

**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

|   |   |
|---|---|
| <b>AGENDA OF:</b> February 1, 2019  | <b>AGENDA ITEM:</b> 4   |
| <b>DATE SUBMITTED:</b> January 28, 2018   | <b>DEPARTMENT:</b> Planning & Development   |
| <b>PREPARED BY:</b> Sharon Valiante,<br>Director of Public Works<br>Brant Gary,<br>Assistant City Manager<br>Kerry Sigler,<br>Chief Building Official                     | <b>PRESENTER:</b> Sharon Valiante,<br>Director of Public Works<br>Brant Gary,<br>Assistant City Manager<br>Kerry Sigler,<br>Chief Building Official |
| <b>SUBJECT:</b> <b>Public hearing regarding a request for a Special Use Permit for Commercial Use/Retail Boutique at 30318 2<sup>nd</sup> Street, Fulshear, TX 77441.</b> |   |
| <b>ATTACHMENTS:</b> <b>Public Hearing Notice Items</b>  |   |

**EXECUTIVE SUMMARY**

The authorized representative for the owner of the property located at 30318 2nd Street, Fulshear, TX 77441 is requesting a Special Use Permit for the property indicated. The property is within the Downtown District and is currently used for residential use They are requesting to use the property for commercial use, specifically for office/retail use for boutique shop. Any internal modifications will be done according to applicable codes and ordinances

They have provided the necessary documents as required by Sec. 1-283 of the City's Zoning Ordinance (2012-1069). In addition, the requirements have been met so that the public hearings may take place.

**RECOMMENDATION**

Staff recommends the Planning and Zoning Commission conduct the public hearing for the requested commercial use of a retail boutique shop to be located at 30318 2nd Street, Fulshear, TX 77441.

## **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 February 1, 2019 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 February 19, 2019 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 9, Lots 2, 3, 6, specifically the address is 30318 Second Street, Fulshear, Texas 77441.

The applicant is seeking a Special Use Permit pursuant to the Ordinance # 2012-1069, Section 1-193, (c), (2), (f), 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: January 18, 2019

*Date:*

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)

**Notice Public Hearings**  
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 The applicant is seeking a Special Use Permit pursuant to the Ordinance # 2012-1069, Section 1-193, (c), (2), (f), 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: January 18, 2019

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

1-18

\_\_\_\_\_, A.D. 2019



Lee Hartman  
Publisher

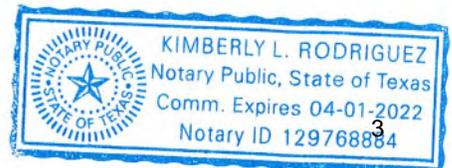
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

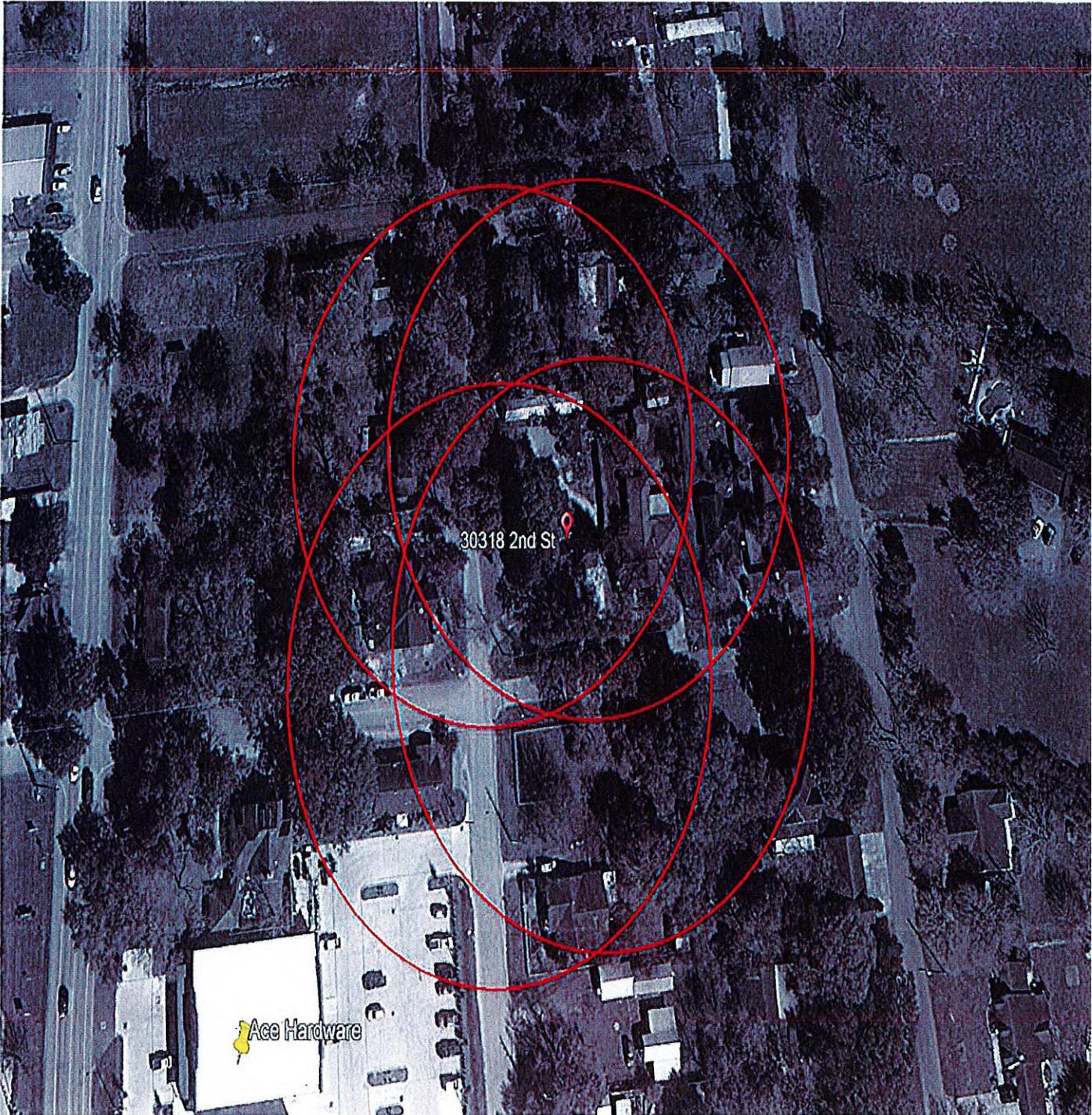
\_\_\_\_\_ b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 21 day of January, A.D. 2019 to certify which witness my hand and seal of office.

  
Notary Public, State of Texas



Public Notice Radius  
Map within 300' of  
property lines



**1.** Fulshear Main Street  
Crossing LP  
5 Riverway #STE 340  
Houston, Texas 77056

**2.** Desiree Mastriano  
PO Box 59  
Fulshear, Texas 77441

**3.** Fulshear Country  
Enterprises Inc  
31311 Riverlake DR  
Fulshear, Texas 77441

**4.** Riggs Rodger G & Carol L  
PO Box 675  
Fulshear, Texas 77441

**5.** Fulshear Country  
Enterprises LLC  
31311 Riverlake Rd  
Fulshear, Texas 77441

**6.** Cherrilyn Elizabeth Austin  
PO Box 701  
Simonton, Texas 77476

**7.** Burgin James N & Barbara  
PO Box 395  
Fulshear, Texas 77441

**8.** Peck Robert & Candace  
209 Caleta CIR  
Richmond, Texas 77406

**9.** Jones Selwin W & Doris  
PO Box 207  
Fulshear, Texas 77441

**10.** Grisham Kenneth &  
Elizabeth W  
PO Box 391  
Fulshear, Texas 77441

**11.** Grisham Kenneth &  
Elizabeth  
PO Box 391  
Fulshear, Texas 77441

**12.** Krista Ann  
8903 Wilson Street  
Fulshear, Texas 77441

**13.** Davenport James M &  
Pamela L  
PO Box 1159  
Fulshear, Texas 77441

**14.** Tayac Properties LLC  
PO Box 661  
Fulshear, Texas 77441

**15.** Betty Louise Roberts  
PO Box 658  
Fulshear, Texas 77441

**16.** Fort Bend Toll Authority  
PO Box 1307  
Richmond, Texas 77406

**17.** Lamar ISD  
3911 Avenue I  
Rosenburg, Texas 77471

**1. JOE SAENZ**  
7822 AVENUE E  
BEASLEY, TX 77417

**8. JULIA PALOMARES**  
PO BOX 265  
FULSHEAR, TX 77441

**15. LAMAR ISD**  
3911 AVENUE I  
ROSENBERG, TX 77471

**2. CAROLE ANN MCCAIN**  
PO BOX 33  
FULSHEAR, TX 77441

**9. CAROLE ANN MCCAIN**  
PO BOX 33  
FULSHEAR, TX 77441

**3. JASON E GUIDRY**  
13418 SHADY DAY CT  
SUGARLAND, TX 77498

**10. FRANCESCA H FRANCO**  
8510 HARRIS STREET  
FULSHEAR, TX 77441

**4. FIRST UNITED CHURCH**  
PO BOX 100  
FULSHEAR, TX 77441

**11. FULSHEAR KU LTD**  
909 FANIN ST STE 1640  
HOUSTON, TX 77010

**5. KRISTI STEPHENS**  
PO BOX 33  
FULSHEAR, TX 77441

**12. FULSHEAR KU LTD**  
909 FANIN ST STE 1640  
HOUSTON, TX 77010

**6. KRISTI STEPHENS**  
PO BOX 33  
FULSHEAR, TX 7441

**13. FULSHEAR KU LTD**  
909 FANIN ST STE 1640  
HOUSTON, TX 77010

**7. HANNA H ELIAS**  
8402 HARRIS STREET  
FULSHEAR, TX 77441

**14. FORT BEND COUNTY**  
301 JACKSON STREET  
RICHMOND, TX 77469



# CITY OF FULSHEAR

*"FIND YOUR FUTURE IN FULSHEAR"*

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

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

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

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

**PLANNING & ZONING:**  
CO-CHAIR- AUSTIN WEANT  
MEMBER- GREGORY EHMAN  
EX-OFFICIO- KAYLEEN NELSON

MEMBER- DAR HAKIMZADEH  
MEMBER- JOHN DOWDALL

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

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## **PLANNING AND ZONING COMMISSION MEETING MINUTES JANUARY 4, 2019**

