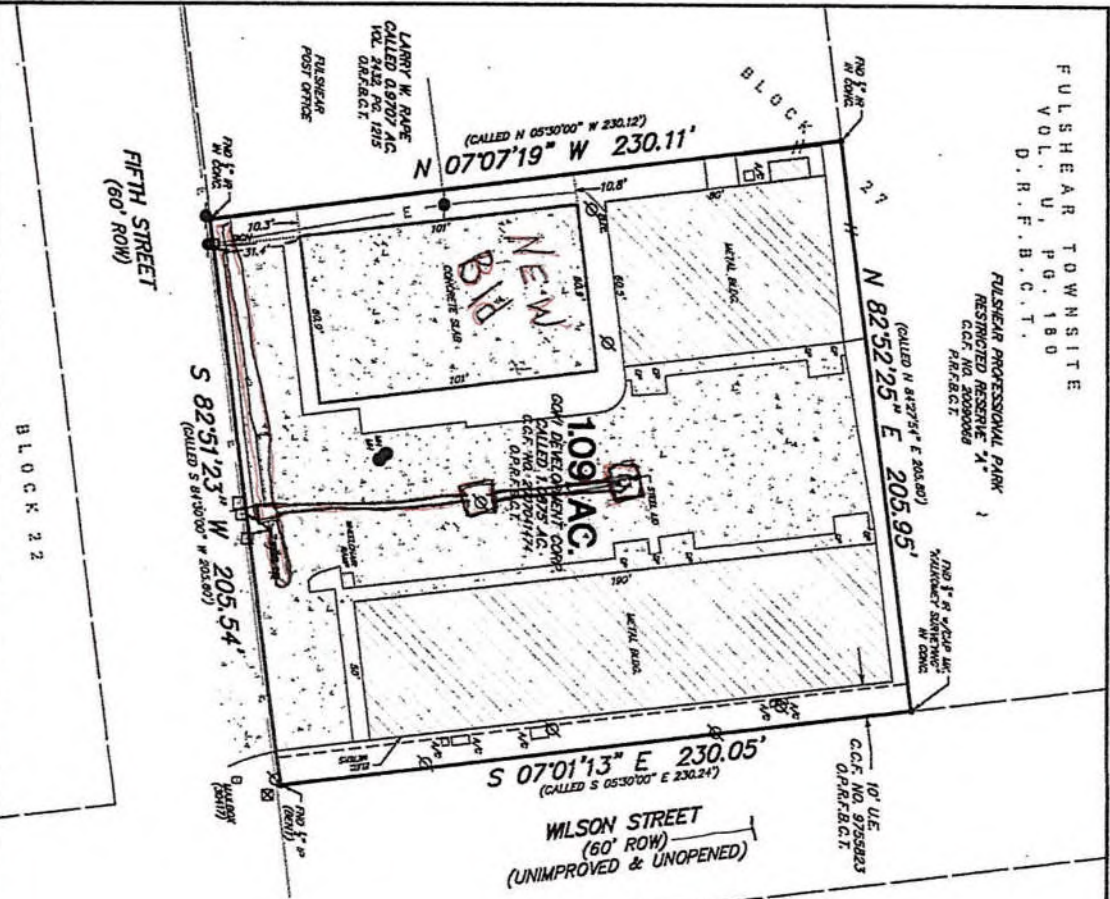
Winter Gordon, Jr., Owner
Goki Development Corporation

Grading and Drainage Plan

Drainage System

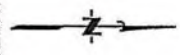
FULSHEAR TOWNSITE
 V.D.L.U., P.G. 180
 D.R.F.B.C.T.

FULSHEAR PROFESSIONAL PARK
 RESTRICTED RESERVE "X"
 C.C.F. NO. 20090066
 P.R.F.B.C.T.



LEGEND

- These standard symbols will be found in the drawing.
- - WATER METER
 - - CLEAN OUT
 - ⊕ - POWER POLE
 - ⊖ - TELE. PED.
 - E— OVERHEAD UTILITY LINE



NORTH
 SCALE: 1" = 30'

BLOCK 2.2

BLOCK 2.1

GENERAL NOTES:

1. This tract lies within Zone "X" of the Flood Insurance Rate Map, Community Map Number 48170C0000, Panel 85, Suite "L" dated April 2, 2014, County, Texas and incorporated therein. Zone "X" is defined as areas determined to be outside the 0.2% annual chance flood. This flood statement does not imply that the property or structures thereon from flooding or flood damage. On rare occasions floods can and will occur regardless of flood zone designations. Flood zones are not created or established on the part of the surveyor.
2. The location of the flood zone shown hereon was determined by scaling from map. The actual location on determined by elevation contours may differ. It is assumed no liability as to the accuracy of the location of the flood zone is possible that all statements of record may not be shown hereon.
3. A survey file report was not available at the time of this survey. It is possible that all statements of record may not be shown hereon.
4. Bearings shown are based upon the Texas Coordinate System, South NAD83, based upon GPS observations.
5. Elevation shown hereon are based on 3.
6. Elevation - 7 (NAD83 - 2001 adjustment).
7. Fences shown hereon are graphic only, with dimensions less shown at space where they were physically measured. The fence line may meander measured location. The dimensions showing the distance between the fence property line do not indicate which side of the property the fence is on.
8. The surveyor has not been provided with construction plans showing the underground utilities. Underground utilities may exist which are not shown hereon.
9. Temporary Benchmark "X" being a 604 Spike in PP near the NE corner of L.
10. Elevation - 145.24' (NAD83 - 2001 adjustment).
11. Visible improvements / utilities were located with this survey; no subsurface excavation or exploration was performed for this survey.

Subject to the General Notes shown:

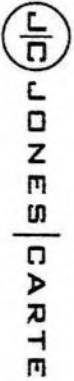
We, Jonathan Carter, acting by and through Chris D. Kalkomey, a Registered Professional Land Surveyor, hereby certify that this plat correctly represents the facts found at the time of survey.

Surveyed: 04-24-17



Chris D. Kalkomey
 Registered Professional Land Surveyor
 No. 5889
 cdokalkomey@jonescarter.com

SLAB SURVEY
 ON
 1.09 ACRES
 OUT OF THE
 CHURCHILL FULSHEAR
 LEAGUE ABSTRACT 28
 CITY OF FULSHEAR
 FORT BEND COUNTY, TEXAS
 APRIL 2017



1478000\9800-0109-02 Christian Files - 1088 Areas in the Church's Sampled Phase\CDK Free\Yard Day\YCDM.dwg Apr 28, 2017 - 8:00am kt

SURVEYOR - C.D.K. / D.R.A. / T.S.M.A. - P.E.C.D.

JCB No. RB0000-0109-02

DWG. NO.

Lighting Plan



November 27, 2018

To Whom It May Concern:

RE: Special Use Permit

Property Address: 30415 5th and 30417 5th, Fulshear, Texas 77441

The undersigned, being the owner of GOKI Development Corporation, LLC., a Texas limited liability company does hereby consent to the following stipulations regarding the above said property:

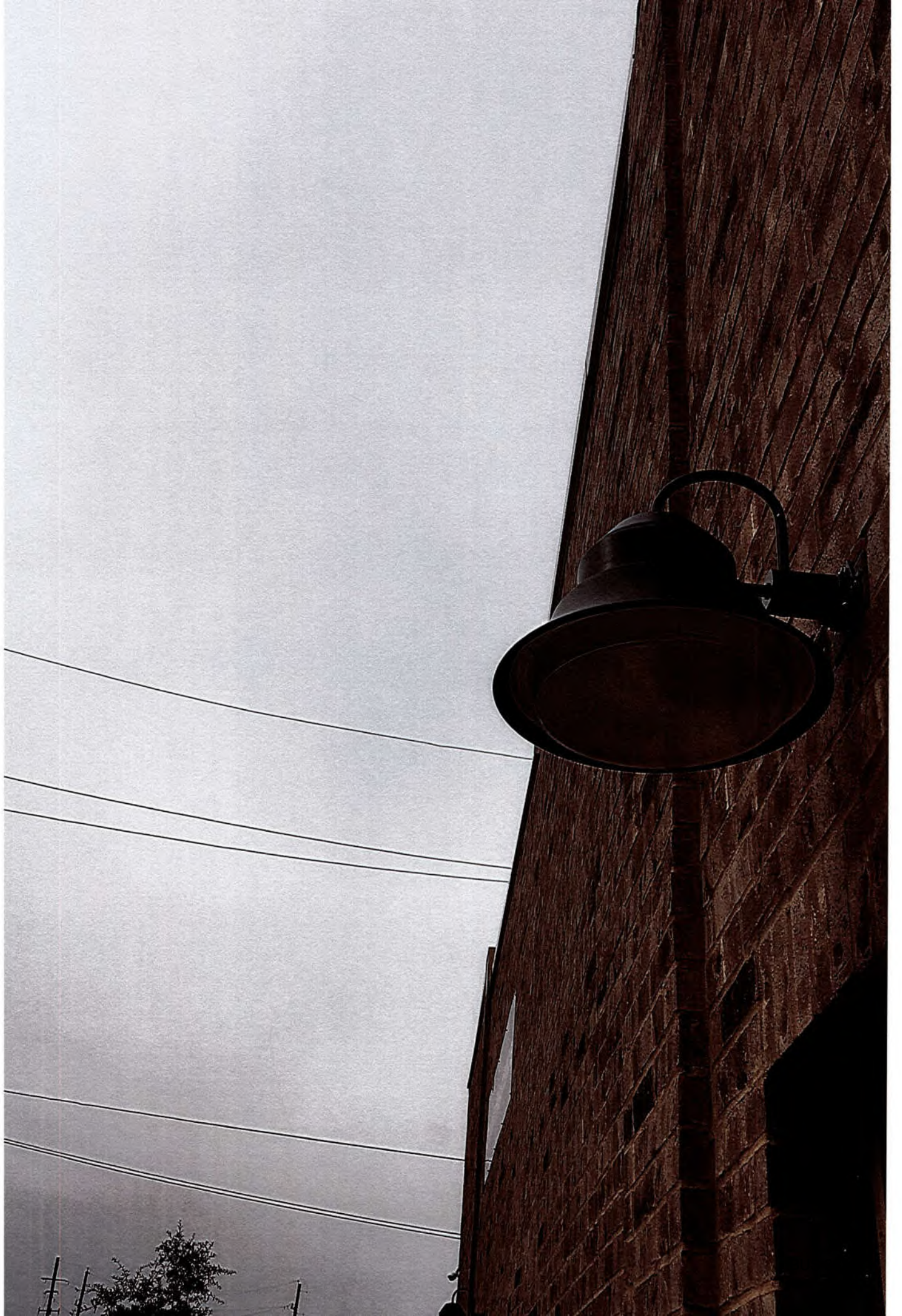
1. All existing and future businesses will be consistent with the comprehensive plan for the downtown district.
2. Landscaping Plan- there will be no modifications to the existing layout.
3. Lighting Plan- there will be no modifications to the existing layout.
4. All existing and future signs will follow the current sign ordinance for the downtown district.

We hope this submittal meet with your approval.

Yours truly,

A handwritten signature in black ink, appearing to read "Winter Gordon, Jr.", written in a cursive style.

Winter Gordon, Jr., Owner
Goki Development Corporation



Elevations



Red Lobster

Red Lobster

Red Lobster

Red Lobster

Red Lobster

FIRE HYDRANT



Traffic Impact Study

December 10, 2018

Kerry Sigler, Building Official
City of Fulshear
P.O. Box 279
Fulshear, TX 77441

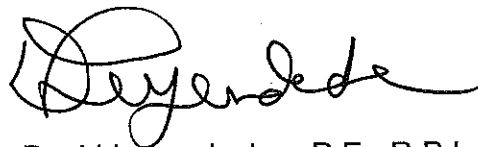
Re: Proposed Commercial Building
20415 and 30417 Fifth Street
Fulshear, Texas

Dear Kerry:

I have reviewed the proposed project at 30415 and 30417 Fifth Street which is proposed to be broken up into eleven (11) separate lease spaces. The total square footage from all eleven spaces equals to 20,300 square footage with lease spaces of approximately 2000 square foot each. I would expect that the use will be individual offices with little retail space. I would expect this use to generate 10 – 20 Trip Ends per 1000 square footage.

With the uses described above the Traffic Impact will not be sufficient to require a Traffic Impact Study. If you have any questions or if you need additional information please feel free to contact me.

Very truly yours,



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

DL/pe

Signage



November 27, 2018

To Whom It May Concern:

RE: Special Use Permit

Property Address: 30415 5th and 30417 5th, Fulshear, Texas 77441

The undersigned, being the owner of GOKI Development Corporation, LLC., a Texas limited liability company does hereby consent to the following stipulations regarding the above said property:

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2. Landscaping Plan- there will be no modifications to the existing layout.
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Yours truly,

A handwritten signature in cursive script, appearing to read "Winter Gordon, Jr.", is written in dark ink.

Winter Gordon, Jr., Owner
Goki Development Corporation

Notification to the Public

Notice Public Hearings

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 5th Street and 30417 5th 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.

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

Posted: _____

Date:



200' Buffer

7

10

2

3

4

5

6

8

9

11

12

1093

359

Katy Fulshear Rd Fulshear Katy Rd

Fulshear Lake

APN 3380-00-022-0012-901
Site State TX
Owner 1 Address PO BOX 947
Owner 1 Zip Code 77441

Site Address 8118 WILSON DR
Site Zip Code 77441
Owner 1 City FULSHEAR
Owner 2 Name

APN 0029-00-000-0888-901
Site State TX
Owner 1 Address MAIL CTR
Owner 1 Zip Code 77469

Site Address FM 359 RD
Site Zip Code 77441
Owner 1 City RICHMOND
Owner 2 Name

APN 3380-00-027-0011-901
Site State TX
Owner 1 Address 401 CONGRESS AVE STE 1540
Owner 1 Zip Code 78701

Site Address 8045 FM 359 RD S
Site Zip Code 77441
Owner 1 City AUSTIN
Owner 2 Name

APN 3380-00-027-0000-901
Site State TX
Owner 1 Address 401 CONGRESS AVE STE 1540
Owner 1 Zip Code 78701

Site Address 8043 FM 359 RD S
Site Zip Code 77441
Owner 1 City AUSTIN
Owner 2 Name DBA FULSHEAR PROFESSIONAL PARK

APN 3380-00-027-0010-901
Site State TX
Owner 1 Address 1010 WALNUT CREEK DR
Owner 1 Zip Code 75840

Site Address 8055 MAIN ST
Site Zip Code 77441
Owner 1 City FAIRFIELD
Owner 2 Name DBA UNITED STATES POST OFFICE

APN 3380-00-022-0032-901
Site State TX
Owner 1 Address PO BOX 909
Owner 1 Zip Code 77441