### **1. Call to Order**

*A REGULAR MEETING OF THE FULSHEAR PLANNING AND ZONING COMMISSION WAS CALLED TO ORDER BY PLANNING AND ZONING CHAIRMAN AMY PEARCE AT 8:30 A.M. ON FRIDAY, JANUARY 4, 2019 AT CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS 77441.*

### **2. Quorum**

*A QUORUM WAS PRESENT.*

#### **MEMBERS PRESENT**

*AMY PEARCE, CHAIRMAN  
AUSTIN WEANT, CO-CHAIRMAN  
GREGORY EHMAN  
DAR HAKIMZADEH  
JOHN DOWDALL  
JOAN BERGER  
JASON CHERUBINI*

#### **MEMBERS ABSENT**

*KAYLEEN NELSON (ex-officio)*

**CITY STAFF**

*KIMBERLY KOPECKY, CITY SECRETARY  
SHARON VALIANTE, PUBLIC WORKS DIRECTOR  
KERRY SIGLER, BUILDING OFFICIAL  
DAVID LEYENDECKER, CITY ENGINEER  
BRANT GARY, ASSISTANT CITY MANAGER*

**OTHERS PRESENT**

*SCOTT MACINZIE  
CHRIS JOUSAN  
WILL MCASHAN  
JOSUE SANDOVAL  
CHRIS KALKOMEY  
KAYE KAHLICH  
TREY DEVILLIER  
AND SEVERAL OTHERS THAT DID NOT SIGN IN.*

**3. Citizen’s Comments**

*Citizens who desire to address the Planning And Zoning Commission with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for Consideration.*

*NO CITIZEN COMMENTS*

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

**In compliance with the City of Fulshear Ordinance Number 2012-1069, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on January 4, 2019 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 January 15, 2019 at 7:00 PM. 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 5, Lots 1, 4, 5, specifically the address is 8418 Harris 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: December 21, 2018

*AMY PEARCE OPENED THE PUBLIC HEARING AT 8:30 A.M.*

*THE APPLICANT (JESSICA CHERUBINI) SPOKE REGARDING OPENING A DANCE/PILATES STUDIO AND ANSWERED A FEW QUESTIONS.*

*NO CITIZENS SPOKE.*

*AMY PEARCE CLOSED THE PUBLIC HEARING AT 8:34 A.M.*

#### **5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meetings held on December 7, 2018**

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER BERGER TO APPROVE MINUTES FROM DECEMBER 7, 2018. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

#### **6. Consideration and possible action to approve a Special Use Permit for 8418 Harris Street, Fulshear, Texas 77441**

*(JASON CHERUBINI FILLED OUT THE CIS FORM PRIOR TO THE MEETING AND STEPPED DOWN FROM THE DAIS DURING THIS ITEM.)*

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER EHMAN TO APPROVE A SPECIAL USE PERMIT FOR 8418 HARRIS STREET, FULSHEAR, TEXAS 77441 WITH THE FOLLOWING CONDITIONS: 1) SURVEY MUST BE COMPLETED BEFORE CERTIFICATE OF OCCUPANCY, 2) CRUSHED GRANITE IS ALLOWED FOR PARKING AND DRIVEWAY SURFACES WITHIN CODE PARAMETERS. IT WAS SECONDED BY PLANNING AND ZONING MEMBER BERGER. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

*(JASON CHERUBINI RETURNED TO THE DAIS)*

**7. Consideration and possible action to approve Dewberry Acres/Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO APPROVE DEWBERRY ACRES/PRELIMINARY PLAT WITH A VARIANCE TO ALLOW DEWBERRY LANE TO STAY A PRIVATE ROAD. IT WAS SECONDED BY PLANNING AND ZONING MEMBER WEANT. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

**8. Consideration and possible action to approve Lamar CISD Tamarron Elementary School/Preliminary Plat**

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO APPROVE LAMAR CISD TAMARRON ELEMENTARY SCHOOL/PRELIMINARY PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER EHMAN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

**9. Consideration and possible action to approve Tamarron Multifamily/Preliminary Plat.**

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER WEANT TO APPROVE TAMARRON MULTIFAMILY/PRELIMINARY PLAT WITH AN UPDATED TRAFFIC STUDY AND DRAINAGE STUDY REQUIRED BEFORE FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER DOWDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

**10. Consideration and possible action to approve Fulbrook on Fulshear Creek Section 14/Preliminary Plat.**

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO APPROVE FULBROOK ON FULSHEAR CREEK SECTION 14/PRELIMINARY PLAT WITH A NAME CHANGE OF DEWBERRY LANE. IT WAS SECONDED BY PLANNING AND ZONING MEMBER WEANT. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

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

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER HAKIMZADEH TO APPROVE TAMARRON CROSSING SECTION 3-STREET DEDICATION/FINAL PLAT. IT*

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

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

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

*A MOTION WAS MADE BY PLANNING AND ZONING MEMBER WEANT TO APPROVE TAMARRON SECTION 13/FINAL PLAT. IT WAS SECONDED BY PLANNING AND ZONING MEMBER HAKIMZADEH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

**13. Adjournment**

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

*AYES: BERGER, CHERUBINI, DOWDALL, EHMAN, HAKIMZADEH, PEARCE, AND WEANT  
NAYS: NONE*

*CHAIRMAN AMY PEARCE ADJOURNED THE MEETING AT 8:51 A.M.*

**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

|                        |  |                    |  |
|------------------------|--|--------------------|--|
| <b>AGENDA OF:</b>      | February 1, 2019   | <b>ITEM:</b>       | 6  |
| <b>DATE SUBMITTED:</b> | January 28, 2019   | <b>DEPARTMENT:</b> | Planning and Development   |
| <b>PREPARED BY:</b>    | Sharon Valiante,<br>Public Works Director;<br>Brant Gary,<br>Assistant City Manager<br>Kerry Sigler,<br>Chief Building Official  | <b>PRESENTER:</b>  | Brant Gary<br>Assistant City Manager<br>Sharon Valiante,<br>Public Works Director<br>Kerry Sigler,<br>Chief Building Official  |
| <b>SUBJECT:</b>        | <b>CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR A RETAIL/BOUTIQUE TO BE LOCATED AT 30318 SECOND STREET, FULSHEAR, TEXAS 77441.</b>  |                    |  |
| <b>ATTACHMENTS:</b>    | 1.) Completed SUP Application<br>2.) Owner Affidavit<br>3.) Vicinity Map<br>4.) Context Map<br>5.) Survey<br>6.) Compliance with the Comprehensive Plan<br>7.) Preliminary Site Plan<br>8.) Landscape Plan |                    | 9.) Grading & Drainage Plan<br>10.) Lighting Plan<br>11.) Elevations<br>12.) Traffic Impact Study<br>13.) Signage<br>14.) Notification to the Public<br>15.) Sign Notification on the Property |

**EXECUTIVE SUMMARY**

The lessee of the property located at 30318 Second Street is requesting a Special Use Permit for the property' indicated. The property' is within the Downtown District and is currently a vacant 2 story house. The lessee is requesting an SUP to operate a Retail/Boutique business utilizing just the downstairs area.

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 has 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 information. The documentation does include a completed Letter of Authorization establishing an agent and authorizing submittal of the application for the requested SUP. The proposed business owner is requesting the SUP as a condition of the property lease. (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 document was provided which shows the existing lot and the buildings that sit on it. (See Item 5)

- **Compliance with the Comprehensive Plan:** After review of the request from the applicant, City Staff finds that the requested use is an approved and desired use within the Downtown District per Section 5.7 of the Plan. (See Item 6)
- **Site Plan:** The site plan shows the building layout and existing parking areas. Proposed parking areas will allow for the applicant to meet the 8 required spaces. The applicant intends to use materials other than concrete and has requested the use of crushed granite for areas around trees. If agreed to, this should be listed as a condition in the recommendation. 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 information indicating the location for a future 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 owners 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)

City Staff would like to note that the applicant would need specific approval to utilize crushed granite as a parking space. In addition, the spaces would need to be clearly designated and properly signed per normal requirements.

### RECOMMENDATION

City Staff would recommend the Planning and Zoning Commission provide a positive recommendation to the City Council for the approval of an SUP for the use of the property for retail use, specifically a boutique to be located at 30318 Second 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 the proposed use (such as the parking space surface requirements).

# **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

8-2547

## ZONING SPECIAL USE APPLICATION

Date of Application: 12.6.19

Property Address: 30318 2nd Street, FULSHEAR TX 77441

Legal Description of the property: \_\_\_\_\_

Property Owner Name(s): Hanna Elias (John)

Address: 1024 FM 1092, Missouri City, TX 77459

Phone Number: 281.217.2396 Email Address: CollisionClinicTx@yahoo Co

Applicant/Agent: Morgan Stewart Attach letter of authorization along with this application

Address: 4219 Wuntworth Dr, Weston Lakes, TX 77441

Phone Number: 361.254.2920 Email Address: threadedvine@gmail.com

Zoning District: Downtown Current use of property: Residential/Vacant

Requested use of the property: DISTRICT Boutique

### Land Uses of Adjoining Property:

(Agricultural, Single Family, Industrial, Business)

|       |                      |
|-------|----------------------|
| North | Residential          |
| South | Vacant Lot           |
| East  | Residential          |
| West  | Commercial (Realtor) |

Is the proposed special use allowable in the current zoning designation? By Special Use

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



## LETTER OF INTENT

1. Adjacent land uses consist of residential to North and East, commercial to West and South is a vacant lot.
2. The granting of a Special Use Permit will not be injurious to public health, safety or welfare. Structure will be ADA compliant and provide Handicapped parking space.
3. The granting of the Special Use Permit would not confer on the applicant any special privilege that is denied by the ordinance to other lands. The granting of the granting of the Special Use Permit would allow a commercial/residential mix-use that would be in the character of a traditional small town.
4. The intent and general purposes of this chapter will be preserved and maintained; The intent and general purpose of the Downtown District Zone will be preserved and maintained, due to the following considerations:
  - a. The boutique will be in character with a downtown development, while at the same time having a commercial façade.
  - b. Yards between right of way liine and boutique will be landscaped, and well preserved to enhamce the beautification of the block face.
  - c. A handicap parking space and additional parking will be constructed.
5. No nonconforming use of neighboring land, structures or buildings in the same district, or other districts, shall be considered grounds for the issuance of the Special Use Permit.
6. We will comply with existing ordinances.

Special Use Permit requested would be granted on the basis of a reasonable assessment of existing conditions and general compliance with the same district.



We hope this submittal meets your approval. Please let me know if you have any questions or if I can be of further assistance.

Sincerely,

X

---

Morgan Stewart  
Owner of Morgan Stewart LLC

DBA The Threaded Vine



The Threaded Vine will feature clothing for women and children, party supplies, gifts and home décor. This will be a boutique atmosphere that is affordable to many and inclusive is clothing size.

We propose to be open 5 days a week initially, adding more days if business calls for it. Proposed hours are Tuesday-Friday (10AM-5:30PM) and Saturday from (10AM-5PM). Closed Sunday and Monday. The exceptions to these working hours would be for special trunk shows and a once a month extended hours shopping event that would end by 9PM. These events help afford working women the option to shop local and not just online.

The Threaded Vine wants to help make downtown Fulshear the best place to shop for our residents and provide a welcoming environment for the community.

The Threaded Vine is an LLC Corporation and will be operated by its sole owner, Morgan Stewart.

Morgan Stewart and approximately 2 employees will staff the boutique. The proposed location is at 30318 2<sup>nd</sup> Street in downtown Fulshear.

# Owner Affidavit

Property Owner Property Address 2018 Assessed Value  
 R65742 ELIAS, HANNA 30318 SECOND ST, FULSHEAR, TX 77441 \$460,080

**2018 GENERAL INFORMATION**

Property Status Active  
 Property Type Real Residential  
 Legal Description FULSHEAR, BLOCK 9, Lot 2,3,6 (W 100 X 150')  
 Neighborhood Fulshear  
 Account 3380-00-009-0020-901  
 Map Number A-027-N

**2018 OWNER INFORMATION**

Owner Name Elias, Hanna  
 Owner ID O0504702  
 Exemptions  
 Percent Ownership 100%  
 Mailing Address 4631 Chestnut Meadow DR Sugar Land, TX 77479-3235  
 Agent Corbett & Company (A0362286)

**2018 VALUE INFORMATION**

Improvement Homesite Value N/A  
 Improvement Non-Homesite Value N/A  
 Total Improvement Market Value N/A  
 Land Homesite Value N/A  
 Land Non-Homesite Value N/A  
 Land Agricultural Market Value N/A  
 Total Land Market Value N/A  
 Total Market Value N/A  
 Agricultural Use N/A  
 Total Appraised Value \$460,080  
 Homestead Cap Loss -\$0  
 Total Assessed Value \$460,080

**N/A**  
 property  
 informat

*N/A values are not applicable toward total value.*

**2018 ENTITIES & EXEMPTIONS**

| TAXING ENTITY                             | EXEMPTIONS | EXEMPTIONS AMOUNT | TAXABLE VALUE | TAX RATE PER 100 | TAX CEILING |   |
|---|------------|-------------------|---------------|------------------|-------------|---|
| C04- City of Fulshear                     |            |                   | \$0           | \$460,080        | 0.16251     | 0 |
| CAD- Fort Bend Central Appraisal District |            |                   | \$0           | \$460,080        | 0           | 0 |
| D01- Ft Bend Drainage                     |            |                   | \$0           | \$460,080        | 0.019       | 0 |
| G01- Ft Bend Co Gen                       |            |                   | \$0           | \$460,080        | 0.445       | 0 |
| R05- Ft Bend Co ESD 4                     |            |                   | \$0           | \$460,080        | 0.1         | 0 |
| S01- Lamar CISD                           |            |                   | \$0           | \$460,080        | 1.39        | 0 |

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 3,098 Sq. Ft N/A

| RECORD | TYPE                | YEAR BUILT | SQ. FT | VALUE | ADD'L INFO |
|--------|---------------------|------------|--------|-------|------------|
| 1      | Main Area           | 1922       | 2,486  | N/A   | Details    |
| 2      | Main Area 2nd Story | 1922       | 612    | N/A   | Details    |
| 3      | Detached Garage     | 1922       | 560    | N/A   | Details    |
| 4      | Open Porch          | 1998       | 400    | N/A   | Details    |
| 5      | Patio concrete slab | 1922       | 88     | N/A   | Details    |
| 6      | Residential Storage | -          | 96     | N/A   | Details    |
| 7      | Residential Storage | -          | -      | N/A   | Details    |
| 8      | Swimming Pools      | 1922       | 576    | N/A   | Details    |

**2018 LAND SEGMENTS**

| LAND SEGMENT TYPE      | STATE CODE                            | HOMESITE | MARKET VALUE | AG USE | LAND SIZE     |
|------------------------|---------------------------------------|----------|--------------|--------|---------------|
| 1 - Commercial Primary | A1 - Residential Single Family Houses | Yes      | N/A          | \$0    | 15,000 Sq. ft |

TOTALS 15,000 Sq. ft / 0.344353 acres

**VALUE HISTORY**

| YEAR | IMPROVEMENT | LAND      | MARKET    | AG MARKET | AG LOSS | APPRAISED | HS CAP LOSS | ASSESSED  |
|------|-------------|-----------|-----------|-----------|---------|-----------|-------------|-----------|
| 2017 | \$191,140   | \$276,000 | \$467,140 | \$0       | \$0     | \$467,140 | \$0         | \$467,140 |
| 2016 | \$191,610   | \$276,000 | \$467,610 | \$0       | \$0     | \$467,610 | \$0         | \$467,610 |
| 2015 | \$252,840   | \$118,560 | \$371,400 | \$0       | \$0     | \$371,400 | \$0         | \$371,400 |
| 2014 | \$262,970   | \$118,560 | \$381,530 | \$0       | \$0     | \$381,530 | \$37,030    | \$344,500 |
| 2013 | \$254,100   | \$118,560 | \$372,660 | \$0       | \$0     | \$372,660 | \$59,480    | \$313,180 |

**SALES HISTORY**

| DEED DATE  | SELLER                     | BUYER                      | INSTR #    | VOLUME/PAGE |
|------------|----------------------------|----------------------------|------------|-------------|
| 10/27/2016 | Roberts James W & Martha E | Elias, Hanna               | 2016130518 |             |
|            | Pecan Hill Drive Inc       | Roberts James W & Martha E | -          | 522/219     |

**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.

**LETTER OF AUTHORIZATION FOR SPECIAL USE APPLICATION REPRESENTATION**

AUTHORITY IS HEREBY GRANTED TO: MORGAN STEWART

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 FULSHEAR BLOCK 9 LOT 2, 3, 6 LEGAL (W 100 X 150') DESCRIPTION)

**ACKNOWLEDGEMENTS:**

*I certify that the above information is correct and complete to the best of my knowledge and ability and that I authorize MORGAN STEWART to represent my interest as the owner of the property. 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 Planning & 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 Planning & 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 Planning & 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:   
HANNA ELIAS

OWNER'S NAME (printed) HANNA ELIAS  
ADDRESS: 1024 FM 1092 MISSOURI CITY TX 77459

TELEPHONE: (281) 261-0129 EMAIL: collisionclinic@yahoo.com

**Regarding Subject Property:**

30318 Second Street  
Fulshear, TX 77441

**From:**

Hanna Elias, Property Owner

-----

1024 FM 1092  
Missouri City, TX 77459 (or)  
[Collisionclinictx@yahoo.com](mailto:Collisionclinictx@yahoo.com)

**To Whom It May Concern:**

On or about Dec 4th 2018, Morgan Chesnutt Stewart, dba The Threaded Vine, entered into a Lease Agreement for the Subject Property for the purpose of opening and operating a Boutique "The Threaded Vine".

This Letter confirms for the City of Fulshear that Mrs Stewart has my permission to operate said business and to apply for Permits, Change of Use, or Special Use Permit, as required by The City Of Fulshear.

Any questions regarding this Letter should be directed to:

Hanna Elias  
1024 FM 1092  
Missouri City, TX 77459 (or)  
[Collisionclinictx@yahoo.com](mailto:Collisionclinictx@yahoo.com)

DocuSigned by:

*Hanna Elias*

12/6/2018

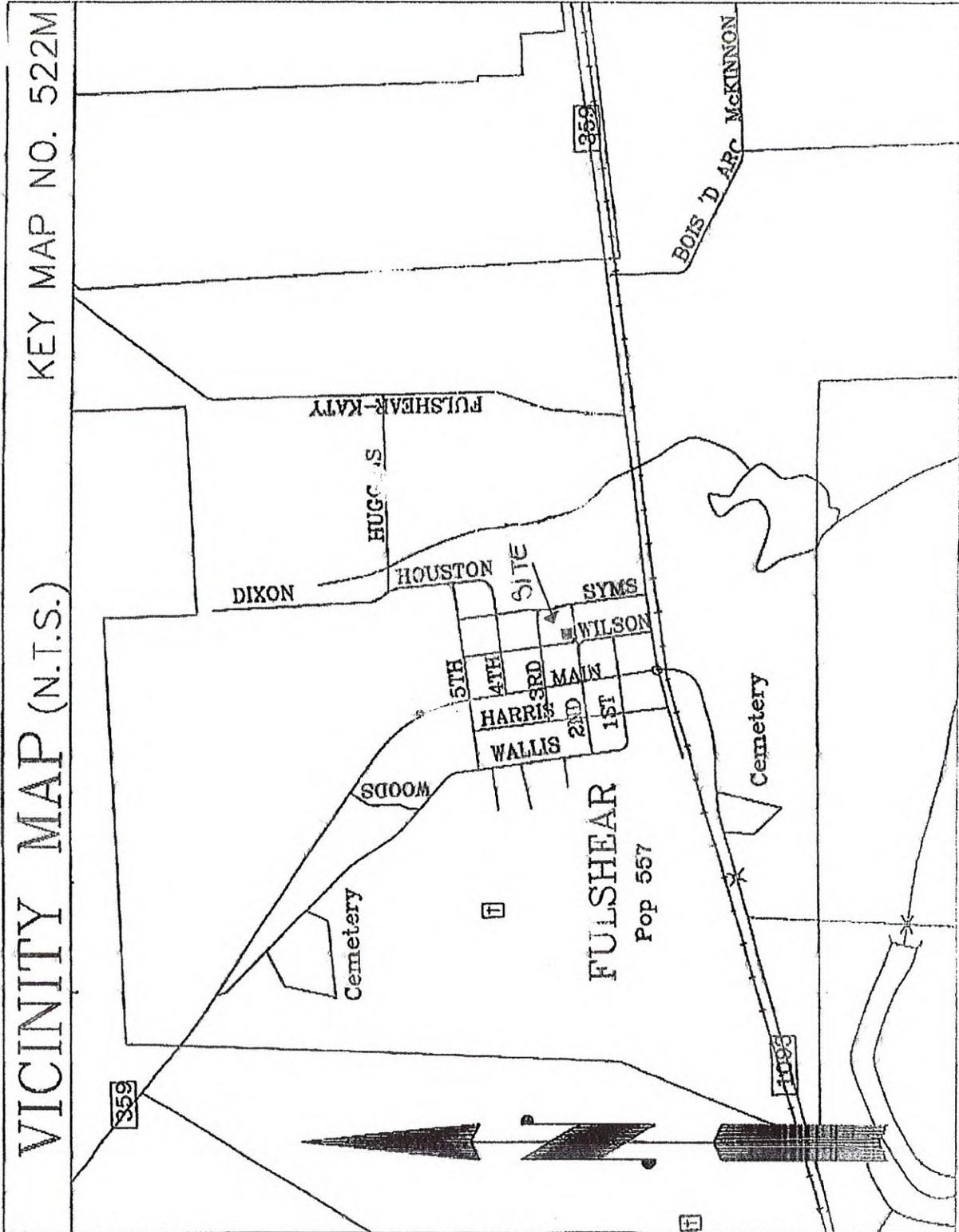
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44E6F6FED2D2437  
Hanna Elias, Property Owner.