Site Address 8107 MAIN ST
Site Zip Code 77441
Owner 1 City FULSHEAR
Owner 2 Name

APN 0029-00-000-0680-901
Site State TX
Owner 1 Address PO BOX 000

Site Address FM 359 RD
Site Zip Code 77441

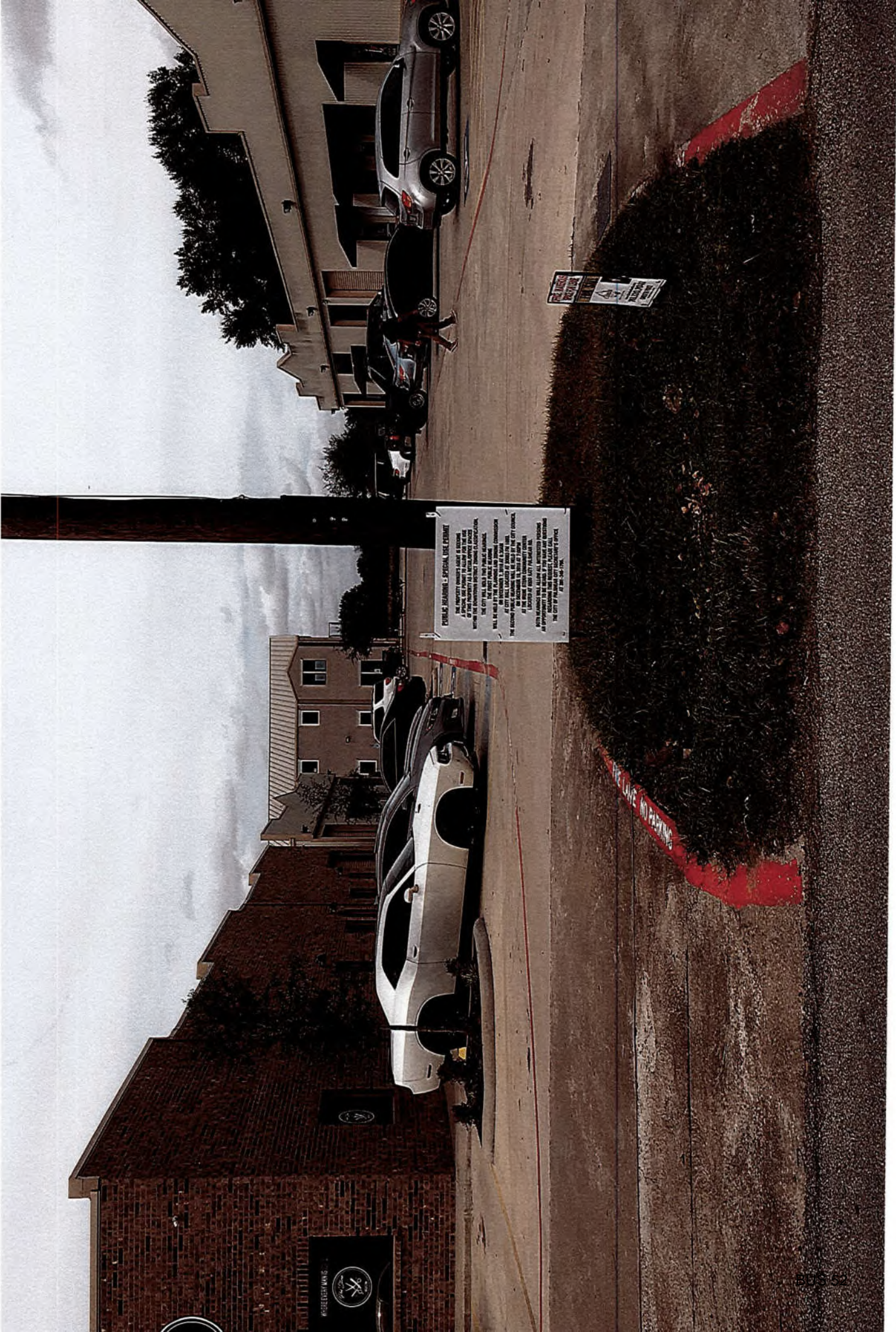
APN	3380-00-022-0022-901	APN	3380-00-021-0032-901	APN	3380-00-021-0035-901
Site State	TX	Site State	TX	Site State	TX
Owner 1 Address	PO BOX 1	Owner 1 Address	8105 WILSON DR	Owner 1 Address	PO BOX 172
Owner 1 Zip Code	77441	Owner 1 Zip Code	77441	Owner 1 Zip Code	77441
Owner 2 Name		Owner 2 Name		Owner 2 Name	
Site Address		Site Address		Site Address	
Site Zip Code		Site Zip Code		Site Zip Code	
Owner 1 City		Owner 1 City		Owner 1 City	
Owner 2 Name		Owner 2 Name		Owner 2 Name	
APN	3380-00-028-0000-901	APN	3380-00-021-0035-901	APN	3380-00-021-0035-901
Site State	TX	Site State	TX	Site State	TX
Owner 1 Address	PO BOX 33	Owner 1 Address	8105 WILSON DR	Owner 1 Address	PO BOX 172
Owner 1 Zip Code	77441	Owner 1 Zip Code	77441	Owner 1 Zip Code	77441
Owner 2 Name		Owner 2 Name		Owner 2 Name	
Site Address		Site Address		Site Address	
Site Zip Code		Site Zip Code		Site Zip Code	
Owner 1 City		Owner 1 City		Owner 1 City	
Owner 2 Name		Owner 2 Name		Owner 2 Name	
APN	3380-00-021-0032-901	APN	3380-00-021-0035-901	APN	3380-00-021-0035-901
Site State	TX	Site State	TX	Site State	TX
Owner 1 Address	8105 WILSON DR	Owner 1 Address	8105 WILSON DR	Owner 1 Address	PO BOX 172
Owner 1 Zip Code	77441	Owner 1 Zip Code	77441	Owner 1 Zip Code	77441
Owner 2 Name		Owner 2 Name		Owner 2 Name	
Site Address		Site Address		Site Address	
Site Zip Code		Site Zip Code		Site Zip Code	
Owner 1 City		Owner 1 City		Owner 1 City	
Owner 2 Name		Owner 2 Name		Owner 2 Name	
APN	3380-00-021-0035-901	APN	3380-00-021-0035-901	APN	3380-00-021-0035-901
Site State	TX	Site State	TX	Site State	TX
Owner 1 Address	8105 WILSON DR	Owner 1 Address	8105 WILSON DR	Owner 1 Address	PO BOX 172
Owner 1 Zip Code	77441	Owner 1 Zip Code	77441	Owner 1 Zip Code	77441
Owner 2 Name		Owner 2 Name		Owner 2 Name	
Site Address		Site Address		Site Address	
Site Zip Code		Site Zip Code		Site Zip Code	
Owner 1 City		Owner 1 City		Owner 1 City	
Owner 2 Name		Owner 2 Name		Owner 2 Name	

Rosenburg, TX 77471

3911 Avenue I

Lamar ISD

Sign Notification on the Property



PUBLIC HEARING - SPECIAL USE PERMIT

THE PROPERTY OWNER HAS APPLIED FOR A SPECIAL USE PERMIT TO ALLOW FOR THE USE OF THE PROPERTY FOR A RETAIL STORE IN THE CITY OF PHILADELPHIA. THE CITY OF PHILADELPHIA PLANNING COMMISSION WILL BE HOLDING A PUBLIC HEARING ON THIS MATTER AT THE CITY OF PHILADELPHIA DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, 1500 ARCH STREET, PHILADELPHIA, PA 19102. THE HEARING WILL BE HELD AT 7:00 PM ON WEDNESDAY, OCTOBER 10, 2018. THE CITY OF PHILADELPHIA DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT WILL BE PROVIDING TRANSLATION SERVICES FOR THE HEARING. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CITY OF PHILADELPHIA DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT AT 215-686-1500.

PUBLIC HEARING - SPECIAL USE PERMIT

FOR MORE INFORMATION, PLEASE CONTACT THE CITY OF PHILADELPHIA DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT AT 215-686-1500.



Planning & Zoning Commission Recommendation



Special Use Request

APPLICANT/OWNER: Winter Gordon - Goki Development

ADDRESS OF PREMISES: 30415 5th Street & 30417 5th Street

REQUESTING: SPECIAL USE PERMIT ALLOWING RETAIL/COMMERCIAL/OFFICE/WAREHOUSE FOR ENTIRE PROPERTY

HEARING DATE: 12/7/18 & 12/18/18

PLANNING AND ZONING COMMISSION REVIEW

GRANTED

DENIED

RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: COVERS EXISTING AND FUTURE TENANTS.

CHAIRMAN SIGNATURE: *Amy Klem* DATE: 12.7.18

"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: _____

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

AGENDA OF:	December 18, 2018	ITEM:	BUS-B
DATE SUBMITTED:	December 12, 2018	DEPARTMENT:	Planning and Development
PREPARED BY:	Sharon Valiante, Public Works Director; Brant Gary, Assistant City Manager Kerry Sigler, Chief Building Official	PRESENTER:	Brant Gary Assistant City Manager Sharon Valiante, Public Works Director Kerry Sigler, Chief Building Official
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR OFFICE/VETERINARY CLINIC AT 8418 SYMS STREET		
ATTACHMENTS:	1.) Completed SUP Application 2.) Owner Affidavit 3.) Vicinity Map 4.) Context Map 5.) Survey 6.) Compliance with the Comprehensive Plan 7.) Preliminary Site Plan 8.) Landscape Plan		9.) Grading & Drainage Plan 10.) Lighting Plan 11.) Elevations 12.) Traffic Impact Study 13.) Signage 14.) Notification to the Public 15.) Sign Notification on the Property 16.) P&Z Recommendation

EXECUTIVE SUMMARY

The owner of the property located at 8418 Syms Street, along with their designated local representative from the Veterinary Clinic are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and is currently a residential dwelling. The owner/agent is requesting an SUP as a requirement for the sale of the property to the Clinic.

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. The owner and buyer have submitted a letter authorizing the submission of the Special Use Permit as well as a letter of intent regarding the proposed use and operational specifics. (See Item 1)
- **Owner Affidavit:** FBCAD records show ownership. This section includes the Owner's Affidavits for the property. The property buyer is requesting the SUP permits as a condition of the property sale. (See Item 2)
- **Vicinity Map:** A map was provided that shows 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). (See Item 4)
- **Survey:** A survey was provided which shows the existing lot and the buildings that sit on it, along with metes and bounds for the property. (See Item 5)

- **Compliance with the Comprehensive Plan:** After review of the request from the applicant, City Staff finds that the requested use of Office/Vet Clinic with no outside kenneling of animals is an approved and desired use within the Downtown District per Section 5.7 of the Plan. The applicant has also provided a letter attached that commits to compliance with the Comprehensive Plan. (See Item 6)
- **Site Plan:** The site plan shows the building layout and existing parking areas. 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). (See Item 7)
- **Landscape Plan:** The applicant provided a site plan with a rough sketch of the current landscaping and a letter indicating that no modifications, just preservation, are 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 existing lighting and a letter indicating that the current lighting will be modified to meet Dark Sky Ordinance.(See Item 10)
- **Elevations:** The applicant provided pictures of the current building elevations and indicated that no exterior modifications were planned at this time. (See Item 11)
- **Traffic Impact Study:** This requirement is waived based on the determination of the City Engineer. (See Item 12)
- **Signage:** The applicant provided a sketch for a monument sign and indicated they will comply with the sign ordinance for the Downtown District. (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 owner’s as required by ordinance. (See Item 14)
- **Sign Notification on the Property:** The sign has been duly posted by the applicant and verified by Staff. (See Item 15)
- **Planning & Zoning Commission Recommendation:** The P&Z Commission met on 12/7 to discuss this item. A motion to recommend approval ended in a 3-3 tied vote. The motion included the following special conditions:
 - No outdoor kennels
 - Operating hours no later than 6 p.m. (except in case of emergency)
 - Privacy fencing to be installed along the backyard
 - All applicable ordinances and requirements will remain in place (noise, lighting, signage, downtown district requirements, etc.)
 (See Item 16)

Finally, the applicant has also subsequently requested the approval of crushed granite parking surfaces (with appropriate space signage/delineators) for tree preservation if needed.

RECOMMENDATION

Staff recommends the City Council approve the SUP for the use of the property as an Office/Veterinary Clinic located at 8418 Syms Street with certain conditions applied. Staff recommends that conditions include the following:

- 1.) Outside kenneling of any animals is prohibited.
- 2.) Operating hours with pets on premises (no later than 6 p.m.) must be adhered to except in an emergency situation.
- 3.) Noise Ordinance and all other applicable ordinances must be complied with at all times.
- 4.) If desired by the City Council, provide for the allowance of crushed granite as an alternate parking surface material.

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. In addition, this SUP does not address any building code requirements/improvements necessary to obtain a Certificate of Occupancy for the proposed use.

Completed Special Use Application



CITY OF FULSHEAR

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

8-2408

ZONING SPECIAL USE APPLICATION

Date of Application: 11/5/18

Property Address: 8418 Syms St Fulshear TX 77441

Legal Description of the property: Lot 1415 Block 8 Fulshear, TX Fort Bend Co.

Property Owner Name(s): Selwin + Doris Jones

Address: 8418 Syms St

Phone Number: 713 516 4414 Email Address: _____

Applicant/Agent: Cindy Skinner ~~_____~~ meghan Denney Attach
letter of authorization along with this application

Address: 1259 Walch Lane Lexington TX 78947

Phone Number: 512.350.3507 Email Address: CindyVet405@gmail.com
512 791 8884

Zoning District: Downtown Current use of property: Residence

Requested use of the property: Veterinary Clinic

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

North	Residential
South	Commercial/Business
East	Residential / commercial
West	Residential

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

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

Letter of Intent for Special Use permit

4 Paws @ Fulshear

Veterinary Clinic

8418 Syms St

4 Paws Veterinary Clinic PLLC will be a full service Veterinary Hospital providing Concierge client services to clients and their pets. State of the art equipment and diagnostics will set this clinic apart, along with a compassionate family atmosphere. On call emergency service will be available on a case by case basis after hours. Initial operating hours will be 7:30 AM to 6 PM Monday to Friday. Saturday Am hours are to be determined by client interest and need.

Dr. Meghan Denney comes from a family of veterinarians and will be the primary doctor on staff. Her family's veterinary clinic started in a small town where she grew up. She and her husband live in nearby Firethorne and are excited to serve and be a part of the Fulshear community.

Initial staffing will include one other employee present during operating hours.

This special use permit is being sought to allow for the refurbishment and adaptive use of the existing structures footprint with updating of the exterior façade. The major concern being to maintain the health of the 100+ year old oak at the front/center of the property. We want to continue the current owner's neighborhood tradition of decorating the tree to highlight its uniqueness. The veterinary clinic would be in character and compatible with the downtown district center development and would preserve and maintain one of Fulshear's treasured historical trees.

Adjacent land use consists of residential to the east, west, and north, and commercial to the south and southeast. A new commercial center is planned and zoned for the east also.

The granting of this special use permit will not be injurious or compromise public health, safety or welfare. ADA compliance will be adhered to.

The granting of the special use permit would not confer on the applicant any special privilege that is denied by ordinance to other lands, structures, or buildings in the same district.

We hope that this submittal meets with your approval. Please let us know if you have any questions, or if we can be of further assistance.

Sincerely,

Meghan Denney DVM

A handwritten signature in black ink, appearing to read "Meghan Denney DVM". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Cindy Skinner DVM

A handwritten signature in black ink, appearing to read "Cindy Skinner DVM". The signature is cursive and includes a long horizontal stroke at the end.

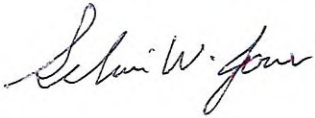
Owner Affidavit

October 30 ,2018

Fulshear Planning and Zoning

This is to certify that Selwin & Doris Jones are selling the property at 8418 Syms St. in Fulshear to Cindy Skinner. They are buying this property to remodel and use as a Veterinary Clinic.

Thank you,

Handwritten signature of Doris J. Jones in cursive script.Handwritten signature of Selwin W. Jones in cursive script.

LETTER OF AUTHORIZATION FOR ZONING CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO: _____

ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO FILE AND PRESENT AN APPLICATION TO THE CITY OF FULSHEAR, TEXAS, TO REQUEST A CHANGE IN ZONING CLASSIFICATION FOR THE FOLLOWING PROPERTY:

{CERTIFIED LEGAL DESCRIPTION}

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.

THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.

OWNER'S SIGNATURE of the above described property: Selwin W. Jones Don J. Jones

OWNER'S NAME (printed) SELWIN W. JONES

ADDRESS: Box 207, 8418 SYMS ST.

TELEPHONE: 713-516-4414 EMAIL: drybranchranch@GMail.Co

REGISTRATION & PERMIT DEPT

NOV 19 2018

CITY OF FULSHEAR
FULSHEAR, TX 77441

Posting Requirements;

Notice of required Public Hearings shall be provided by the applicant by way of a sign posted on the land that is the subject of the application. One sign shall be posted for each 200 feet of frontage along a public street, with a maximum of 2 signs required per frontage. Signs shall be located so that the lettering is visible from the street. Where the land does not have frontage on a public street, signs shall be posted on the nearest public street with an attached notation indicating the location of the land subject to the application. The sign shall state "The property has requested a Zoning Change, for information regarding this request contact the City of Fulshear at 30603 FM 1093, Fulshear, Texas 77441, 281-346-1796. Two Public Hearings will be held for this request." Include time(s), date(s) and location(s) of the Public Hearing.

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.