## Vicinity Map

VICINITY MAP (N.T.S.)

KEY MAP NO. 522M



# Context Map

# Context Map

30318 Second Street

## Legend

-  30318 2nd St
-  Dozier's Grocery & Market Inc
-  Feature 1
-  Mosaic Boutique
-  Pepperoni's



Bank

Google Earth

300 ft

# Survey

**LEGEND** \* ITEMS THAT MAY APPEAR IN \*  
DRAWING BELOW

M.U.E. = MUNICIPAL UTILITY EASEMENT  
U.E. = UTILITY EASEMENT  
A.E. = AERIAL EASEMENT  
D.E. = DRAINAGE EASEMENT  
S.S.E. = SANITARY SEWER EASEMENT  
S.W.E. = STORM SEWER EASEMENT  
W.L.E. = WATER LINE EASEMENT

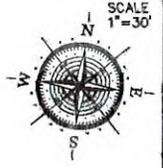
F.I.R. = FOUND IRON ROD  
F.I.P. = FOUND IRON PIPE  
S.I.R. = SET IRON ROD  
W.P. = WOODEN POST  
M.P. = METAL POST  
C.F.# = CLERK'S FILE NUMBER  
P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
B.L. = BUILDING LINE  
F.O.D. = FOUND  
B.F.S. = BEARS

P.A.E. = PERMANENT ACCESS EASEMENT  
P.U.E. = PUBLIC UTILITY EASEMENT  
W.E. = WATER & SEWER EASEMENT  
E.E. = ELECTRIC EASEMENT  
P.C. = POINT OF CURVATURE  
P.T. = POINT OF TANGENCY  
P.R.C. = POINT OF REVERSE CURVATURE  
P.C.S. = POINT OF COMPOUND CURVATURE  
P.P. = POWER POLE  
U.T.S. = UNABLE TO SET

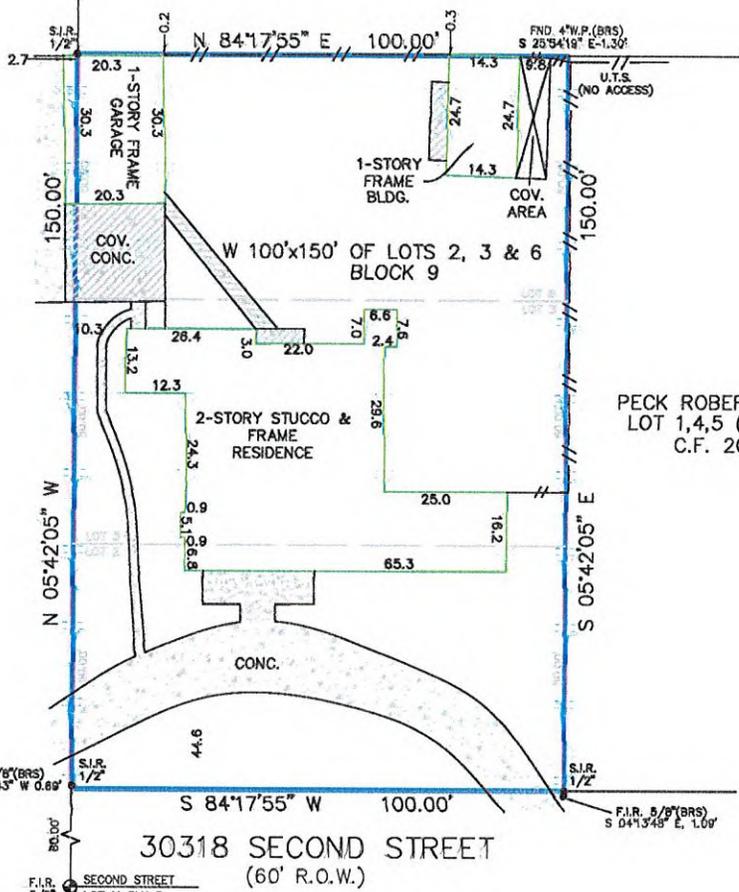
○ = CONTROL MONUMENT  
● = MONUMENT  
— = PROPERTY LINE  
— = EASEMENT LINE  
— = BUILDING SETBACK LINE  
— = BUILDING WALL

— = WOODEN FENCE  
— = CHAIN LINK FENCE  
— = METAL FENCE  
— = WIRE FENCE  
— = VINYL FENCE

ELIAS, HANNA  
FULSHEAR, BLOCK 9, Lot 7  
C.F. # 2016141364



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



PECK ROBERT & CANDACE  
LOT 1,4,5 (W 35 X 150')  
C.F. 2015138590

30318 SECOND STREET  
(60' R.O.W.)

SECOND STREET  
LOT 11 BLK 8  
C.F.# 2013021464

LOTS 7, 10 & 11 BLK 6  
C.F.# 2013021463

LOT 3 N. 1/2 & 6 BLK 8  
C.F.# 2016056402

**NOTES:**

- BEARING BASIS: VOL. 2432, PG. 1215 D.R.F.B.C.
- SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS
- SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY
- UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY
- THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS
- SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES
- THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT/COMMITMENT. ADDITIONAL BUILDING SETBACK LINES, EASEMENTS OR RIGHTS-OF-WAY MAY APPLY
- GARAGE ENCROACHES OVER WESTERLY PROPERTY LINE AS SHOWN
- 1 STORY FRAME BUILDING ENCROACHES OVER NORTHERLY PROPERTY LINE AS SHOWN

**LEGAL DESCRIPTION**

THE WEST 100 FEET BY 150 FEET OF LOTS TWO (2), THREE (3) AND SIX (6) IN BLOCK NINE (9), OF THE TOWN OF FULSHEAR, FORT BEND COUNTY, TEXAS, AS SHOWN ON THE PLAT OF SAID TOWN RECORDED IN VOLUME U, PAGE 130, OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS.

|            |                                |
|------------|--------------------------------|
| JOHN ELIAS | ADDRESS<br>30318 SECOND STREET |
|------------|--------------------------------|



I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEET), AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

|       |         |
|-------|---------|
| JOB # | 1812261 |
| DATE  | 1-3-19  |
| GF#   | N/A     |

**PRO-SURV**  
P.O. BOX 1366, FRIENDSWOOD, TX 77549  
PHONE: 281-996-1113 FAX: 281-996-0012  
EMAIL: orders@prosurv.net  
T.B.P.L.S. FIRM #10119300

ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION

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# **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.

# Site Plan

**LEGEND** ITEMS THAT MAY APPEAR IN DRAWING BELOW

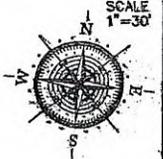
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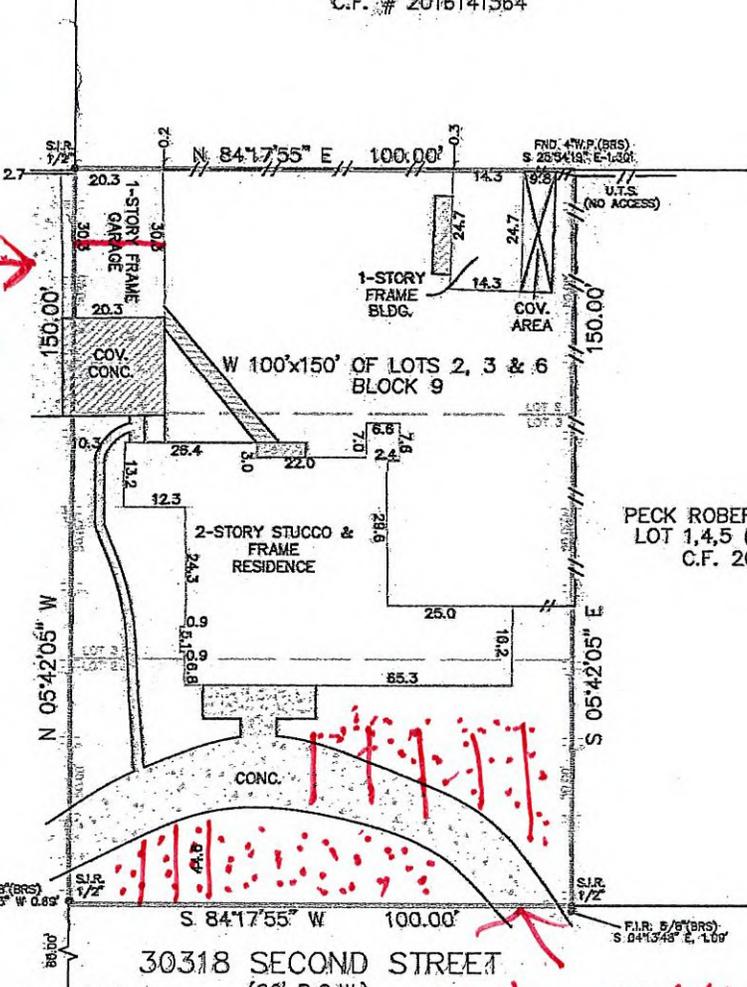
*8 Parking Spaces Needed*

ELIAS, HANNA  
FULSHEAR, BLOCK 9, Lot 7  
C.F. # 2016141364



*Employee & Handicaps  
Parking @ existing  
garage & carport  
3 Spaces*

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



PECK ROBERT & CANDACE  
LOT 1,4,5 (W 35 X 150')  
C.F. 2015138590

*Utilize existing concrete driveway w/ crushed granite for additional parking. Up to 8 additional spaces*

**NOTES**

- BEARING BASIS-VOL. 2432, PG. 1215 D.R.F.B.C.
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JOHN ELIAS ADDRESS: 30318 SECOND STREET



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JOB # 1812261  
DATE 1-3-19  
GF# N/A

**PRO-SURV**  
P.O. BOX 1368, FRIENDSWOOD, TX 77549  
PHONE: 281-998-1113 FAX: 281-998-0012  
EMAIL: orders@prosurv.net  
T.B.P.L.S. FIRM #10119300  
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# Parking

Existing Garage & Carport for Employee & Handicap Parking

## Legend



Residential



# Parking

Utilize Existing Concrete Driveway & Crushed Granite for Additional Parking Requirements

## Legend



Residential





# CITY OF FULSHEAR

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

## VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 12.6.19

ADDRESS OF PREMISES AFFECTED: 30318 2nd Street, Fulshear TX 77441

LEGAL DESCRIPTION: \_\_\_\_\_

OWNERS INFORMATION: NAME Hanna Elias (John)  
ADDRESS 1024 FM 1092 CITY MISSOURI CITY STATE TX  
ZIP CODE 77459 EMAIL CollisionClinicTX@yahoo.com PHONE NUMBER 881 217 2396

APPLICANTS NAME (if different than owner) Morgan Stewart  
ADDRESS 4219 Wentworth CITY Weston Lakes STATE TX  
ZIP CODE 77441 EMAIL threadedvine@gmail.com PHONE NUMBER 361 254 2920

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) \_\_\_\_\_  
Requesting crushed granite instead of concrete, for parking in front. There is a large and very established oak that wouldnt be able to continue to thrive with concrete on top.

Status of the Project:  Existing  Under Construction  Proposed

Have there been previous variance requests for this property? No

Are there similar situations in the area? Yes  
Addresses: 8310 WILSON DR, FULSHEAR, TX 77441

Have you informed your Home Owners Association? No or Neighbors? Yes

**Request Proposal and Description:** Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, ect.) Please also supply and identify photos where applicable, to support your case:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED  
REGISTRATION & PERMIT DEPT

DEC 26 2018

CITY OF FULSHEAR  
FULSHEAR, TX 77441

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Continued.... Request Proposal and Description

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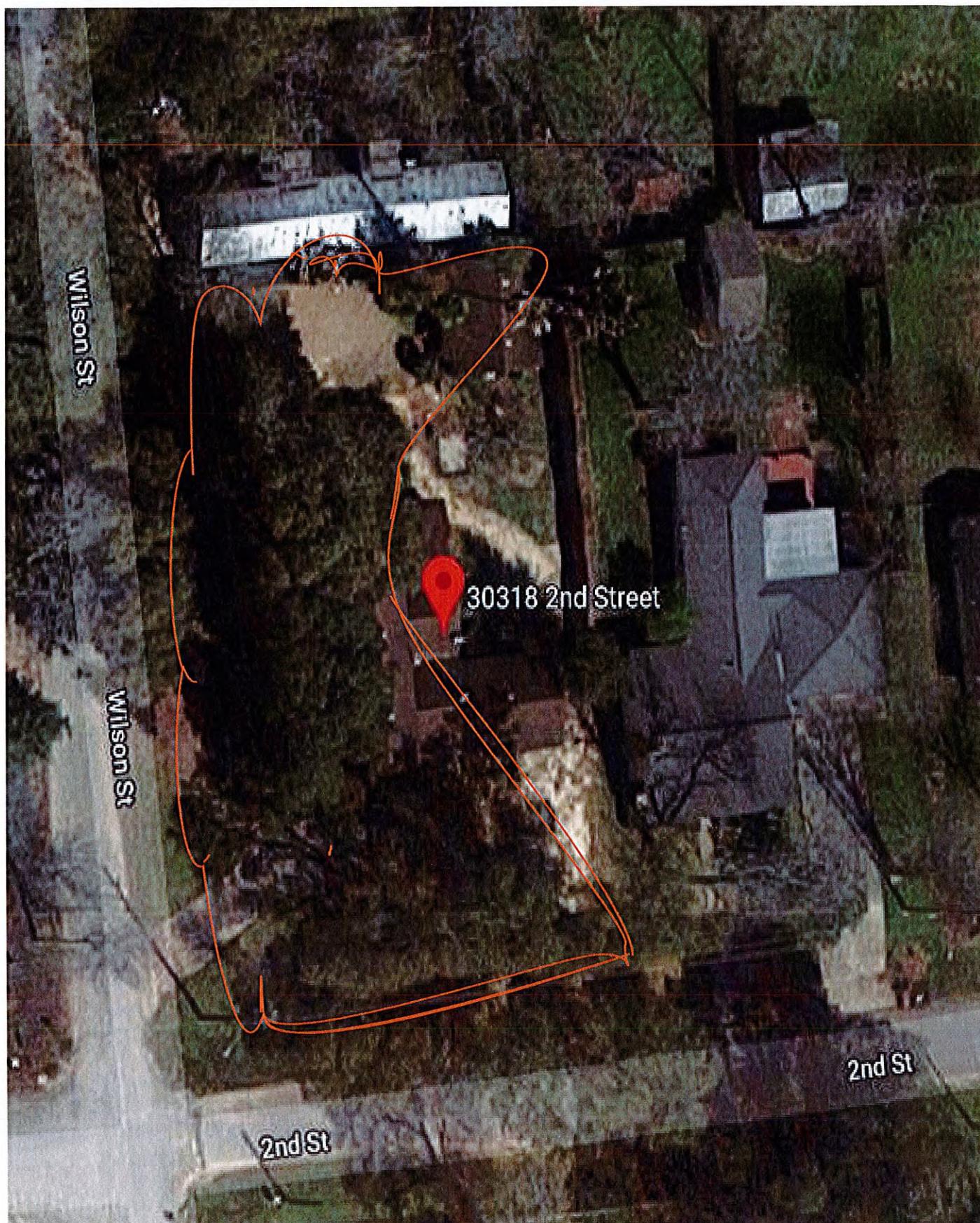
**Acknowledgement:** I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's 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: Margaret Stewart Date: 12.6.19

# Landscape Plan

---

**LANDSCAPE PLAN:** Existing trees as outlined to be manicured and trimmed. No additional landscaping to be added. All underbrush and dead foliage to be removed.



## Landscape Plan

Existing Landscaping to be manicured and cleaned. No new landscaping to be installed.