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Signature of Owner/ Agent* Selwin W. Jones Doris J. Jones Date 11/19/2018
(circle one)
Printed name SELWIN W. JONES Doris J. Jones Phone No. 713 516 4414

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

Property Owner Property Address
 R65732 JONES, SELWIN W 8418 SYMS ST, FULSHEAR, TX 77441

2018 Assessed Value
 \$392,120

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real Residential**
 Legal Description **FULSHEAR, BLOCK 8, LOT 1,4,5**
 Neighborhood **Fulshear**
 Account **3380-00-008-0010-901**
 Map Number **A-027-N**

2018 OWNER INFORMATION

Owner Name **Jones, Selwin W**
 Owner ID **O0234769**
 Exemptions **Homestead**
 Percent Ownership **100%**
 Mailing Address **PO Box 207 Fulshear, TX 77441-0207**
 Agent **-**

2018 VALUE INFORMATION

Improvement Homesite Value **\$153,150**
 Improvement Non-Homesite Value **\$0**
 Total Improvement Market Value **\$153,150**
 Land Homesite Value **\$270,000**
 Land Non-Homesite Value **\$0**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$270,000**
 Total Market Value **\$423,150**
 Agricultural Use **\$0**
 Total Appraised Value **\$423,150**
 Homestead Cap Loss **-\$31,030**
 Total Assessed Value **\$392,120**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
C04- City of Fulshear	HS	\$69,897	\$322,223	0.16251	0
<input checked="" type="checkbox"/> CAD- Fort Bend Central Appraisal District		\$0	\$392,120	0	0
D01- Ft Bend Drainage	HS	\$178,424	\$213,696	0.019	0
G01- Ft Bend Co Gen	HS	\$178,424	\$213,696	0.445	0
R05- Ft Bend Co ESD 4		\$0	\$392,120	0.1	0
S01- Lamar CISD	HS	\$35,000	\$357,120	1.39	1186

TOTALS

2.11651

2018 IMPROVEMENTS

⌵ Expand/Collapse All

Improvement #1 State Code Homesite Total Main Area (Exterior Measured) Market Value
 - A1 - Residential Single Family Houses Yes 2,457 Sq. Ft \$153,150

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	1970	2,457	\$131,190	⌵ Details
2	Patio concrete slab	1970	112	\$460	⌵ Details
3	Open Porch	1970	64	\$1,050	⌵ Details
4	Detached Garage	1970	960	\$18,850	⌵ Details
5	Patio Covers	1980	480	\$1,250	⌵ Details
6	Greenhouses	-	140	\$350	⌵ Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE	LAND SIZE
1 - Commercial Site Homestead	A1 - Residential Single Family Houses	Yes	\$270,000	\$0	22,500 Sq. ft

TOTALS

22,500 Sq. ft / 0.516529 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$147,930	\$270,000	\$417,930	\$0	\$0	\$417,930	\$61,460	\$356,470

BUS 66

2016	\$148,140	\$270,000	\$418,140	\$0	\$0	\$418,140	\$94,080	\$324,060
2015	\$198,540	\$239,500	\$438,040	\$0	\$0	\$438,040	\$143,440	\$294,600
2014	\$191,380	\$239,500	\$430,880	\$0	\$0	\$430,880	\$163,060	\$267,820
2013	\$184,330	\$239,500	\$423,830	\$0	\$0	\$423,830	\$180,360	\$243,470

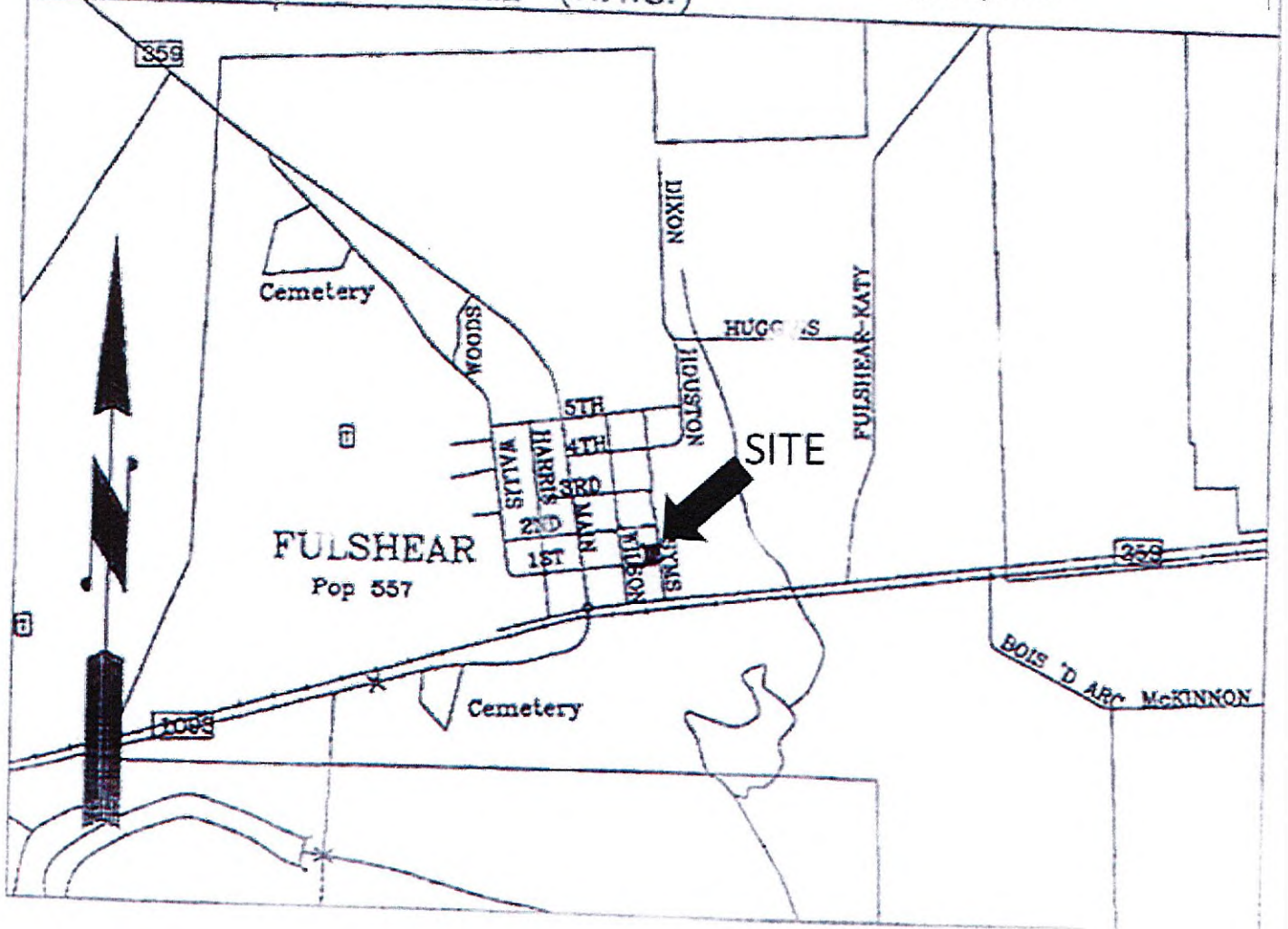
DISCLAIMER

Every effort has been made to offer the most current and correct information possible on these pages. The information included on these pages has been compiled by County staff from a variety of sources, and is subject to change without notice. The Fort Bend Central Appraisal District makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy or adequacy of such information and data. The Fort Bend Central Appraisal District reserves the right to make changes at any time without notice. Original records may differ from the information on these pages. Verification of information on source documents is recommended. By using this application, you assume all risks arising out of or associated with access to these pages, including but not limited to risks of damage to your computer, peripherals, software and data from any virus, software, file or other cause associated with access to this application. The Fort Bend Central Appraisal District shall not be liable for any damages whatsoever arising out of any cause relating to use of this application, including but not limited to mistakes, omissions, deletions, errors, or defects in any information contained in these pages, or any failure to receive or delay in receiving information.said or implied.

Vicinity Map

VICINITY MAP (N.T.S.)

Special Use Permit
8418 Syms St



Context Map



Residential House

Residential House

Ace Hardware

8418 Syms St

Residential House

Residential

Currently Empty Lot

Fulsh

Goog

Imagery Date: 2/24/2017 29°41'28.51" N 95°53'55.21" W elev 141 ft

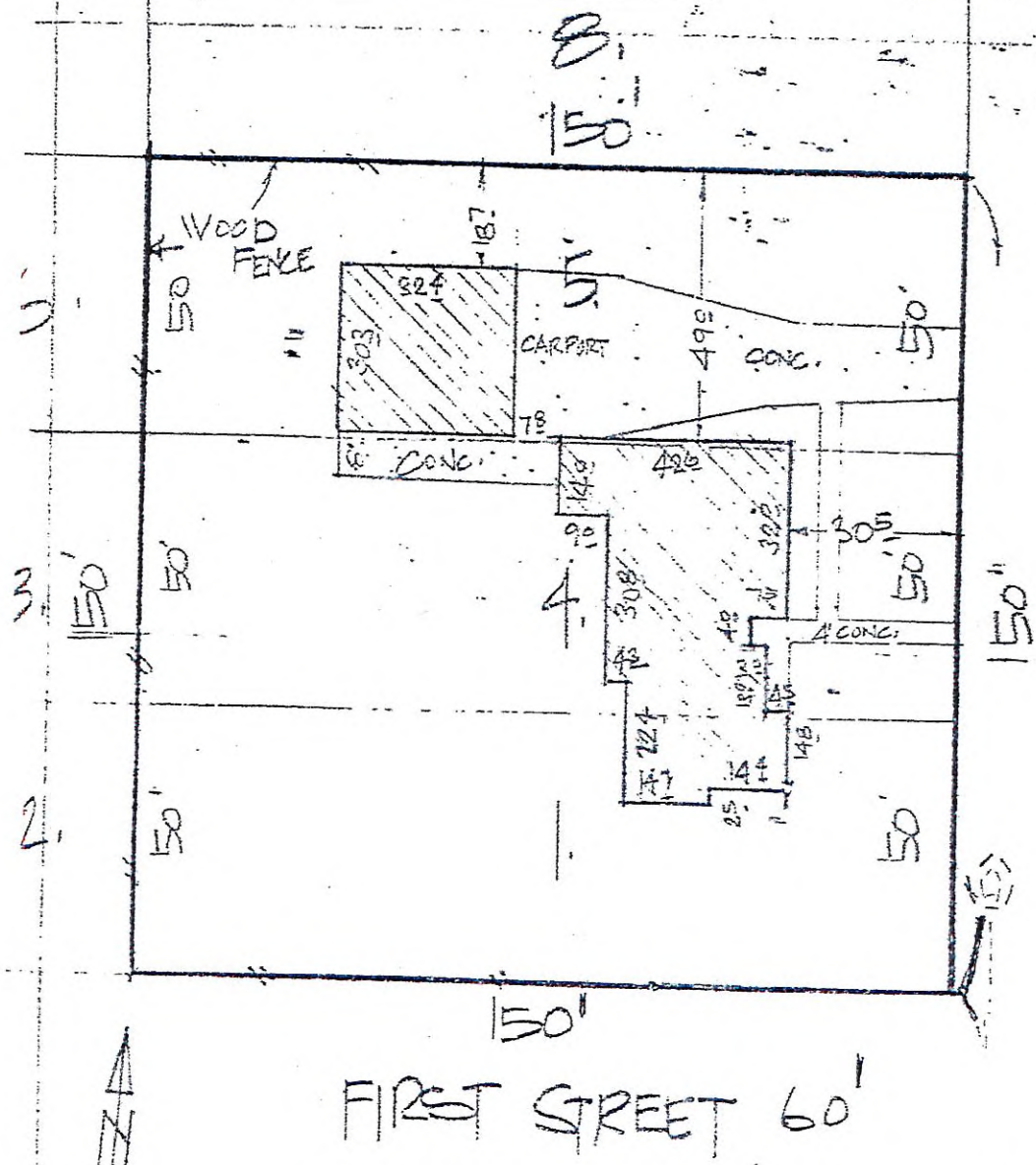
1995

BUS 71

Survey

Survey

Special Use Permit
8418 Syms St



SCALE 1"=30'

I, HENRY STEINKAMP, JR., A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE RECORD OF A SURVEY SHOWING THE IMPROVEMENTS ON ALL OF LOTS NO. 1, 4, & 5 IN BLOCK NO. 8 OF THE TOWN OF FULSHEAR, CHURCHILL FULSHEAR LEAGUE, AB. 29, FORT BEND COUNTY, TEXAS, AS MADE ON THE GROUND ON THIS THE 25th OF SEPTEMBER, 1969.



There are no encroachments all improvements are within the boundary of this tract and there is no evidence of pipelines or other easements crossing this tract except as shown hereon.

Signed Henry Steinkamp, Jr.

Compliance with the Comprehensive Plan



Residential

1. Residential areas should not be located next to industrial areas.
2. Residential and commercial areas may be adjacent if separated by a buffer.
3. Schools, parks and community facilities should be located close to or within residential neighborhoods.
4. Houses should have direct access to local residential streets but not to arterial streets.
5. Houses should not be adjacent to major highways.
6. New residential development should be buffered from arterial streets.
7. Residential developments should include adequate area for parks and recreation facilities, schools and places of worship.

Retail / Office

1. Neighborhood retail and service uses should be located at intersections of arterial or collector streets or at the edge of logical neighborhood areas unless appropriately placed within a planned development.
2. Retail development should be clustered throughout the city and convenient to residential areas.
3. Buffers should separate retail/office uses and residential areas.
4. Downtown should be a major focus for office, retail and service activities, particularly through adaptive re-use of existing structures or redevelopment of vacant properties and sites with heavy commercial or industrial uses.
5. Office and professional uses should be compatible with nearby residential areas and other uses through appropriate building height limitations and adequate buffering and landscaping.
6. Low-intensity office and professional uses should provide a transition between more intense uses and residential areas.

Heavy Commercial

1. Commercial uses with more intensive operational or traffic characteristics should be located away from most residential areas.
2. Heavy commercial development should be concentrated in nodes at intersections and along major thoroughfares that are designed and constructed to accommodate higher traffic volumes.

3. Buffers should separate heavy commercial uses from any adjacent residential areas, especially where the commercial use involves visible display or outdoor storage of merchandise or materials.

Industrial

1. Industrial development should not be directly adjacent to residential areas.
2. Industrial uses should be located in dedicated industrial development areas.
3. Industrial development should be separated from other uses by buffers.
4. Industrial development should have good access to major streets and highways.
5. Industrial development involving trucking operations should have good access to truck routes, designated hazardous material routes, and railroads.

Parks and Open Space

1. Parks should be evenly distributed throughout the city and include larger community parks and smaller neighborhood parks.
2. Pedestrian connections should be provided between parks, schools, residential areas, and employment centers.
3. Parks are a desirable use for floodplain areas.
4. Parks and open space should be used to buffer incompatible land uses.
5. Natural features should be used as buffers or preserved open space between or around developed areas.

Community Facilities

1. Community facilities should be located in easily accessible areas within the community.
2. Community facilities, depending on their scale and level of activity, should be located adjacent to major streets to accommodate traffic.
3. Community facilities should be well buffered from nearby residential areas.
4. Downtown should continue to be enhanced as a preferred location for civic, cultural, entertainment and tourism activities.

Administrative Plat and Compliance

City of Fulshear
Planning Commission
30603 FM 1093
Fulshear , TX 77441

RE: Special use permit
4 Paws at Fulshear Veterinary Clinic, PLLC
8418 Symms St. Fulshear TX 77441

We understand that an Administrative Plat will be performed on the property at 8418 Symms Street, Fulshear , Texas 77441 as a condition for the special use permit. We are prepared to allow this.

As stated in our letter of intent: We will be in full compliance with the comprehensive plan of the Fulshear Historical Downtown District.

Please let us know if you have any questions or if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Skinner DVM". The signature is written in black ink and includes a long horizontal flourish at the end.

Cindy Skinner DVM

Site Plan

Site Plan

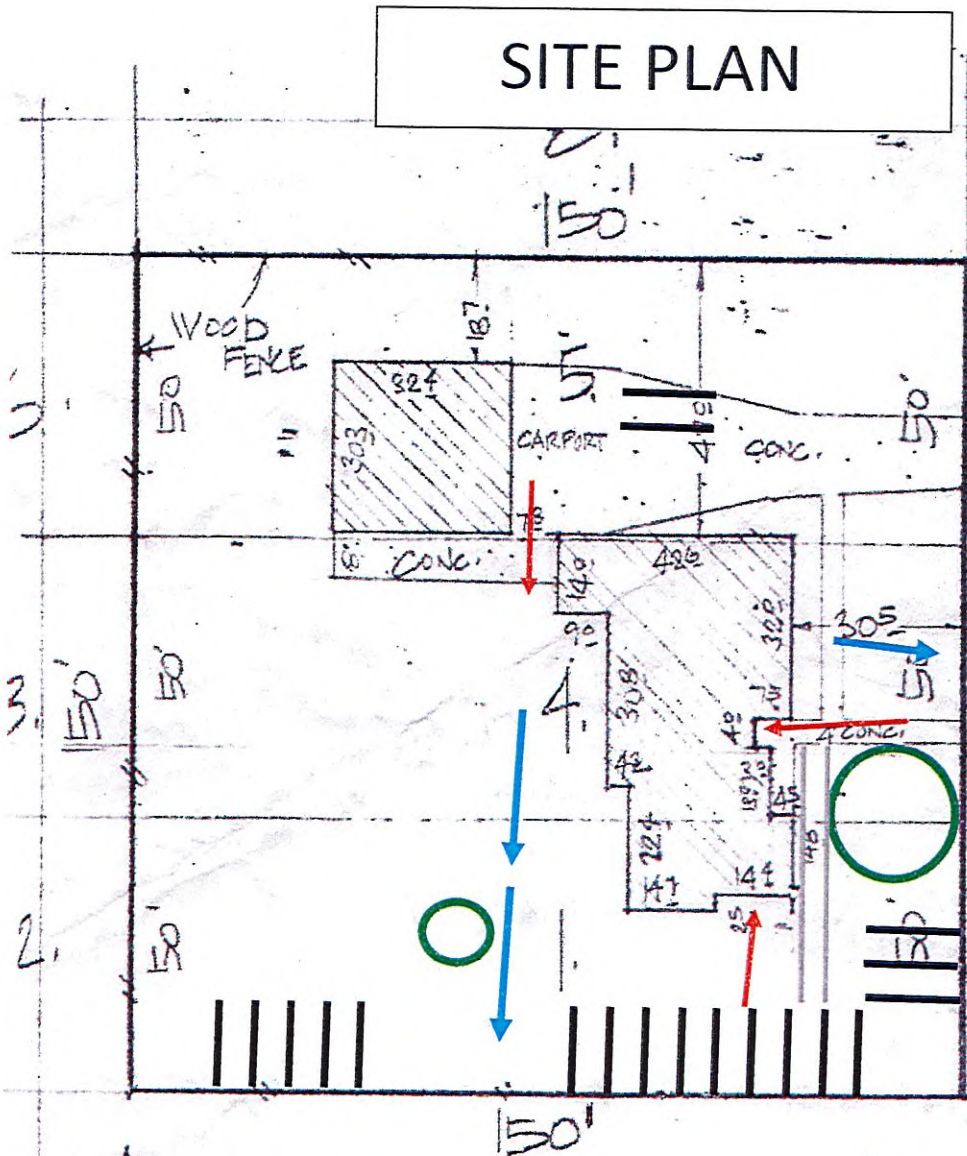
Special Use Permit
8418 Syms St



Site Plan: Current building layout is not anticipated to change. Proposed parking spaces in yellow and ADA parking spot in blue

SITE PLAN

Special Use Permit
8418 Syms St



SYMS STREET
150"

Site plan showing building with proposed parking, drainage, major oak trees, entry points, and walkway. Proposed parking will consist of gravel /or asphalt, being consistent with surrounding businesses and residential areas.

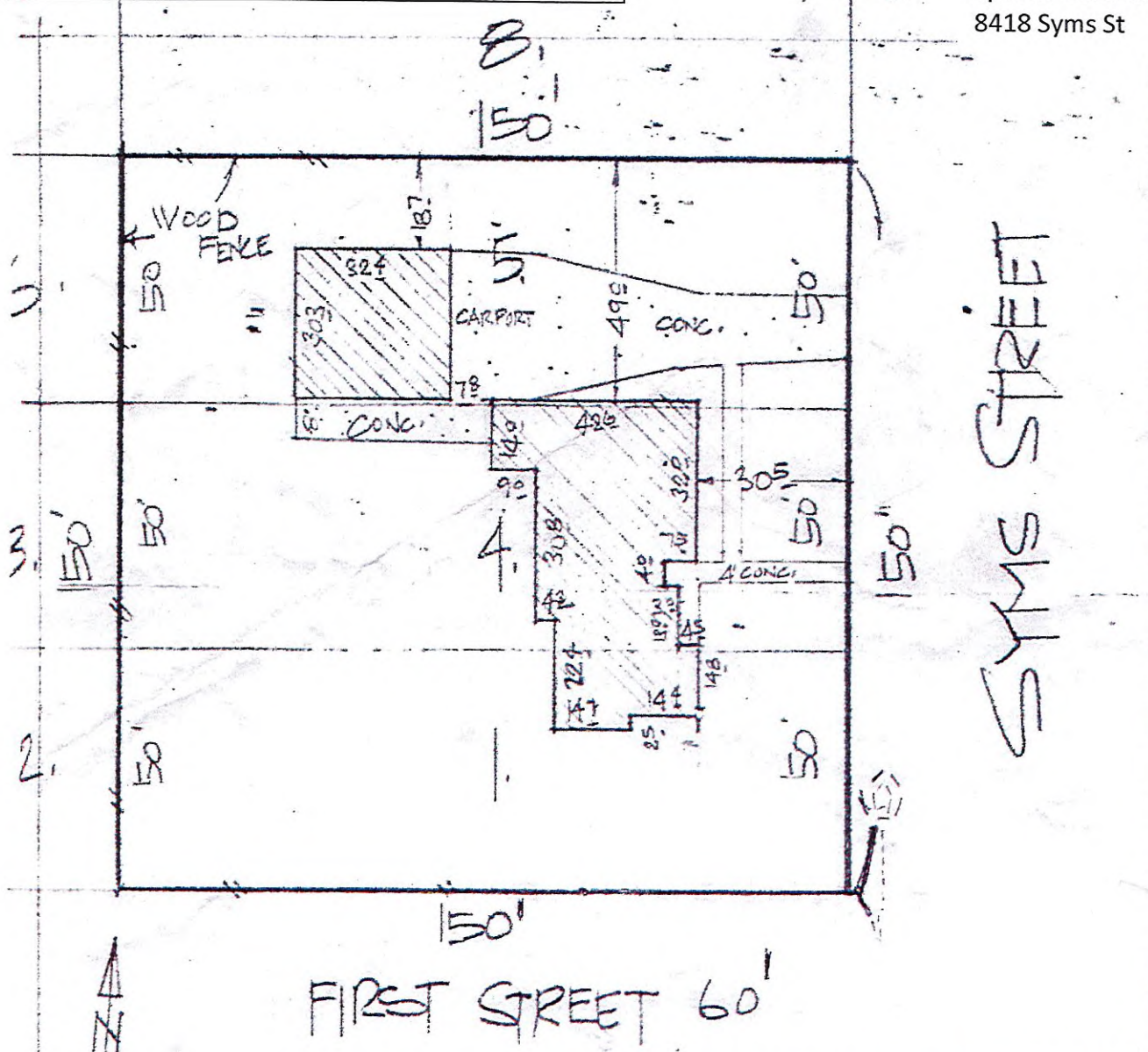
FIRST STREET 60'

- LEGEND**
-  Proposed Parking
 -  Entry Points
 -  Oak Trees
 -  Drainage
 -  Walkway

SCALE 1" = 30'



Signed Henry Steinkamp, Jr.

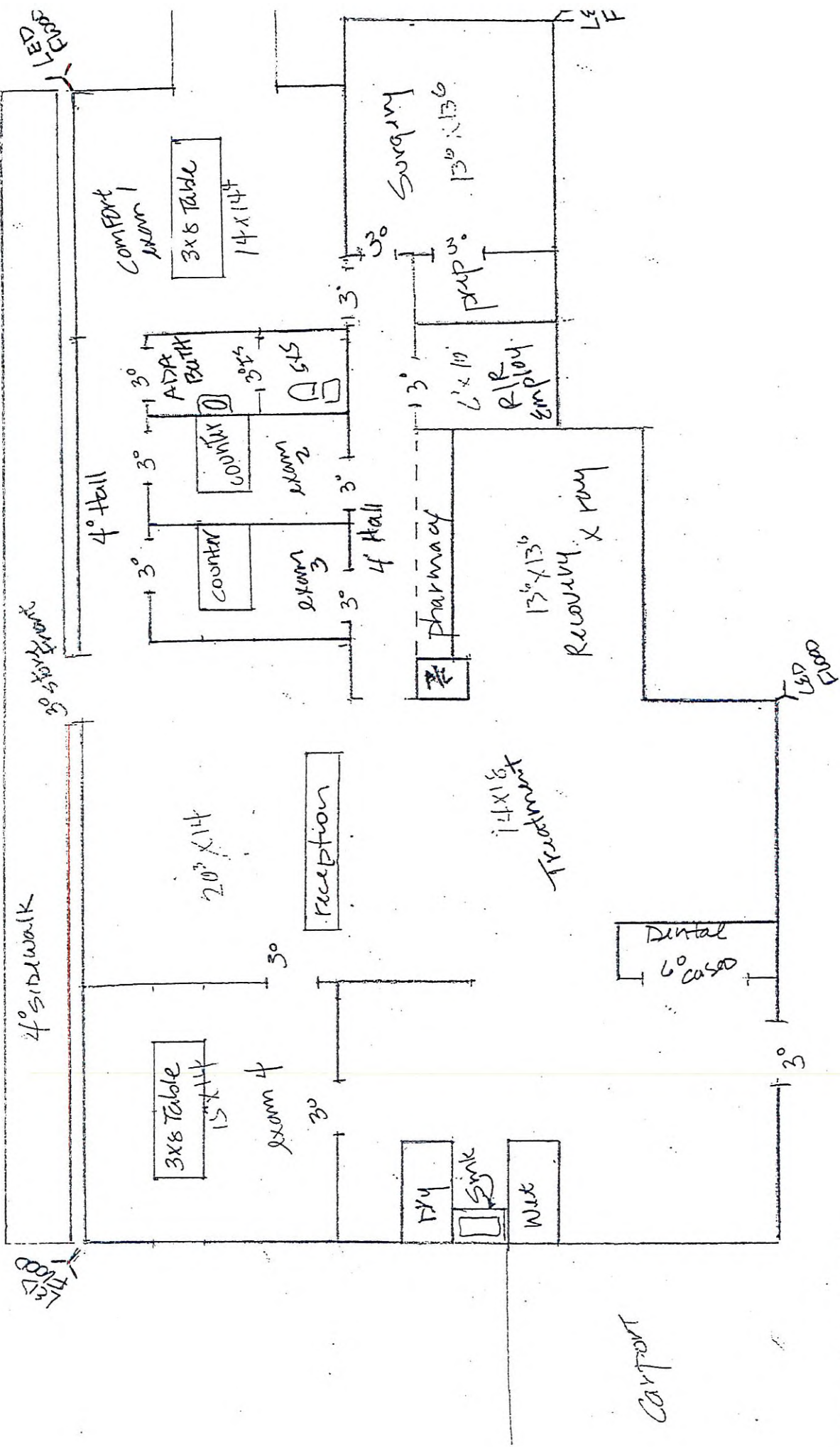


I, HENRY STEINKAMP, JR., A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE RECORD OF A SURVEY SHOWING THE IMPROVEMENTS ON ALL OF LOTS NO. 1, 4, & 5 IN BLOCK NO. 8 OF THE TOWN OF FULSHEAR, CHURCHILL FULSHEAR LEAGUE, AB. 29, FORT BEND COUNTY, TEXAS, AS MADE ON THE GROUND ON THIS THE 25th OF SEPTEMBER, 1969.

There are no encroachments all improvements are within the boundary of this tract and there is no evidence of pipelines or other easements crossing this tract except as shown hereon.



Signed Henry Steinkamp, Jr.



APPROX.
11/4/18
6418 Empire
Charlotte, NC



Landscape Plan

Landscaping/Grading Plan

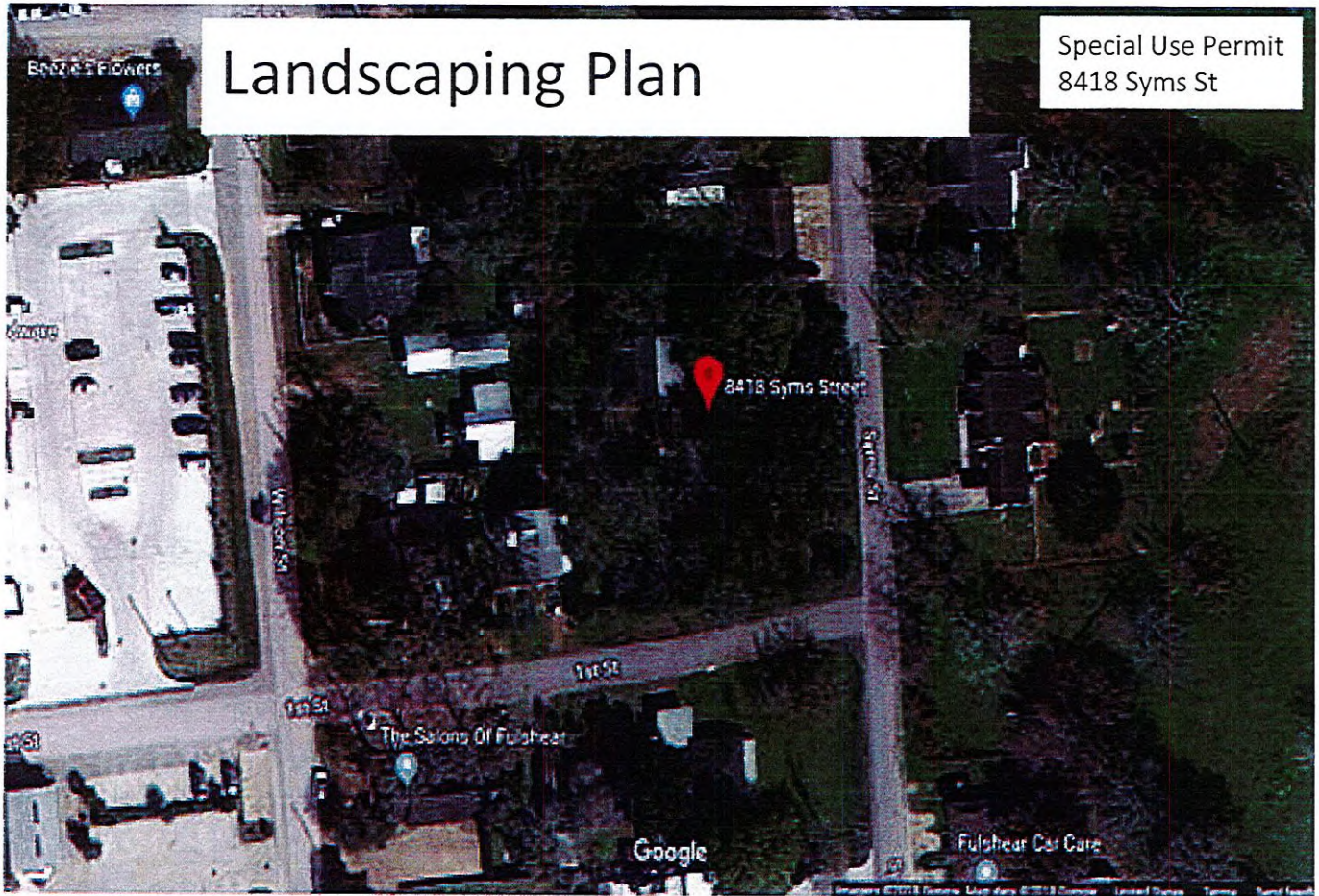
Special Use Permit
8418 Syms St



All landscape will focus on preservation of the massive historical oak in the front yard and be trimmed and thinned as necessary. No major existing tree changes are planned. Grading will remain as is.

Landscaping Plan

Special Use Permit
8418 Syms St

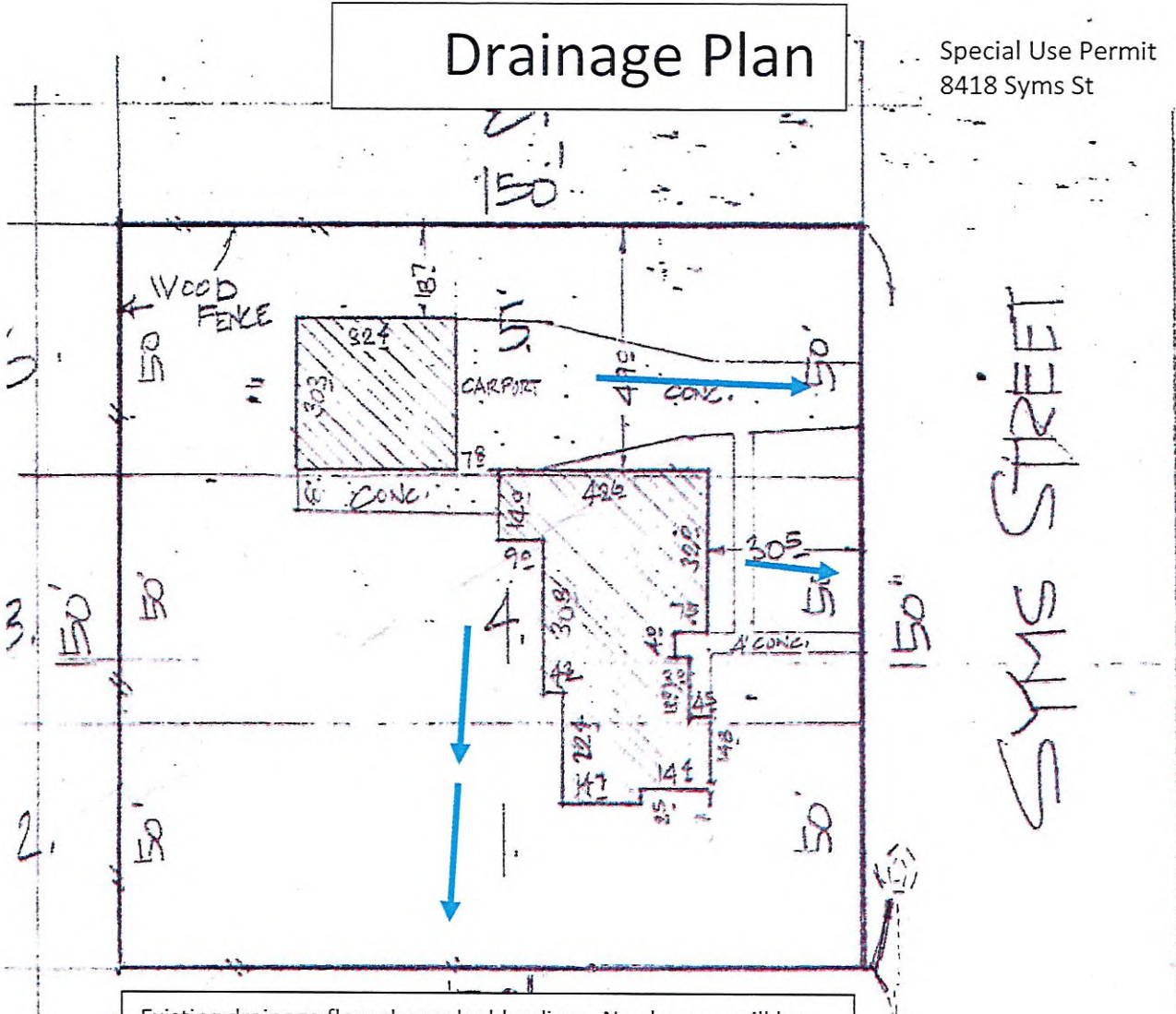


Landscape will remain as is, with bushes/trees being cleaned/trimmed.