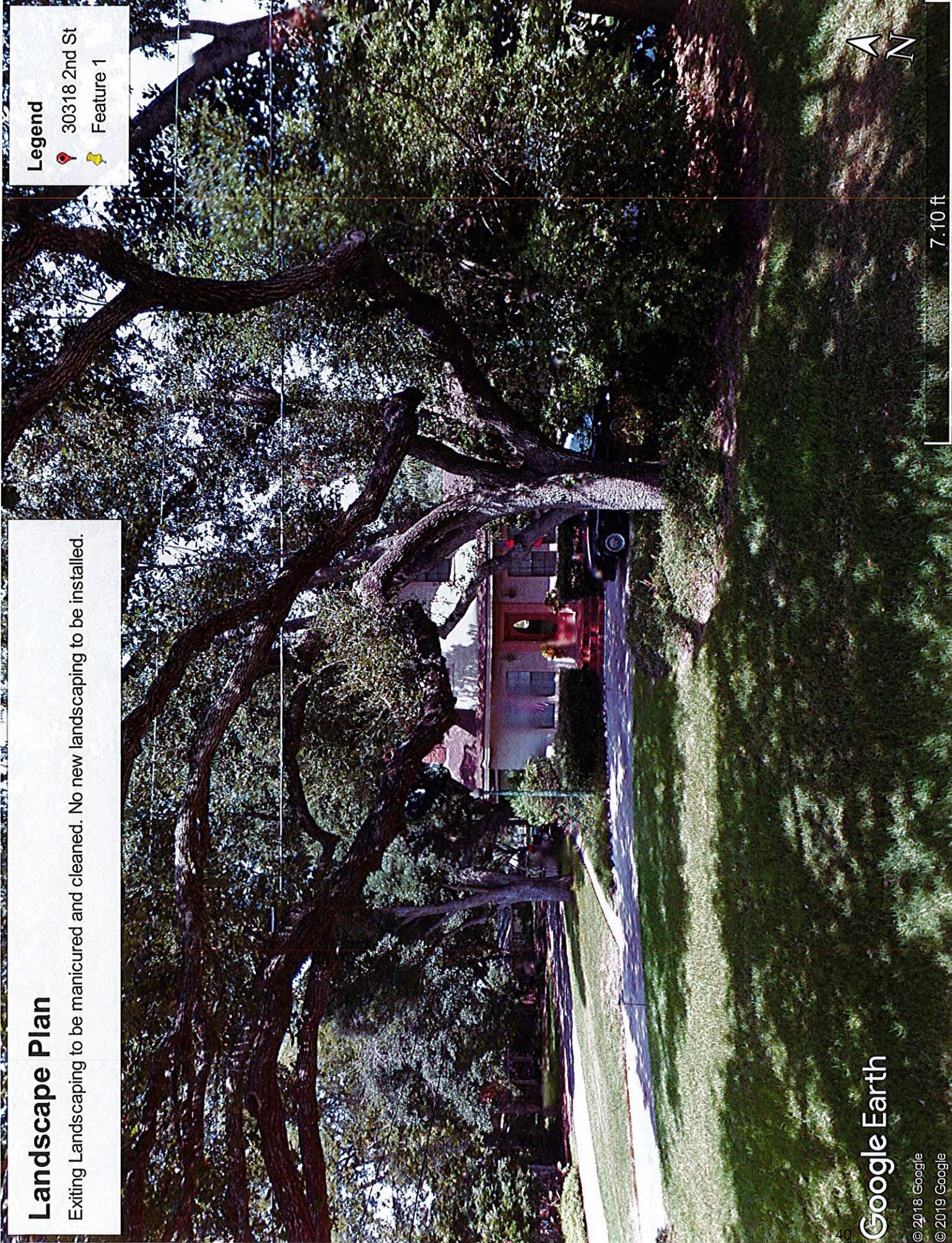
### Legend



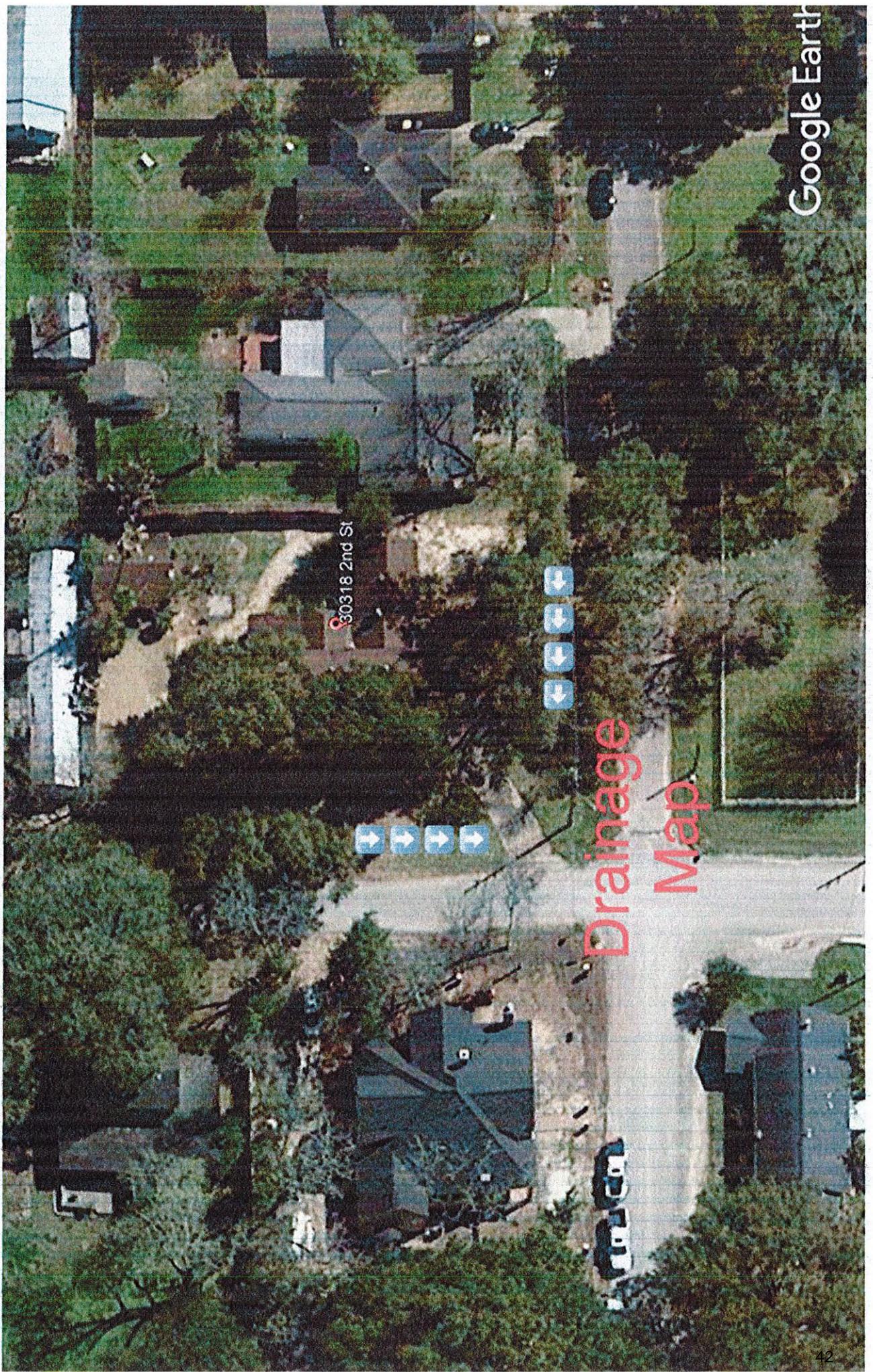
30318 2nd St



Feature 1



# **Grading and Drainage Plan**



# Lighting Plan

**LEGEND** \* ITEMS THAT MAY APPEAR IN \*  
DRAWING BELOW

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- F.O. = FOUND
- B.S. = BEARS

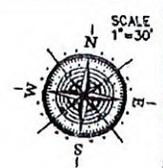
- P.A.E. = PERMANENT ACCESS EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- W.B.E. = WATER & SEWER EASEMENT
- E.E. = ELECING EASEMENT
- P.C. = POINT OF CURVATURE
- P.T. = POINT OF TANGENCY
- P.A.C. = POINT OF ANGLE CURVATURE
- P.C.C. = POINT OF COMPOUND CURVATURE
- P.P. = POWER POLE
- U.T.A. = UNABLE TO SET

- ⊙ = CONTROL MONUMENT
- ⊙ = MONUMENT
- = PROPERTY LINE
- = EASEMENT LINE
- = BUILDING SETBACK LINE
- = BUILDING WALL

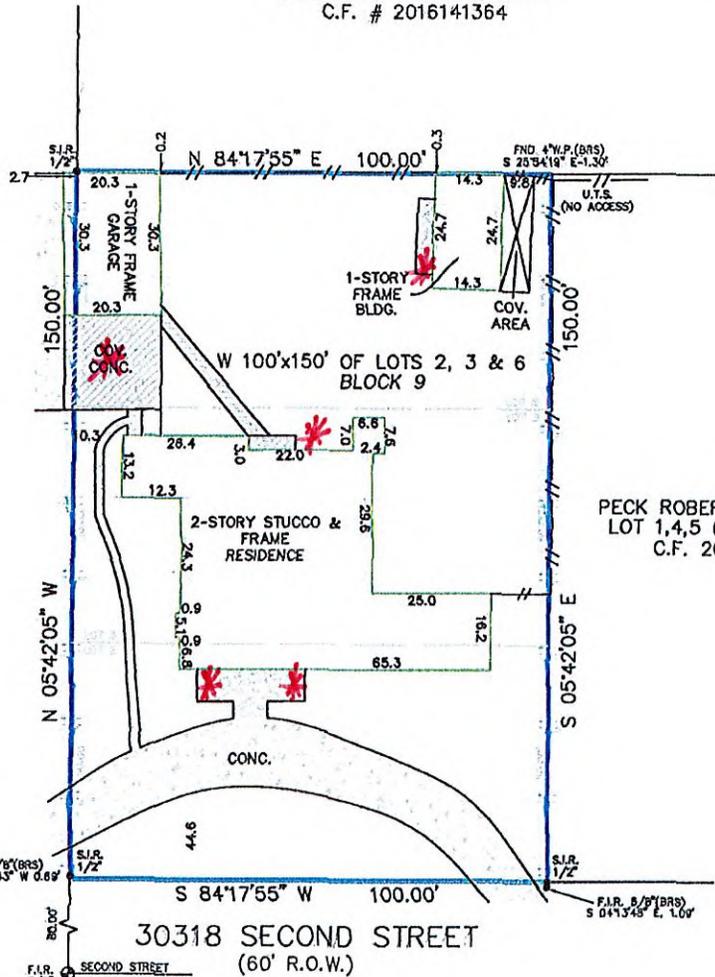
- = WOODEN FENCE
- = CHAIN LINK FENCE
- ⊙ = METAL FENCE
- = WIRE FENCE
- = VINYL FENCE

**LIGHTING PLAN:** Existing Outdoor Lighting to be updated and comply with Outdoor Lighting Ordinance. No new outdoor lighting added

ELIAS, HANNA  
FULSHEAR, BLOCK 9, Lot 7  
C.F. # 2016141364



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



PECK ROBERT & CANDACE  
LOT 1,4,5 (W 35 X 150')  
C.F. 2015138590

**NOTES:**

- BEARING BASIS: VOL. 2432, PG. 1215 D.R.F.B.C.
- SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS
- SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY
- UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY
- THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUCCESSOR OWNERS
- SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES
- THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT/COMMITMENT
- ADDITIONAL BUILDING SETBACK LINES, EASEMENTS OR RIGHTS-OF-WAY MAY APPLY
- GARAGE ENCLOSED OVER WESTERLY PROPERTY LINE AS SHOWN
- 1 STORY FRAME BUILDING ENCLOSED OVER NORTHERLY PROPERTY LINE AS SHOWN

**LEGAL DESCRIPTION**  
THE WEST 100 FEET BY 150 FEET OF LOTS TWO (2), THREE (3) AND SIX (6) IN BLOCK NINE (9), OF THE TOWN OF FULSHEAR, FORT BEND COUNTY, TEXAS, AS SHOWN ON THE PLAT OF SAID TOWN RECORDED IN VOLUME U, PAGE 130, OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS.

JOHN ELIAS      ADDRESS      30318 SECOND STREET



I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEETS) AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

JOB # 1812261  
DATE 1-3-19  
GF# N/A

**PRO-SURV**  
P.O. BOX 1368, FRIENDSWOOD, TX 77549  
PHONE: 281-898-1113 FAX: 281-898-0012  
EMAIL: orders@prosurv.net  
T.B.P.L.S. FIRM #10119300  
ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE ORIGINALLY TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION  
© 2019 PRO-SURV - ALL RIGHTS RESERVED



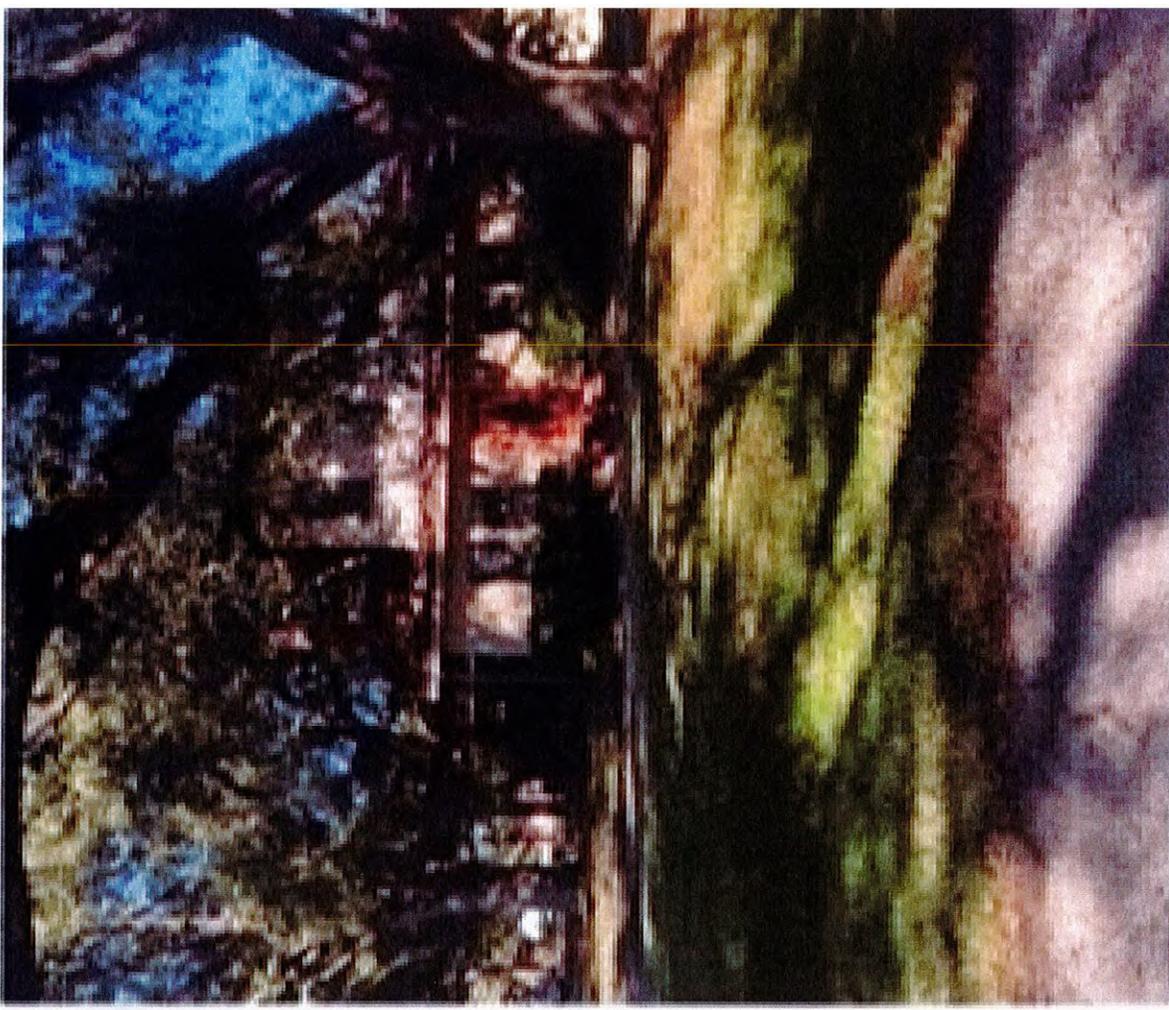
***Lighting  
Lighting will be made to  
comply with city ordinance***

## Lighting Plan

No new lighting to be added. Existing lighting to be made compliant with lighting ordinance.



# Elevations



**Elevations**  
**Existing elevations shown. No changes planned. Any future changes will comply with city ordinance.**



# **Traffic Impact Study/Statement**

January 29, 2019

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

Re: Proposed Boutique  
30318 Second Street  
Fulshear, Texas

Dear Kerry:

I have reviewed the proposed Boutique located at 30318 Second Street. With the existing building having a total square footage of 1980 square foot and only requiring eight (8) parking spaces, I would expect a maximum of 45 Trip Ends per day for this use.

With the uses described as 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,

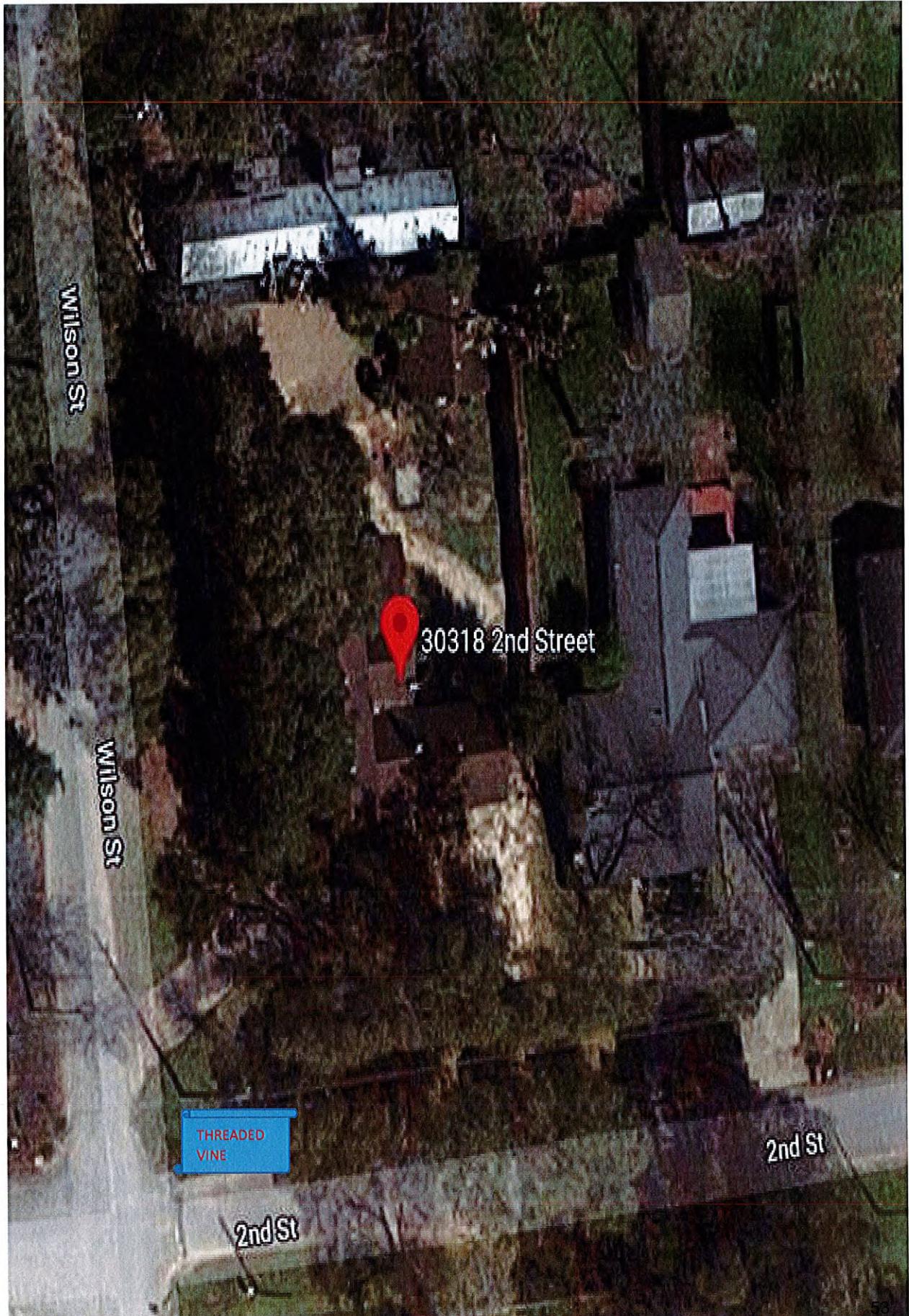


David Leyendecker, P.E., R.P.L.S.  
Engineer for the City of Fulshear

DL/pe

# Signage

**SIGNAGE PLAN:** Based on eventual parking lot layout, an approved monument sign located at the corner of Wilson Street & 2<sup>nd</sup> Street





### **Signage Plan**

**No existing signage. Will utilize main corner for ordinance approved monument sign.**

**Location will depend on city parking approval.**

# **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 February 1, 2019 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 February 19, 2019 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 9, Lots 2, 3, 6, specifically the address is 30318 Second Street, Fulshear, Texas 77441.

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

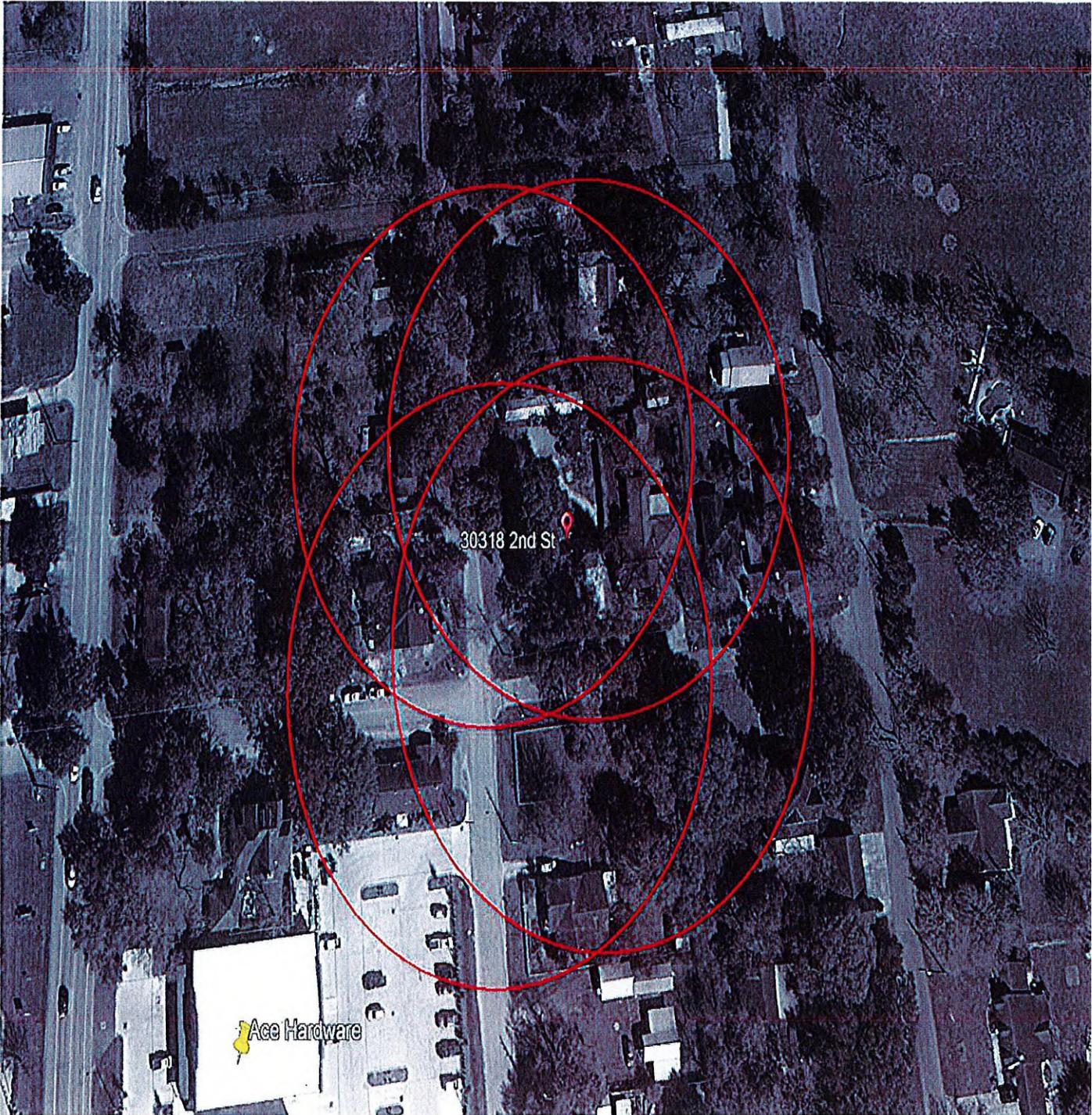
A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