Grading and Drainage Plan

Drainage Plan

Special Use Permit
8418 Syms St



Existing drainage flow shown by blue lines. No changes will be made to the existing elevation to alter current drainage pattern.

I, HENRY STEINKAMP, JR., A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE RECORD OF A SURVEY SHOWING THE IMPROVEMENTS ON ALL OF LOTS NO. 1, 4, & 5 IN BLOCK NO. 8 OF THE TOWN OF FULSHEAR, CHURCHILL FULSHEAR LEAGUE, AB. 29, FORT BEND COUNTY, TEXAS, AS MADE ON THE GROUND ON THIS THE 25th OF SEPTEMBER, 1969.

There are no encroachments all improvements are within the boundary of this tract and there is no evidence of pipelines or other easements crossing this tract except as shown hereon.

SCALE 1"=30'

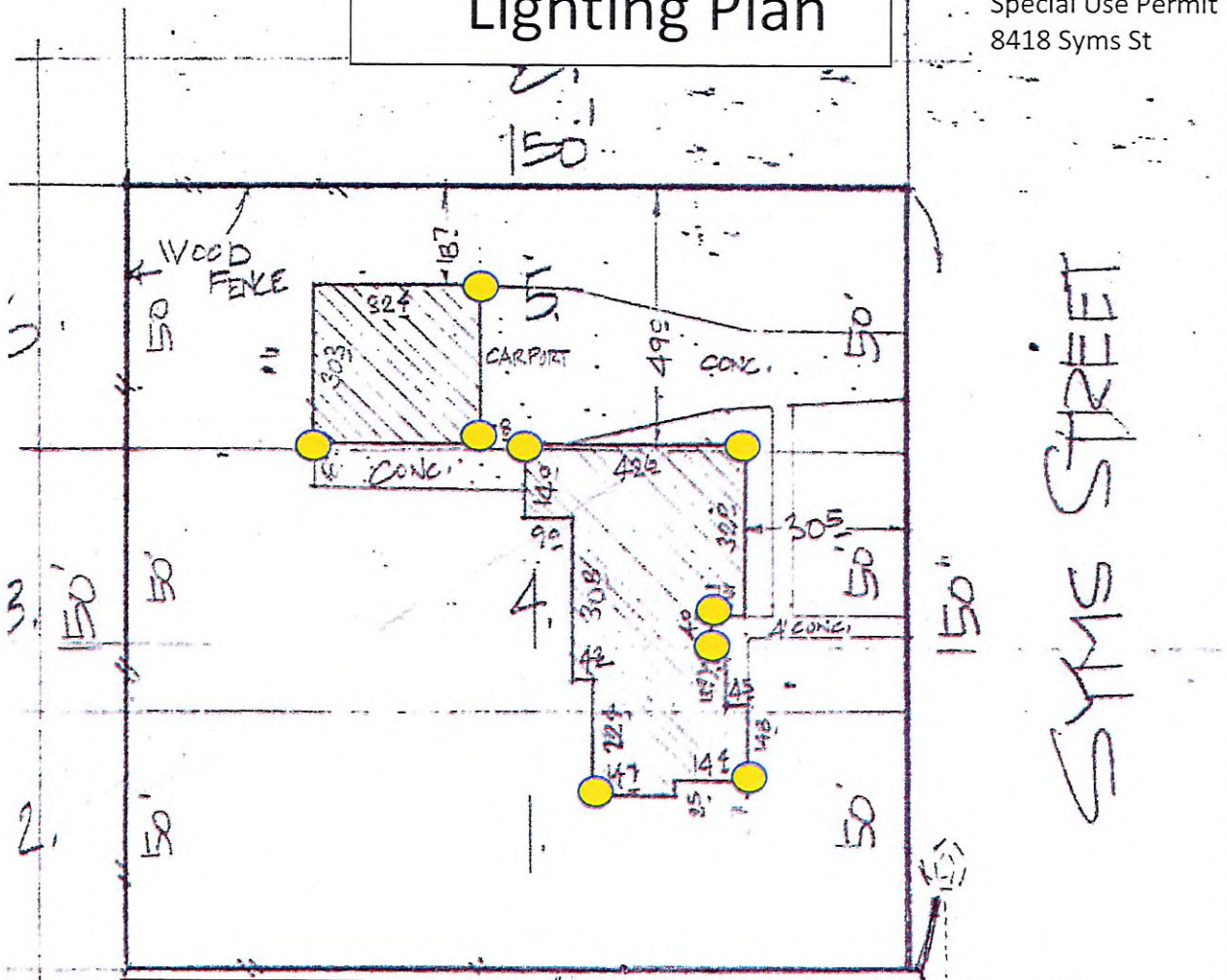


Signed Henry Steinkamp, Jr.

Lighting Plan

Lighting Plan

Special Use Permit
8418 Syms St



Yellow circles highlight existing and additional lighting to be added. Lighting will comply with dark sky ordinances.

SCALE: 1" = 30'

I, HENRY STEINKAMP, JR., A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE RECORD OF A SURVEY SHOWING THE IMPROVEMENTS ON ALL OF LOTS NO. 1, 4, & 5 IN BLOCK NO. 8 OF THE TOWN OF FULSHEAR, CHURCHILL FULSHEAR LEAGUE, AB. 29, FORT BEND COUNTY, TEXAS, AS MADE ON THE GROUND ON THIS THE 25th OF SEPTEMBER, 1969.



There are no encroachments all improvements are within the boundary of this tract and there is no evidence of pipelines or other easements crossing this tract except as shown hereon.

Signed Henry Steinkamp, Jr.

Lighting plan



Lighting Plan: Existing lighting around the building will be updated to dark sky ordinance. Any future lighting modifications will comply with any applicable City ordinances.

Elevations

Elevation Study

Special Use Permit
8418 Syms St



Front of building



South side of building



North side of building



Rear of building



South side fencing – plan is to move/refurbish fencing following city ordinances

Traffic Impact Study

December 10, 2018

Kerry Sigler, Building Official
City of Fulshear
P.O. Box 279
Fulshear, TX 77441

Re: Proposed Vet Clinic
8418 Syms Street
Fulshear, Texas

Dear Kerry:

I have reviewed the submittal for conversion of an existing single family home at 8418 Syms Street to a small vet clinic. The proposed vet clinic will be 1995 square foot in size and will require eight (8) parking spaces that will front on First Street.

The proposed Vet Clinic at 8418 Syms Street will not generate sufficient traffic to warrant a Traffic Study. If you need additional information or if you have any questions please feel free to contact me.

Very truly yours,



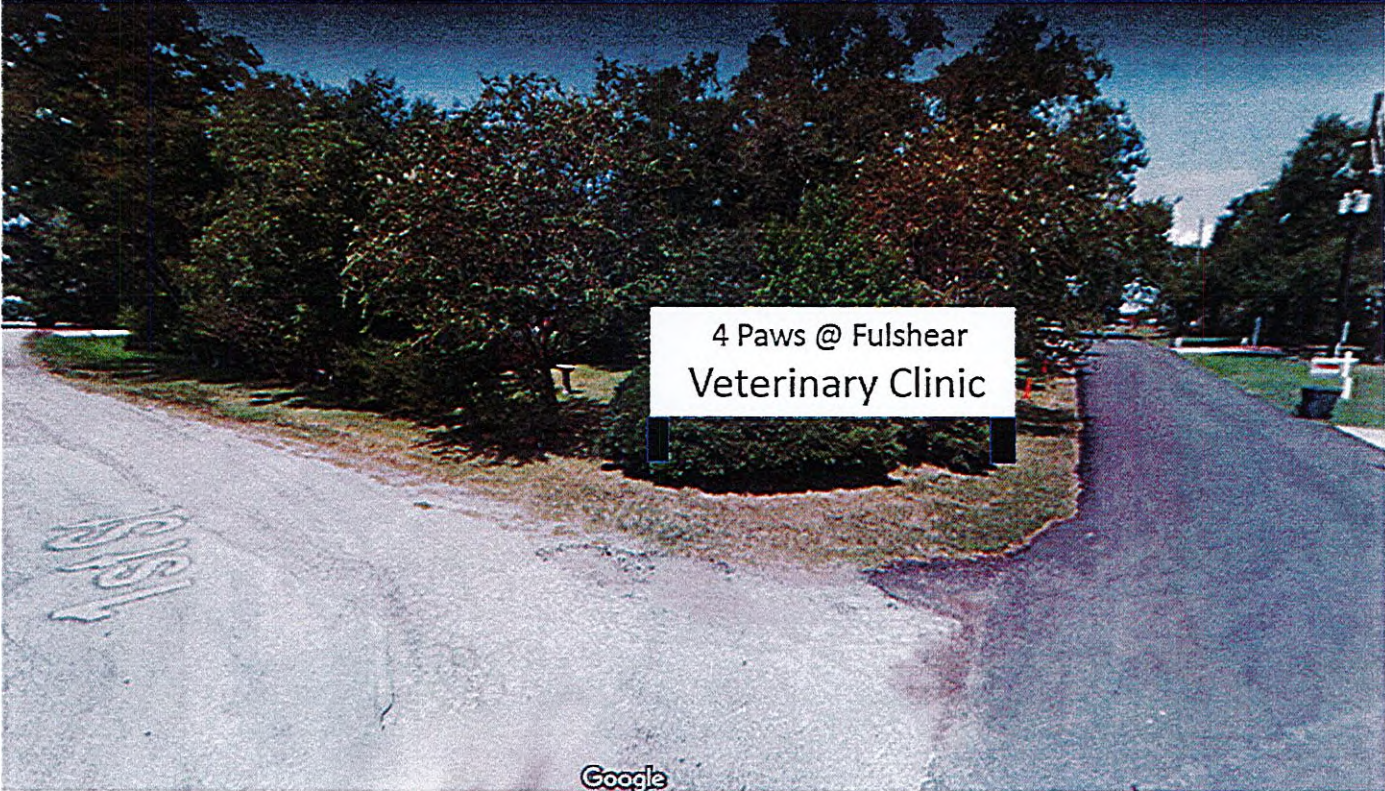
David Leyendecker, P.E., R.P.L.S.
Engineer for the City of Fulshear

DL/pe

Signage

Signage Plan

Special Use Permit
8418 Syms St



Signage will be placed at the corner of First Street and Syms St and comply with city ordinances with respect to distance from street/right of ways, size, etc.

Notification to the Public

Notice of Public Hearings

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 8418 Syms Street, Fulshear, Texas 77441.

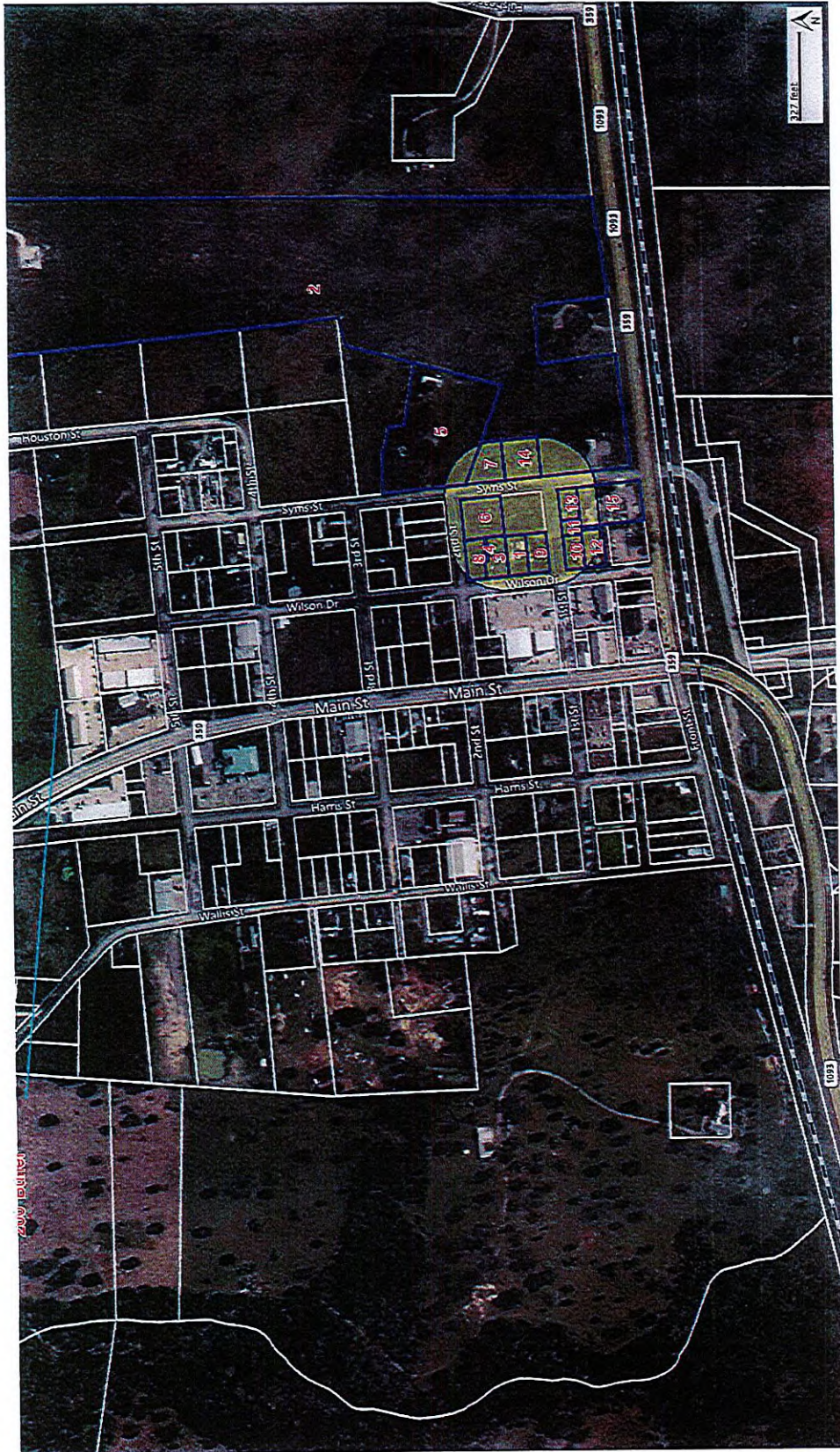
The applicant is seeking a Special Use Permit pursuant to the Ordinance # 2012-1069, Section 1-193, (c), (2), (b), (g), if approved in the process outlined in Section 1-283.

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.

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

Posted: 11/19/2018
Date:

11/21/2018



8418 Syms Street

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11/21/2018

	Site City	FULSHEAR	APN	3380-00-00B-0050-901	Site Address	8109 WILSON DR	
	Owner 1 Name	GRACE, JASON	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	PO BOX 432	Owner 1 City	FULSHEAR	
	Building Square Feet	534	Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	0029-00-000-0070-901	Site Address	0509 SVNS ST	
	Owner 1 Name	WOODHAM FAMILY TRUST	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	63 BIG CHIEF TRL	Owner 1 City	BOZEMAN	
	Building Square Feet	1200	Owner 1 Zip Code	59710	Owner 2 Name		
	Building ID		APN	3380-00-00B-0070-901	Site Address	8107 WILSON DR	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	3131L RIVERLAKE RD	Owner 1 City	FULSHEAR	
	Building Square Feet	1312	Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	3380-00-00B-0072-901	Site Address	30315 2ND ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	3131L RIVERLAKE RD	Owner 1 City	FULSHEAR	
	Building Square Feet		Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	0029-00-000-0055-901	Site Address	8119 SVNS ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	PO BOX 395	Owner 1 City	FULSHEAR	
	Building Square Feet	2077	Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	3380-00-00B-0080-901	Site Address	30307 2ND ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	PO BOX 675	Owner 1 City	FULSHEAR	
	Building Square Feet	4202	Owner 1 Zip Code	77441	Owner 2 Name	RIGGS, CAROL L	
	Building ID		APN	0029-00-000-0073-901	Site Address	SVNS ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	15707 ENSENADA DR	Owner 1 City	HOUSTON	
	Building Square Feet	1350	Owner 1 Zip Code	77083	Owner 2 Name		
	Building ID		APN	3380-00-00B-0102-901	Site Address	30315 2ND ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	3131L RIVERLAKE RD	Owner 1 City	FULSHEAR	
	Building Square Feet		Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	0029-00-000-0050-901	Site Address	8109 WILSON DR	
	Owner 1 Name	GRACE, JASON	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	PO BOX 432	Owner 1 City	FULSHEAR	
	Building Square Feet	534	Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	0029-00-000-0070-901	Site Address	0509 SVNS ST	
	Owner 1 Name	WOODHAM FAMILY TRUST	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	63 BIG CHIEF TRL	Owner 1 City	BOZEMAN	
	Building Square Feet	1200	Owner 1 Zip Code	59710	Owner 2 Name		
	Building ID		APN	3380-00-00B-0070-901	Site Address	8107 WILSON DR	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	3131L RIVERLAKE RD	Owner 1 City	FULSHEAR	
	Building Square Feet	1312	Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	3380-00-00B-0072-901	Site Address	30315 2ND ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	3131L RIVERLAKE RD	Owner 1 City	FULSHEAR	
	Building Square Feet		Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	0029-00-000-0055-901	Site Address	8119 SVNS ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	PO BOX 395	Owner 1 City	FULSHEAR	
	Building Square Feet	2077	Owner 1 Zip Code	77441	Owner 2 Name		
	Building ID		APN	3380-00-00B-0080-901	Site Address	30307 2ND ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	PO BOX 675	Owner 1 City	FULSHEAR	
	Building Square Feet	4202	Owner 1 Zip Code	77441	Owner 2 Name	RIGGS, CAROL L	
	Building ID		APN	0029-00-000-0073-901	Site Address	SVNS ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	15707 ENSENADA DR	Owner 1 City	HOUSTON	
	Building Square Feet	1350	Owner 1 Zip Code	77083	Owner 2 Name		
	Building ID		APN	3380-00-00B-0102-901	Site Address	30315 2ND ST	
	Owner 1 Name	FULSHEAR	Site State	TX	Site Zip Code	77441	
	Owner 1 State	TX	Owner 1 Address	3131L RIVERLAKE RD	Owner 1 City	FULSHEAR	
	Building Square Feet		Owner 1 Zip Code	77441	Owner 2 Name		

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 ID
 Site City
 Owner 1 Name
 Owner 1 State
 Building Square Feet

FULSHEAR
 SHIFFON, SOTRA LUICEBORD
 TX
 2382

APN
 Site State
 Owner 1 Address
 Owner 1 Zip Code

3380-00-008-002D-901
 TX
 PO BOX 98
 77441

Site Address
 Site Zip Code
 Owner 1 City
 Owner 2 Name

8415 WILSON DR
 77441
 FULSHEAR

 ID
 Site City
 Owner 1 Name
 Owner 1 State
 Building Square Feet

FULSHEAR
 KRPEC, MARK
 TX
 1540

APN
 Site State
 Owner 1 Address
 Owner 1 Zip Code

3380-00-001-0093-901
 TX
 32619 WALTHAM KING
 77441

Site Address
 Site Zip Code
 Owner 1 City
 Owner 2 Name

8583 WILSON DR
 77441
 FULSHEAR
 KRPEC, MONICA

 ID
 Site City
 Owner 1 Name
 Owner 1 State
 Building Square Feet

FULSHEAR
 UNKER, JOHN PAUL
 TX
 704

APN
 Site State
 Owner 1 Address
 Owner 1 Zip Code

3380-00-001-0094-901
 TX
 PO BOX 423
 77441

Site Address
 Site Zip Code
 Owner 1 City
 Owner 2 Name

30315 1ST ST
 77441
 FULSHEAR

 ID
 Site City
 Owner 1 Name
 Owner 1 State
 Building Square Feet

FULSHEAR
 LIPPMAN, LOUIS IN
 TX
 952

APN
 Site State
 Owner 1 Address
 Owner 1 Zip Code

3380-00-001-0040-901
 TX
 1616 FOUNTAIN VIEW DR APT 611
 77057

Site Address
 Site Zip Code
 Owner 1 City
 Owner 2 Name

WILSON ST
 77441
 HOUSTON

 ID
 Site City
 Owner 1 Name
 Owner 1 State
 Building Square Feet

FULSHEAR
 ROSH PROPERTIES LTD
 TX
 952

APN
 Site State
 Owner 1 Address
 Owner 1 Zip Code

3380-00-001-0092-901
 TX
 431 W GAYWOOD DR
 77079

Site Address
 Site Zip Code
 Owner 1 City
 Owner 2 Name

8502 SYMS ST
 77441
 HOUSTON

 ID
 Site City
 Owner 1 Name
 Owner 1 State
 Building Square Feet

FULSHEAR
 DESHAZO, BRETT
 TX
 1857

APN
 Site State
 Owner 1 Address
 Owner 1 Zip Code

0028-00-000-0872-901
 TX
 PO BOX 87
 77441

Site Address
 Site Zip Code
 Owner 1 City
 Owner 2 Name

8411 SYMS ST
 77441
 FULSHEAR
 DESHAZO, JULIE

 ID
 Site City
 Owner 1 Name
 Owner 1 State
 Building Square Feet

FULSHEAR
 PAWELEK, CLAUDE A
 TX
 1857

APN
 Site State
 Owner 1 Address
 Owner 1 Zip Code

3380-00-001-0010-901
 TX
 34333 PECAN HILL DR
 77423

Site Address
 Site Zip Code
 Owner 1 City
 Owner 2 Name

8506 SYMS ST
 77441
 BROOKSHIRE

Rosenberg, TX 77471
 Richmond, TX 77464

3911 Avenue I
 Mail CTR

Lamar ISD
 Fort Bend County

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Sign Notification on the Property

PUBLIC HEARING - ZONING CHANGE

The property owner's agent is seeking a Special Use Permit to allow for the use of this property as a Veterinary Office within the Downtown District zoning classification. The City will hold two public hearings. The first hearing will be held by the Planning and Zoning Commission on June 17, 2018 at City Hall located at 30801 M. 193. The second public hearing will be held by the City Council on June 18, 2018 at 7pm at the Bruce Sloan Community Center located at 6920 City Walkway Rd.

Both hearings will allow all interested persons an opportunity to be heard. If you have any questions regarding this request, please call the City of Fishers City Secretary's office at 317-546-1756.

Planning & Zoning Commission Recommendation



Special Use Request

APPLICANT/OWNER: Cindy Skinner/Meghan Denney & Selwin & Doris Jones

ADDRESS OF PREMISES: 8418 Syms Street

REQUESTING: SPECIAL USE PERMIT TO ALLOW VETERINARY CLINIC.

HEARING DATE: 12/7/18 & 12/18/18

PLANNING AND ZONING COMMISSION REVIEW

GRANTED **3-3 VOTE - MOTION INCLUDED CONDITIONS:**
 DENIED
 RETURNED FOR ADDITIONAL DATA

- NO OUTDOOR KENNELS
- OPERATING HOURS NO LATER THAN 6 PM (UNLESS EMERGENCY)
- PRIVACY FENCING MUST BE INSTALLED @ BACK YARD
- ALL NOISE ORDINANCES, LIGHTING, SIGNAGE AND ARCHITECTURAL ORDINANCES (FOR DOWNTOWN DISTRICT) MUST BE FOLLOWED.

CHAIRMAN SIGNATURE: [Signature] DATE: 12.9.18

"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: _____

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

AGENDA OF:	December 18, 2018	AGENDA ITEM:	BUS- C
DATE SUBMITTED:	December 6, 2018	DEPARTMENT:	Finance
PREPARED BY:	Wes Vela, Chief Financial Officer	PRESENTER:	Wes Vela, Chief Financial Officer
SUBJECT:	Amendment 1 – Type A & B – Economic Development Corp Operating & Capital Project Funds		
ATTACHMENTS:	Type A & B Joint approval of Budget Amendment I		
EXPENDITURE REQUIRED:	See attached		
AMOUNT BUDGETED:	See attached		
ACCOUNT NO.:	See attached		
ADDITIONAL APPROPRIATION REQUIRED:	n/a		
ACCOUNT NO.:	n/a		

EXECUTIVE SUMMARY

The City’s Economic Development Corporations recommended amending their budgets to adjust for the difference in the City’s General Fund budgeted sales tax, to increase project fund allocations for “promotional” and “targeted incentives” based on 10% prescription and to fund requested projects by the City.

The following illustrates the requested budget amendments:

- In the Type A EDC Operating Fund #600:
 - Increase Sales Tax Revenues by \$81,363 to matched City General Fund budget estimate
 - Increase the Transfer Out by \$303,773 to EDC Type A Project Fund #601 to cover City requested projects
- In the Type A EDC Project Fund #601:
 - Increase the Transfer In by \$303,773 from the Type A Operating Fund
 - Increase Targeted Incentives and Promotional Expenses by the 10% of increased revenues of \$8,136 related to sales tax

- Increase Transfers Out for funding portion of:
 - #501 Fund-Water Master Plan-W18K (12/16-inch FM 359/North Fulshear Transmission Line-Phase 1) - \$25,000
 - #501 Fund-Wastewater Master Plan-WW18E (24/27/30/36-inch FM 359 Interceptor-Phase 1) - \$75,000
 - #300 Fund-ST19D FM 1093 Widening Cost Participation (Cost sharing primarily for utility relocations assuming financing by Ft. Bend County over three years) - \$87,500
 - #300 Fund-FPT19A Parks & Pathways Master Plan Implementation (Ongoing effort will support the design and implementation of projects as identified by and/or in line with the goals of the Parks and Pathways Master Plan) - \$50,000
 - #300 Fund-FPT19B Livable Centers Study Implementation (Ongoing effort will support the design and implementation of projects as identified by and/or in line with goals of the HGAC Livable Centers Study) - \$50,000

- In the Type B Operating Fund #700:
 - Increase Sales Tax Revenues by \$81,363 to matched City General Fund budget estimate
 - Increase the Transfer Out by \$303,773 to EDC Type B Project Fund #701 to cover City requested projects

- In the Type B EDC Project Fund #701:
 - Increase the Transfer In by \$303,773 from the Type B Operating Fund
 - Increase Targeted Incentives and Promotional Expenses by the 10% of increased revenues of \$8,136 related to sales tax
 - Increase Transfers Out for funding portion of:
 - #501 Fund-Water Master Plan-W18K (12/16-inch FM 359/North Fulshear Transmission Line-Phase 1) - \$25,000
 - #501 Fund-Wastewater Master Plan-WW18E (24/27/30/36-inch FM 359 Interceptor-Phase 1) - \$75,000
 - #300 Fund-ST19D FM 1093 Widening Cost Participation (Cost sharing primarily for utility relocations assuming financing by Ft. Bend County over three years) - \$87,500
 - #300 Fund-FPT19A Parks & Pathways Master Plan Implementation (Ongoing effort will support the design and implementation of projects as identified by and/or in line with the goals of the Parks and Pathways Master Plan) - \$50,000
 - #300 Fund-FPT19B Livable Centers Study Implementation (Ongoing effort will support the design and implementation of projects as identified by and/or in line with goals of the HGAC Livable Centers Study) - \$50,000

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

RECOMMENDATION

Staff recommends Council adopt the Proposed Development Corporations
FY19 Operating & Capital Budget Amendment I as presented.

Exhibit "A"

Fund	Account Number	Account Description	FY19 Budget Amount	Amendment	FY19 Amended Budget
#600-4A Operating Fund					
		Budgeted Fund Balance		\$ 1,215,051	
		Revenues:			
	600-41301	Sales & Use Tax Revenue	\$ 536,417	\$ 81,363	\$ 617,780
		Expenditures:			
	600-5-00-5900-61	Xfer Out Project Fund #601	\$ 107,283	\$ 303,773	\$ 411,056
		Ending Fund Balance		\$ 992,641	
#601-4A Capital Projects Fund					
		Budgeted Fund Balance		\$ 5,060	
		Revenues:			
	601-49560	Xfer-In Fund 600	\$ 107,283	\$ 303,773	\$ 411,056
		Expenditures:			
	601-5-000-5470-01	Targeted Incentives	\$ 53,642	\$ 8,136	\$ 61,778
	601-5-000-5470-02	Promotional Expenses	\$ 53,642	\$ 8,136	\$ 61,778
		Transfers:			
	601-5-000-5951-02	Xfer Out-#501 WMP-W18K	\$ -	\$ 25,000	\$ 25,000
	601-5-000-5951-03	Xfer Out-#501 WMP-WW18E	\$ -	\$ 75,000	\$ 75,000
	601-5-000-5930-05	Xfer Out-#300 ST19D FM 1093	\$ -	\$ 87,500	\$ 87,500
	601-5-000-5930-06	Xfer Out-#300 FPT19A Parks/Path	\$ -	\$ 50,000	\$ 50,000
	601-5-000-5930-07	Xfer Out-#300 FPT19B Livab Ctr	\$ -	\$ 50,000	\$ 50,000
		Total Expenditure & Transfer Increase		\$ 303,772	
		Net Change To Fund Balance		\$ 1	
		Ending Fund Balance		\$ 5,061	

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

EXHIBIT “A” CONTINUED...

Fund	Account Number	Account Description	FY19 Budget Amount	Amendment	FY19 Amended Budget
#700-4B Operating Fund					
		Budgeted Fund Balance		\$ 1,387,545	
		Revenues:			
	700-41301	Sales & Use Tax Revenue	\$ 536,417	\$ 81,363	\$ 617,780
		Expenditures:			
	700-5-00-5900-61	Xfer Out Project Fund #701	\$ 107,283	\$ 303,773	\$ 411,056
		Ending Unrestricted Fund Balance		\$ 1,165,135	
#701-4B Capital Projects Fund					
		Budgeted Fund Balance		\$ 3,450	
		Revenues:			
	701-49560	Xfer-In Fund 700	\$ 107,283	\$ 303,773	\$ 411,056
		Expenditures:			
	701-5-000-5470-01	Targeted Incentives	\$ 53,642	\$ 8,136	\$ 61,778
	701-5-000-5470-02	Promotional Expenses	\$ 53,642	\$ 8,136	\$ 61,778
		Transfers:			
	701-5-000-5951-02	Xfer Out-#501 WMP-W18K	\$ -	\$ 25,000	\$ 25,000
	701-5-000-5951-03	Xfer Out-#501 WMP-WW18E	\$ -	\$ 75,000	\$ 75,000
	701-5-000-5930-05	Xfer Out-#300 ST19D FM 1093	\$ -	\$ 87,500	\$ 87,500
	701-5-000-5930-06	Xfer Out-#300 FPT19A Parks/Path	\$ -	\$ 50,000	\$ 50,000
	701-5-000-5930-07	Xfer Out-#300 FPT19B Livab Ctr	\$ -	\$ 50,000	\$ 50,000
		Total Expenditure Transfer Increase		\$ 303,772	
		Net Change To Fund Balance		\$ 1	
		Ending Fund Balance		\$ 3,451	



**FULSHEAR ECONOMIC DEVELOPMENT CORPORATIONS (A & B)
COMMUNICATION FORM
November 19, 2018 JOINT MEETING**

ITEM	TITLE
6	FY19 Budget Amendment No. 1
ITEM/MOTION	
Consideration and possible action on Fiscal Year 2018-2019 Budget Amendment No. 1.	
REQUESTED ALLOCATION: \$287,500 (one-off) per EDC	BUDGET ACCOUNT: Projects Fund Allocations from Fund Balances (see next agenda item)

SUBMITTED BY:


 Angela E. Fritz
 Economic Development Director

SUPPORTING DOCUMENTS:

1. Adopted FY19 Budgets
 - a. CDC_A – 600/601
 - b. FDC_B – 700/701
2. Proposed Amended Budgets
 - a. CDC_A – 600/601
 - b. FDC_B – 700/701

EXECUTIVE SUMMARY

Staff has prepared a budget amendment to account for the following:

- Adjusting sales tax revenue to mirror that of City’s final projected amounts in its adopted FY19 budget
- Adjusting 10% projects fund allocations for “promotional” and “targeted incentives” line items accordingly
- Providing for capital project expenditures considered previously in this meeting (revenues to offset the costs of the projects will come from the respective Corporation’s operating fund balance – 600 or 700).

Budget amendment No. 1 for CDC_A includes the following proposed line item adjustments:

<u>Account No.</u>	<u>Description</u>	<u>FY19 Budget</u>	<u>FY19 Amended Budget</u>
600-41301	Sales & Use Tax Revenue	\$536,417	\$617,780
600-5-000-5900-61	Xfer Out Project Fund 601	\$107,283	\$411,056
601-49560	Xfer In Fund 600	\$107,283	\$411,056
601-5-000-5470-01	Targeted Incentives	\$53,642	\$61,778
601-5-000-5470-02	Promotional Expenses	\$53,642	\$61,778
601 - New Capital Project Account	W18k	\$0	\$25,000

601 - New Capital Project Account	WW18E	\$0	\$75,000
601 - New Capital Project Account	ST19D	\$0	\$87,500
601 - New Capital Project Account	FPT19A	\$0	\$50,000
601 - New Capital Project Account	FPT19B	\$0	\$50,000

Budget amendment No. 1 for FDC_B includes the following proposed line item adjustments:

<u>Account No.</u>	<u>Description</u>	<u>FY19 Budget</u>	<u>FY19 Amended Budget</u>
700-41301	Sales & Use Tax Revenue	\$536,417	\$617,780
700-5-100-5900-71	Xfer Out Project Fund 701	\$107,283	\$411,056
701-49570	Xfer In Fund 700	\$107,283	\$411,056
701-5-000-5470-01	Targeted Incentives	\$53,642	\$61,778
701-5-100-5470-02	Promotional Expenses	\$53,642	\$61,778
701 - New Capital Project Account	W18k	\$0	\$25,000
701 - New Capital Project Account	WW18E	\$0	\$75,000
701 - New Capital Project Account	ST19D	\$0	\$87,500
701 - New Capital Project Account	FPT19A	\$0	\$50,000
701 - New Capital Project Account	FPT19B	\$0	\$50,000

Budget amendments require approval by City Council before taking affect.

CDC_A FUND 600 (OPERATING)

08/01/2018

			FY2017	FY2018	FY2018		FY 2019
			Actual	Budget	Estimate	Add'l. Funds	Proposed Budget
Revenues		Beginning Fund Balance	659,388	705,866	872,624		1,038,842
Tax							
	600-41301	Sales & Use Tax Revenue	461,609	403,200	492,126	44,291	536,417
		Total Tax	461,609	403,200	492,126	44,291	536,417
Interest Earned							
	600-46000	Interest Revenue	7,262	1,000	1,000		1,000
		Total Interest Earned	7,262	1,000	1,000	-	1,000
		Total Revenues	468,871	404,200	493,126	44,291	537,417
Expenditures							
Administration							
Supplies							
	600-5-100-5311-00	Supplies	38	250	250		250
	600-5-100-5326-00	Uniforms/Shirts	-	-	-		-
	600-5-100-5381-00	Board Meeting Expenses	-	-	-		-
		Total Supplies	38	250	250	-	250
Contractual							
	NEW LINE ITEM	MEETING SECURITY	-	-	-	2,500	2,500
	600-5-100-5411-00	Admin Prof. Serv. - Legal	6,747	10,000	3,000		10,000
	600-5-100-5411-04	Professional Svcs - Admin	-	-	-		-
	600-5-100-5411-09	Professional Svcs-Acctg/Audit	-	-	-		-
	600-5-100-5411-10	Professional Svcs - Consulting	2,891	2,900	2,900		2,900
	600-5-100-5421-04	Admin - Indemnity Insurance	390	400	475		475
	600-5-100-5469-01	Admin - Administrative Fee	88,948	-	-		-
	600-5-100-5475-00	Admin - Bank Charges	-	400	-		-
		Total Contractual	98,976	13,700	6,375	2,500	15,875
Other Charges							
	600-5-100-5526-00	Admin - Public Notices	109	100	200	100	200
	600-5-100-5527-00	Dues & Memberships	-	-	-		-
	600-5-100-5528-00	Travel & Training	-	-	-		5,000
	600-5-100-5528-05	Continuing Education	430	5,000	1,000		-
		Total Other Charges	539	5,100	1,200	100	5,200
Transfers							
	600-5-000-5900-10	Xfer Out - Gen Fund 100 - ASA REIMBURSEMENT	-	151,648	151,648	8,452	160,100
	NEW LINE ITEM	Xfer Out - Gen Fund - ASA SHARED SERVICES FEE	-	-	-	35,000	35,000
	600-5-000-5900-11	Xfer Out - Gen Fund - Community Events	-	24,420	24,420	13,080	37,500
	600-5-000-5900-61	Xfer Out - 601 Projects Fund	155,200	143,015	143,015	(35,732)	107,283
		Total Transfers	155,200	319,083	319,083	20,800	339,883
		Total Administration Expenditures	254,753	338,133	326,908	23,400	361,208
		Revenue Over(Under) Expenditures	214,118	66,067	166,218	20,891	176,209
		Ending Fund Balance	873,506	771,933	1,038,842		1,215,051
							Restricted Fund Balance (90 days operating)
							90,302
							Estimated Unrestricted Fund Balance
							1,124,749

CDC_A FUND 601 (PROJECTS) 08/01/2018

Account Number	Account Description	FY2017 Actual	FY2018 Budget	FY 2018	FY 2018	FY 2019	Estimated Cumulative Balance
				Estimate EDC PURPOSES	Estimate FINANCE PURPOSES	Proposed Budget - Additional Funds	
Beginning Fund Balance		150,010	203,810	252,648	252,648		387,423
Revenues							
Interest Earned							
601-46000	Interest Revenue	1,151	100	2,800	2,800	100	100
Total Interest Earned		1,151	100	2,800	2,800	100	100
Other Revenue							
601-49202	LOAN PROCEEDS	-	-	-	-	-	-
601-49500	XFER IN - Fund Balance	-	-	-	-	-	-
601-49560	XFER IN - 4/A EDC FUND 600	155,200	143,015	143,015	143,015	107,283	107,283
Total Other Revenue		155,200	143,015	143,015	143,015	107,283	107,283
Total Revenue		156,351	143,115	145,815	145,815	107,383	107,383
Budgeted Revenue + Rollover Balance		306,361	346,925	398,463	398,463		494,806
Expenditures							
Contractual							
601-5-000-5470-01	Targeted Incentives	-	74,170	-	74,170	53,642	127,812
601-5-000-5470-02	Promotional Expenses	11,868	62,303	11,040	62,303	53,642	104,905
601-5-000-5470-03	Studies expense	5,346	94,655	-	94,655	-	94,655
601-5-000-5470-04	Community Events	36,500	1,000	-	1,000	(1,000)	-
Total Contractual		53,713	232,128	11,040	232,128	106,283	327,371
Capital Outlay							
601-5-000-5600-08	Capital Outlay - Land	-	-	-	-	-	-
601-5-000-5600-09	Katy-Fulshear/Huggins Road FY18	-	71,250	-	71,250	-	71,250
601-5-000-5600-10	Texas Heritage Parkway Project FY18	-	91,125	-	91,125	-	91,125
Total Capital Outlay		-	162,375	-	162,375	-	162,375
TOTAL EXPENDITURES		53,713	394,503	11,040	394,503	106,283	489,746
Revenues Over(Under) Expenditures		102,638	(251,388)	134,775	(248,688)	1,100	(382,363)
Ending Fund Balance		252,648	(47,578)	387,423	3,960		5,060

FDC_B FUND 700 (OPERATING) 07/31/2018

Account Number		Account Description	FY2017 Actual	FY2018 Budget	FY 2018 Estimate	Add'tl. Funds	FY 2019 Proposed Budget
Beginning Fund Balance			826,079	882,833	1,043,487		1,215,061
Revenues							
Tax							
700-41301		Sales & Use Tax Revenue	461,608	403,200	492,126	44,291	536,417
Total Tax			461,608	403,200	492,126	44,291	536,417
Interest Earned							
700-46000		Interest Revenue	7,262	750	6,581	-	5,000
Total Interest Earned			7,262	750	6,581	-	5,000
Other Revenue							
700-49560		XFER IN 4/A EDC FUND 600	2,500	-	-	-	-
Total Other Revenue			2,500	-	-	-	-
Total Revenues			471,370	403,950	498,707	44,291	541,417
Expenditures							
Administrative Supplies							
700-5-100-5311-00		Supplies	38	250	250	-	250
Total Supplies			38	250	250	-	250
Contractual							
NEW LINE ITEM		MEETING SECURITY	-	-	-	2,500	2,500
700-5-100-5411-00		Admin Prof. Service - Legal	6,162	7,500	4,000	-	7,500
700-5-100-5421-04		Admin - Indemnity Insurance	461	500	600	100	600
700-5-100-5469-01		Admin - Administrative Fee	91,448	-	-	-	-
Total Contractual			98,071	8,000	4,600	2,600	10,600
Other Charges							
700-5-100-5526-00		Public Notices	108	100	200	100	200
700-5-100-5528-00		Travel & Training	545	-	-	-	8,000
700-5-100-5528-05		Continuing Education	-	8,000	1,000	-	-
Total Other Charges			653	8,100	1,200	100	8,200
Transfers							
700-5-000-5900-10		Xfer Out - Gen Fund 100 - ASA REIMBURSEMENT	-	151,648	151,648	-	160,100
NEW LINE ITEM		Xfer Out - Gen Fund - ASA SHARED SERVICES FEE	-	-	-	35,000	35,000
700-5-000-5900-11		Xfer Out - Gen Fund - Community Events	-	24,420	24,420	13,080	37,500
700-5-000-5900-71		Xfer Out - 701 Projects Fund	155,200	143,015	143,015	-	107,283
Total Transfers			155,200	319,083	319,083	48,080	339,883
Total Administrative			253,962	335,433	325,133	50,780	358,933
Community Development Contractual							
700-5-400-5471-00		Community Grants	-	10,000	2,000	-	10,000
Total Contractual			-	10,000	2,000	-	10,000
Total Community Development			-	10,000	2,000	-	10,000
Total Expenditures			253,962	345,433	327,133	50,780	368,933
Revenues Over(Under) Expenditures			217,408	58,517	171,574	(6,489)	172,484
Ending Fund Balance			1,043,487	941,350	1,215,061		1,387,545
							Restricted Fund Balance (90 days operating)
							92,233
							Estimated Unrestricted Fund Balance
							1,295,312

FDC_B FUND 701 (PROJECTS) 07/31/2018

Account Number	Account Description	FY2017 Actual	FY2018 Budget	FY 2018 Estimate EDC Purposes	FY 2018 Estimate FINANCE Purposes	FY19 BUDGET (Add'l. Funds)	Estimated Cumulative Balance
Beginning Fund Balance		150,010	192,460	224,452	224,452		336,488
Revenues							
Interest Earned							
701-46000	INTEREST	1,152	100	1,248	1,248	100	100
Total Interest Earned		1,152	100	1,248	1,248	100	100
Other Revenue							
701-49570	XFER IN -Operating Fund 700	155,200	143,015	143,015	143,015	107,283	107,283
Total Other Revenue		155,200	143,015	143,015	143,015	107,283	107,283
Total Revenue		156,352	143,115	144,263	144,263	107,383	107,383
Budgeted Revenue + Rollover Balance		306,362	335,575	368,715	368,715		443,871
Expenditures							
Contractual							
701-5-000-5470-01	Targeted Incentives	-	74,170	-	74,170	53,642	127,812
701-5-000-5470-02	Promotional Expenses	40,005	34,165	32,228	34,165	53,642	55,579
701-5-000-5470-03	Studies Expenses	5,346	94,654	-	94,654	-	94,654
701-5-000-5470-04	Community Events	36,500	1,000	-	1,000	(1,000)	-
Total Contractual		81,851	203,989	32,228	203,989	106,284	278,045
Capital Outlay							
701-5-000-5600-09	Katy-Fulshear/Huggins Road - FY18	-	71,250	-	71,250	-	71,250
701-5-000-5600-10	Texas Heritage Parkway Project - FY18	-	91,125	-	91,125	-	91,125
Total Capital Outlay		-	162,375	-	162,375	-	162,375
Total Expenditures		81,851	366,364	32,228	366,364	106,284	440,420
Revenue Over(Under) Expenditures		74,501	(223,249)	112,036	(222,101)	1,099	(333,037)
Ending Fund Balance		224,511	(30,789)	336,488	2,351		3,450

ORDINANCE NO. 2018-1287

AN ORDINANCE AMENDING CITY OF FULSHEAR, TEXAS, ORDINANCE NO. 2018-1285, APPROVING AND ADOPTING THE CITY'S OPERATIN BUDGET FOR FISCAL YEAR 2018-2019, BY APPROVING "BUDGET AMENDMENT I" TO THE "ORIGINAL TYPE A AND TYPE B ECONOMIC DEVELOPMENT BUDGET OF THE CITY OF FULSHEAR, TEXAS, FOR THE FISCAL YEAR 2018-2019"; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.

WHEREAS, by Ordinance No. 2018-1285, the City Council of the City of Fulshear, Texas, adopted its Original General Budget for Fiscal Year 2018-2019; and

WHEREAS, THE City Council has determined that revenues and/or reserves are available for supplemental appropriation, and/or that the transfer of certain funds interdepartmentally is economically feasible and in the best interest of prudent budgeting and for municipal purposes; and

WHEREAS, the City Council desires to amend said Original General Operating and Capital Budgets to reflect such supplemental appropriation and/or transfer in the fiscal year 2018-2019; and these amendments are for municipal purposes;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

SECTION 1.0

That the facts recited in the preamble are determined to be true and correct, and are made a part of this ordinance the purpose of which is to adopt an amendment to the City of Fulshear's 2018-2019 Budget.

SECTION 2.0

The "Original General and Other Budgets of the City of Fulshear, Texas, for the Fiscal Year 2018-2019," as adopted under Ordinance No. 2018-1285 is hereby amended for municipal purposes as shown on "Budget Amendment I" to the "Original Type A and B Economic Development Budget of the City of Fulshear, Texas, for the Fiscal Year 2018-2019" hereby incorporated and attached as an Exhibit hereto. Said Budget Amendment I shall be attached to and made a part of such Original Type A and Type B Economic Development Budgets by the City Secretary and shall be filed as required by state law, a true and correct copy of which is attached hereto as Exhibits "A" and made a part hereto for all purposes.

SECTION 3.0 Authorized Expenditure

That the City be, and is hereby, authorized to expend those funds allocated under the budget ordinance, as amended herein and the fund balance at the end of the current fiscal year will be carried forward to the next budget to fund the allocations for the next fiscal year.

SECTION 4.0 Non-Repealer

That except as amended hereby, or as heretofore amended, the provisions of Ordinance No. 2018-1285, shall remain in full force and effect.

SECTION 5.0 Severability

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the

validity of this ordinance as a whole, or any part or provision thereof other than the part decided to be invalid, void, illegal or unconstitutional; it being the intent of the City Council in adopting this ordinance that no portion, or provisions, or regulations contained herein shall become inoperative or fail by reason of any unconstitutionality of any other portion thereof, and all provisions of this ordinance are severable for that purpose.

SECTION 6.0 Effective Date

This ordinance shall take effect immediately from and after its passage as the law provides, and the City Secretary is directed to furnish a copy of this budget amendment to the County Clerk of Fort Bend County as required by Chapter 102 of the Texas Local Government Code.

This Ordinance duly passed and adopted on the 18th of December 2018.

Aaron Groff, Mayor

ATTEST:

Kimberly Kopecky, City Secretary

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

AGENDA OF:	December 18, 2018	Items:	BUS- D
DATE SUBMITTED:	December 12, 2018	DEPARTMENT:	Planning and Development
PREPARED BY:	Sharon Valiante Public Works Director Wes Vela, Finance Director	PRESENTER:	Sharon Valiante/Wes Vela
SUBJECT:	Ordinance 2018 – North Fort Bend Water Authority Fees		
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Ordinance 2018 – 1288 2. Notice – NFBWA 2019 Fees 		

EXECUTIVE SUMMARY

The City of Fulshear is a member/participant, by legislative mandate, in the Groundwater Reduction Plan Program with the North Fort Bend Water Authority (NFBWA). The plan is to provide surface water to offset the potential subsidence in our area resulting from too much groundwater being taken from the local aquifers. The program provides for the NFBWA to set rates for groundwater pumpage by the participants and surface water received from the authority.

The current rate as adopted by the Board of Directors (Board) for the NFBWA in December of 2017, effective January 1, 2018, is \$3.35/1,000 gallons pumped and \$3.65/1,000 gallons of surface water received. The City in turn, adopted Ordinance No. 2017 – 1251, amending and adopting the revised groundwater reduction fee as required by the NFBWA. There was no need to include the revised surface water fee since the City was not receiving surface water.

The NFBWA noticed the city in September 2018 indicating the Board will be increasing the fees to \$3.65/1,000 gallons of ground water pumped and \$4.00/1,000 gallons of surface water received, effective January 1, 2019. The Board will adopt the fees at its December, 2018 meeting.

By the Ordinance presented here, Ordinance 2018 - , the City of Fulshear will adopt the revised rate order by the NFBWA for the groundwater fee of \$3.65/1,000 gallons pumped. In addition, the ordinance will include an administrative fee of \$.09/1,000 gallons pumped, to account for staff time/effort to manage and implement the mandated program.

Therefore, the Ordinance will adopt a total fee for groundwater pumpage at \$3.74/1,000 gallons.

RECOMMENDATION

Staff recommends City Council approve Ordinance 2018 – 1288.

ORDINANCE NO. 2018- 1288

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS AMENDING AND ADOPTING THE REVISED GROUNDWATER REDUCTION FEE AS REQUIRED BY THE NORTH FORT BEND WATER AUTHORITY; PROVIDING FOR AN ADMINISTRATIVE FEE; REPEALING ALL PREVIOUS RESOLUTIONS OR ORDINANCES, PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, in the interest of Fiscal Responsibility and conservation, it has been deemed in the best interest of the City of Fulshear, Texas to revise the fee charged for Groundwater Reduction as required by the North Fort Bend Water Authority; AND

WHEREAS, it is the desire of the City Council of the City of Fulshear to develop a fee structure that will allow the Enterprise Fund to rely on its own revenues for operations rather than requiring a subsidy from the General Fund; AND

WHEREAS, the City Council of the City of Fulshear, Texas believes that these financial goals are best attained through the fee structure contained herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

SECTION 1.0

PURPOSE: The purpose of this Ordinance is to amend and adopt the revised fee for Groundwater Reduction as required by the North Fort Bend Water Authority.

SECTION 2.0

ADOPTED: The following fee reflects a revision in the charges made for Groundwater Reduction as ordered by the North Fort Bend Water Authority and to provide for an administrative fee by the City.

(a) The fee charged for Groundwater Reduction shall be **\$3.74** per thousand gallons pumped.

(b) The fee set forth in subsection (a) includes:

(1) a North Fort Bend Water Authority Groundwater Reduction Plan Fee in the amount of \$3.65 per thousand gallons pumped; and

(2) a City administrative services fee in the amount of \$0.09 per thousand gallons pumped.

SECTION 3.0

SEVERABILITY CLAUSE: That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

SECTION 4.0

REPEALING CLAUSE: All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5.0

EFFECTIVE DATE: This Ordinance shall be effective on January 1, 2019.

SECTION 6.0

PUBLICATION: The City Secretary is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

Attest:

Aaron Groff, Mayor

Kimberly Kopecky, City Secretary

CITY OF FULSHEAR, ORDINANCE 2018 - 1288



September 6, 2018

TO: Utility Districts, the City of Fulshear, Texas, and Non-District/Non-City Well Owners Located Within the North Fort Bend Water Authority

FROM: North Fort Bend Water Authority (the "NFBWA")

RE: Notice of Preliminary 2019 Fees

This notice is being provided to assist well owners with their annual budgeting process. The NFBWA's Board of Directors anticipates increasing the Groundwater Reduction Plan Fee ("GRP Fee") to \$3.65 per 1,000 gallons of water pumped and the Surface Water Fee ("Surface Water Fee") to \$4.00 per 1,000 gallons of surface water received, which correspondingly increases the Imported Water Fee, **effective January 1, 2019**. These fees will be utilized to fund the cost of constructing, operating, and maintaining the Authority's current surface water supply system, as well as the capital costs associated with constructing the additional large-scale infrastructure projects needed to meet the Fort Bend Subsidence District's groundwater reduction requirements.

The NFBWA's 2019 budget will be adopted at the December, 2018 regular meeting of the Board of Directors, at which time a discussion of budget, water supply, and Groundwater Reduction Plan issues will take place. A notice of the meeting date and location for formal adoption of the GRP Fee and the Surface Water Fee will be distributed at a later date.

c/o Allen Boone Humphries Robinson LLP • 3200 Southwest Freeway, Suite 2600
Houston, TX 77027 • www.nfbwa.com • 713-860-6400 • 713-860-6401 Fax

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

AGENDA OF:	December 18, 2018	AGENDA ITEMS:	E & G
DATE SUBMITTED:	December 11, 2018	DEPARTMENT	Economic Development
PREPARED BY:	Angela Fritz, Economic Development Director	PRESENTER:	Same
SUBJECTS:	City of Fulshear Development Corporation (A) ADDITIONAL FY 2018 - 2019 Projects Approval		
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Resolution No. 2018-411 2. CDC Public Notice of Projects 		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:			
FUNDING ACCOUNT:			
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
FUNDING ACCOUNT:			

EXECUTIVE SUMMARY

On November 19, the City of Fulshear Development Corporation (CDC) declared additional projects for Fiscal Year 2018-2019 (FY19), finding that budgeted expenditures will promote or develop new or expanded business enterprises. The CDC adopted Resolution CDC 18-03 at the same meeting, declaring the projects, directing staff to publish notice of the same, and setting a public hearing date for December 3, 2018.

The project notice was run in the legal section of the City’s paper of record, the Fort Bend Herald, on November 22, beginning a 60-day period for public petition regarding the expenditures. A public hearing on the projects was held at the Corporation’s December 3, 2018 Meeting. There was one speaker during the public hearing – Mayor Pro Tem Kahlich who thanked the Corporation for their willingness to partner with the City on Capital Improvements.

In addition to the public notice and hearing requirements, the Texas Local Government Code requires the authorizing entity (City Council) to adopt a resolution authorizing the projects after giving the resolution at least two separate readings before the EDC may spend funds related to specific projects. This is due to the City’s population being under 20,000, and the proposed specific project expenditure amount being greater than \$10,000.

RECOMMENDATION

Staff recommends adoption of Resolution No. 2018-411 authorizing the City of Fulshear Development Corporation’s projects and expenditures for Fiscal Year 2018-2019.

RESOLUTION NO. 2018-411

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS
AUTHORIZING PROJECTS OF THE
CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC),
A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

WHEREAS, the CITY OF FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 504 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the City adopted Ordinance No. 2011-1046 on October 1, 2011, approving the participation of the Corporation in projects previously approved only for 4B development corporations under the auspices of HB 3302; and

WHEREAS, the Corporation adopted Resolution CDC 18-03 on November 19, 2018, attached hereto as "Exhibit A," proposing projects of the Corporation; and

WHEREAS, these specific projects during Fiscal Year 2018-2019, are expenditures for capital projects found by the Board of Directors to promote new or expanded business development; and

WHEREAS, the estimated expenditures for such projects in fiscal year 2018-2019 are:

- \$25,000 for the City of Fulshear CIP Project W18K – Water Master Plan Project 2;
- \$75,000 for the City of Fulshear CIP Project WW18E – Wastewater Master Plan Project 3;
- \$87,500 for the City of Fulshear CIP Project ST19D – FM 1093 Widening Cost Participation;
- \$50,000 for the City of Fulshear CIP Project FPT19A – Parks and Pathways Master Plan Implementation; and
- \$50,000 for the City of Fulshear CIP Project FPT19B – Livable Center Study Implementation;

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

Section 1. The City hereby authorizes the projects proposed by Resolution CDC 18-03 and the associated expenditure of funds listed herein found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this ____ DAY OF _____, 201__.

Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

Kim Kopecky, City Secretary
City of Fulshear, Texas

DRAFT

Exhibit "A" to City of Fulshear Resolution No. 2018-411

RESOLUTION NO. CDC 18-03

A RESOLUTION OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A "TYPE A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION, DECLARING ADDITIONAL PROJECTS TO BE UNDERTAKEN BY THE CORPORATION FOR FISCAL YEAR 2018-2019, DIRECTING STAFF TO PUBLISH NOTICE OF SAME, AND SETTING A PUBLIC HEARING.

WHEREAS, the CITY OF FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City of FULSHEAR, Texas (the "City") pursuant to Chapter 504 of the Development Corporation Act, Texas local Government Code, as amended (the "Act");

WHEREAS, the City of Fulshear adopted Ordinance No. 2011-1046 on October 1, 2011, in accordance with Section 504.171 of the Texas Local Government Code approving the participation of the Corporation in projects previously authorized only for "Type B" development corporations;

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2018-2019, being expenditures for capital projects found by the Board of Directors to promote new or expanded business development;

WHEREAS, the estimated expenditures for such projects in fiscal year 2018-2019 are:

- \$25,000 for the City of Fulshear CIP Project W18K – Water Master Plan Project 2;
- \$75,000 for the City of Fulshear CIP Project WW18E – Wastewater Master Plan Project 3;
- \$87,500 for the City of Fulshear CIP Project ST19D – FM 1093 Widening Cost Participation;
- \$50,000 for the City of Fulshear CIP Project FPT19A – Parks and Pathways Master Plan Implementation; and
- \$50,000 for the City of Fulshear CIP Project FPT19B – Livable Center Study Implementation;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CORPORATION THAT:

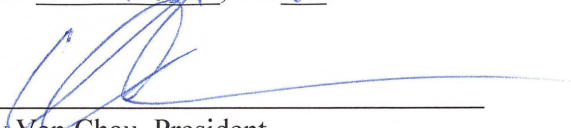
Section 1. The Board hereby proposes to undertake specific projects during Fiscal Year 2018-2019 being expenditures for capital projects found by the Board of Directors to promote new or expanded business development.

Section 2. The Board hereby finds that the funds expended will be used for eligible "costs" of "projects" as defined in the Act.

Section 3. The Board hereby directs staff to publish public notice as required by the Act.

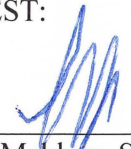
Section 4. The Board hereby sets a public hearing for one or more of such projects on Monday, December 3, 2018, at 6:30 p.m. at Fulshear City Hall, 39603 FM 1093, Fulshear, Texas 77441.

PASSED AND APPROVED this 19th DAY OF November, 2018.



Andrew Van Chau, President
City of Fulshear Development Corporation

ATTEST:



Jason Maklary, Secretary
City of Fulshear Development Corporation

11/22

City of Fulshear
Public Notice (A)

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)

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

11/22

_____, A.D. 2018



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 29th day of November, A.D. 2018 to certify which witness my hand and seal of office.

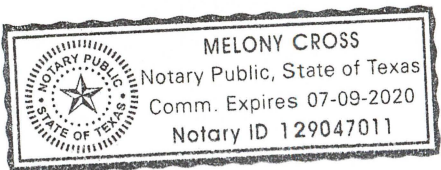
Melony Cross
Notary Public, State of Texas

PUBLIC NOTICE
OF PROJECTS
PROPOSED TO BE
UNDERTAKEN BY
THE CITY OF FULSHEAR
DEVELOPMENT
CORPORATION (CDC),
A "TYPE A" ECONOMIC
DEVELOPMENT SALES
TAX CORPORATION

The CDC, a "Type A" Economic Development Sales Tax Corporation, hereby gives notice, pursuant to the Texas Local Government Code, Sec. 504.171, that the Corporation has proposed to undertake the following projects:
Land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development. Specifically, capital project contributions for City of Fulshear Project W18K – Water Master Plan Project 2 (\$25,000); City of Fulshear Project WW18E – Wastewater Master Plan Project 3 (\$75,000); City of Fulshear Project ST19D – FM 1093 Widening Cost Participation (\$87,500); City of Fulshear Project FPT19A – Parks and Pathways Master Plan Implementation (\$50,000); and City of Fulshear Project FPT19B – Livable Center Study Implementation (\$50,000).
The City of Fulshear Development Corporation will conduct a public hearing to solicit citizen input regarding the proposed projects identified and described above. The public hearing will be held at the Fulshear City Hall, 39603 FM 1093, Fulshear, Texas, on Monday, December 3, 2018, at 6:30 p.m. Interested citizens are encouraged to attend and offer their comments.
For more information, please contact:
Angela Fritz, Economic Development Director
City of Fulshear
Telephone: (281) 346-1796

PUBLIC NOTICE
OF PROJECTS
PROPOSED TO BE
UNDERTAKEN BY
THE CITY OF FULSHEAR
DEVELOPMENT
CORPORATION (CDC),
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The CDC, a "Type A" Economic Development Sales Tax Corporation, hereby gives notice, pursuant to the Texas Local Government Code, Sec. 504.171, that the Corporation has proposed to undertake the following projects:
Land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development. Specifically, capital project contributions for City of Fulshear Project W18K – Water Master Plan Project 2 (\$25,000); City



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

AGENDA OF:	December 18, 2018	AGENDA ITEMS:	F & H
DATE SUBMITTED:	December 11, 2018	DEPARTMENT	Economic Development
PREPARED BY:	Angela Fritz, Economic Development Director	PRESENTER:	Same
SUBJECTS:	Fulshear Development Corporation (B) ADDITIONAL FY 2018 - 2019 Projects Approval		
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Resolution No. 2018-412 2. FDC Public Notice of Projects 		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:			
FUNDING ACCOUNT:			
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
FUNDING ACCOUNT:			

EXECUTIVE SUMMARY

On November 19, the Fulshear Development Corporation (FDC) declared additional projects for Fiscal Year 2018-2019 (FY19), finding that budgeted expenditures will promote or develop new or expanded business enterprises. The CDC adopted Resolution FDC 18-03 at the same meeting, declaring the projects, directing staff to publish notice of the same, and setting a public hearing date for December 10, 2018.

The project notice was run in the legal section of the City’s paper of record, the Fort Bend Herald, on November 22, beginning a 60-day period for public petition regarding the expenditures. A public hearing on the projects was held at the Corporation’s December 10, 2018 Meeting. There was one speaker during the public hearing – Mayor Pro Tem Kahlich who thanked the Corporation for their willingness to partner with the City on Capital Improvements.

In addition to the public notice and hearing requirements, the Texas Local Government Code requires the authorizing entity (City Council) to adopt a resolution authorizing the projects after giving the resolution at least two separate readings before the EDC may spend funds related to specific projects. This is due to the City’s population being under 20,000, and the proposed specific project expenditure amount being greater than \$10,000.

RECOMMENDATION

Staff recommends adoption of Resolution No. 2018-412 authorizing the Fulshear Development Corporation’s projects and expenditures for Fiscal Year 2018-2019.

RESOLUTION NO. 2018-412

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS
AUTHORIZING PROJECTS OF THE
FULSHEAR DEVELOPMENT CORPORATION (FDC),
A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 505 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Corporation adopted Resolution FDC 18-03 on November 19, 2018, attached hereto as "Exhibit A," proposing projects of the Corporation; and

WHEREAS, these specific projects during Fiscal Year 2018-2019, are expenditures for capital projects found by the Board of Directors to promote new or expanded business development; and

WHEREAS, the estimated expenditures for such projects in fiscal year 2018-2019 are:

- \$25,000 for the City of Fulshear CIP Project W18K – Water Master Plan Project 2;
- \$75,000 for the City of Fulshear CIP Project WW18E – Wastewater Master Plan Project 3;
- \$87,500 for the City of Fulshear CIP Project ST19D – FM 1093 Widening Cost Participation;
- \$50,000 for the City of Fulshear CIP Project FPT19A – Parks and Pathways Master Plan Implementation; and
- \$50,000 for the City of Fulshear CIP Project FPT19B – Livable Center Study Implementation;

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

Section 1. The City hereby authorizes the projects proposed by Resolution FDC 18-03 and the associated expenditure of funds listed herein found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this ____ DAY OF _____, 201__.

Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

Kim Kopecky, City Secretary City of Fulshear, Texas

RESOLUTION NO. FDC 18-03

A RESOLUTION OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A "TYPE B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION, DECLARING ADDITIONAL PROJECTS TO BE UNDERTAKEN BY THE CORPORATION FOR FISCAL YEAR 2018-2019, DIRECTING STAFF TO PUBLISH NOTICE OF SAME, AND SETTING A PUBLIC HEARING.

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City of FULSHEAR, Texas (the "City") pursuant to Chapter 505 of the Development Corporation Act, Texas local Government Code, as amended (the "Act");

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2018-2019, being expenditures for capital projects found by the Board of Directors to promote new or expanded business development;

WHEREAS, the estimated expenditures for such projects in fiscal year 2018-2019 are:

- \$25,000 for the City of Fulshear CIP Project W18K – Water Master Plan Project 2;
- \$75,000 for the City of Fulshear CIP Project WW18E – Wastewater Master Plan Project 3;
- \$87,500 for the City of Fulshear CIP Project ST19D – FM 1093 Widening Cost Participation;
- \$50,000 for the City of Fulshear CIP Project FPT19A – Parks and Pathways Master Plan Implementation; and
- \$50,000 for the City of Fulshear CIP Project FPT19B – Livable Center Study Implementation;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CORPORATION THAT:

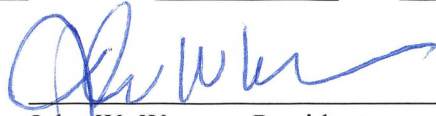
Section 1. The Board hereby proposes to undertake specific projects during Fiscal Year 2018-2019 being expenditures for capital projects found by the Board of Directors to promote new or expanded business development.

Section 2. The Board hereby finds that the funds expended will be used for eligible "costs" of "projects" as defined in the Act.

Section 3. The Board hereby directs staff to publish public notice as required by the Act.

Section 4. The Board hereby sets a public hearing for one or more of such projects on Monday, December 10, 2018, at 6:30 p.m. at Fulshear City Hall, 39603 FM 1093, Fulshear, Texas 77441.

PASSED AND APPROVED this 19th DAY OF November, 2018.



John W. Wauson, President
Fulshear Development Corporation

ATTEST:



Carol Riggs, Secretary
Fulshear Development Corporation

11/22

City of Fulshear
Public Notice (B)

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

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(CLIPPING) (S)

pursuant to the Texas Local Government Code, Sec. 505.160, that the Corporation has proposed to undertake the following projects:

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Angela Fritz, Economic Development Director
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PUBLIC NOTICE
OF PROJECTS
PROPOSED TO BE
UNDERTAKEN BY
THE FULSHEAR
DEVELOPMENT
CORPORATION (FDC),
A "TYPE B" ECONOMIC
DEVELOPMENT SALES
TAX CORPORATION

The FDC, a "Type B" Economic Development Sales Tax Corporation, hereby gives notice,