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

Posted: \_\_\_\_\_

*Date:*

Public Notice Radius  
Map within 300' of  
property lines



**1.** Fulshear Main Street  
Crossing LP  
5 Riverway #STE 340  
Houston, Texas 77056

**2.** Desiree Mastriano  
PO Box 59  
Fulshear, Texas 77441

**3.** Fulshear Country  
Enterprises Inc  
31311 Riverlake DR  
Fulshear, Texas 77441

**4.** Riggs Rodger G & Carol L  
PO Box 675  
Fulshear, Texas 77441

**5.** Fulshear Country  
Enterprises LLC  
31311 Riverlake Rd  
Fulshear, Texas 77441

**6.** Cherrilyn Elizabeth Austin  
PO Box 701  
Simonton, Texas 77476

**7.** Burgin James N & Barbara  
PO Box 395  
Fulshear, Texas 77441

**8.** Peck Robert & Candace  
209 Caleta CIR  
Richmond, Texas 77406

**9.** Jones Selwin W & Doris  
PO Box 207  
Fulshear, Texas 77441

**10.** Grisham Kenneth &  
Elizabeth W  
PO Box 391  
Fulshear, Texas 77441

**11.** Grisham Kenneth &  
Elizabeth  
PO Box 391  
Fulshear, Texas 77441

**12.** Krista Ann  
8903 Wilson Street  
Fulshear, Texas 77441

**13.** Davenport James M &  
Pamela L  
PO Box 1159  
Fulshear, Texas 77441

**14.** Tayac Properties LLC  
PO Box 661  
Fulshear, Texas 77441

**15.** Betty Louise Roberts  
PO Box 658  
Fulshear, Texas 77441

**16.** Fort Bend Toll Authority  
PO Box 1307  
Richmond, Texas 77406

**17.** Lamar ISD  
3911 Avenue I  
Rosenburg, Texas 77471

**1. JOE SAENZ**  
7822 AVENUE E  
BEASLEY, TX 77417

**8. JULIA PALOMARES**  
PO BOX 265  
FULSHEAR, TX 77441

**15. LAMAR ISD**  
3911 AVENUE I  
ROSENBERG, TX 77471

**2. CAROLE ANN MCCAIN**  
PO BOX 33  
FULSHEAR, TX 77441

**9. CAROLE ANN MCCAIN**  
PO BOX 33  
FULSHEAR, TX 77441

**3. JASON E GUIDRY**  
13418 SHADY DAY CT  
SUGARLAND, TX 77498

**10. FRANCESCA H FRANCO**  
8510 HARRIS STREET  
FULSHEAR, TX 77441

**4. FIRST UNITED CHURCH**  
PO BOX 100  
FULSHEAR, TX 77441

**11. FULSHEAR KU LTD**  
909 FANIN ST STE 1640  
HOUSTON, TX 77010

**5. KRISTI STEPHENS**  
PO BOX 33  
FULSHEAR, TX 77441

**12. FULSHEAR KU LTD**  
909 FANIN ST STE 1640  
HOUSTON, TX 77010

**6. KRISTI STEPHENS**  
PO BOX 33  
FULSHEAR, TX 7441

**13. FULSHEAR KU LTD**  
909 FANIN ST STE 1640  
HOUSTON, TX 77010

**7. HANNA H ELIAS**  
8402 HARRIS STREET  
FULSHEAR, TX 77441

**14. FORT BEND COUNTY**  
301 JACKSON STREET  
RICHMOND, TX 77469

# **Sign Notification on the Property**

### **PUBLIC HEARING – SPECIAL USE PERMIT**

The property owner's agent is seeking a Special Use Permit to allow for the use of this property as a retail space within the Downtown District zoning classification.

The City will hold two Public Hearings. The first Public Hearing will be held by the Planning and Zoning Commission on February 1, 2019 at 8:30 a.m. at City Hall located at 30503 FM 1093. The second Public Hearing will be held by the City Council on February 19, 2019 at 7:00 p.m. at the Irene Stern Community Center located at 6920 Katy Fulbhear 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 Fulbhear City Secretary's office at 281-346-1796

**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING**  
**COMMISSION CITY OF FULSHEAR, TEXAS**

|                        |   |                    |                                     |
|------------------------|---|--------------------|-------------------------------------|
| <b>AGENDA OF:</b>      | February 1, 2019  | <b>ITEM(S):</b>    | 7                                   |
| <b>DATE SUBMITTED:</b> | January 28, 2018  | <b>DEPARTMENT:</b> | Planning and Development            |
| <b>PREPARED BY:</b>    | Sharon Valiante,<br>Public Works Director,<br>Kerry Sigler<br>Building Official,<br>Brant Gary,<br>Assistant City Manager   | <b>PRESENTER:</b>  | David Leyendecker,<br>City Engineer |
| <b>SUBJECT:</b>        | <b>Plat Summary - CCR Creek Cove, Sec. 13 for Planning and Zoning Commission</b>  |                    |                                     |
| <b>ATTACHMENTS:</b>    | <ol style="list-style-type: none"> <li>1. <b>Plat Application - Creek Cove, Sec. 13</b></li> <li>2. <b>Copy of Plat - Creek Cove, Sec. 13</b></li> <li>3. <b>City Engineer’s Engineering Reviews: Preliminary Plat: Creek Cove at CCR Section 13</b></li> <li>4. <b>Response Letter from Developer’s Engineer</b></li> <li>5. <b>Letter from the Developer’s Representative Requesting Deviations to the City’s Subdivision Ordinance</b></li> <li>6. <b>Examples of previously approved “non-traditional” plats from the Developer’s representative</b></li> <li>7. <b>Plat Review Form</b></li> </ol> |                    |                                     |

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration the: **Preliminary Plat – Creek Cove at CCR Section 13**

The plat, as submitted for consideration, generally meets the requirements set forth in the City’s Subdivision Ordinance No. 04-913, which is in alignment with Chapter 21, Texas Local Government Code. However, the applicant is requesting some deviations from the City’s Subdivision Ordinance as this area will be considered a

Those requested deviations are as follows:

1. Reduced building lines/setback lines
2. Narrower right-of-way
3. Allowed alleyways
4. Smaller lot sizes

After reviewing the development agreement and the subdivision ordinance, the request for smaller lot sizes is allowable per section 3.03 of the development agreement. This section allows for smaller lot sizes in conjunction with “non-traditional homes (such as townhomes, cluster homes, etc.)” on smaller lot sizes. The other three requests are not specifically authorized by the development agreement and are subject to approval by the City Council.

The Preliminary Plat as submitted for consideration and reviewed by the City Engineer, contains comments related to the deviations and two additional minor comments. These were sent to the applicant to address. Plat comments noted in the City Engineer's report are provided in support of the rules and regulations governing plats and subdivisions of land within the City's territorial limits and the extra territorial jurisdiction to promote safe, orderly, and healthful development of the City.

### **RECOMMENDATION**

Staff recommends the Planning and Zoning Commission provide the following recommendations:

1. Comments/feedback to City Council for consideration of the: Deviations requested for Creek Cove at CCR Section 13
2. Positive recommendation of the Preliminary Plat, with any notations or provisions of any changes, if any: Creek Cove at CCR Section 13

**NOTE: It is recommended Planning and Zoning Commission act on the two items individually.**



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

**Subdivision/Development Platting Application**

Date: 11-14-2018 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: Creek Cove at Cross Creek Ranch Sec 13 Development: Cross Creek Ranch

**SUBMITTAL OF PLAT: (Check Appropriate Selection)**

Preliminary \_\_\_\_\_ Final \_\_\_\_\_ Short Form Final  
 \_\_\_\_\_ Replat \_\_\_\_\_ Vacation Plat \_\_\_\_\_ Admin. (Minor) Plat  
 \_\_\_\_\_ Amending Plat

**TYPE OF PLAT: (Check Appropriate Selection)**

Single-Family Residential \_\_\_\_\_ Zero Lot Line/ Patio Home \_\_\_\_\_ Multi-Family Residential  
 \_\_\_\_\_ Planned Development \_\_\_\_\_ Commercial \_\_\_\_\_ Industrial

Plat Location:  City \_\_\_\_\_ ETJ (Extraterritorial Jurisdiction)

Legal Description: Being 18.99 Acres out of the J.W. Scott Survey, A-321 and M. Autrey Survey, A-100

Variance:  Yes (Attach a Copy of Approval Letter) \_\_\_\_\_ No

Total Acreage: 18.99  
 Number of Streets: 5  
 Number of Lots: 72  
 Number and Types of Reserves: 10 - Landscape/Park  
 Total Acres in Reserve: 3.78

Owner: CCR Texas Holdings LP  
 Address: 6450 Cross Creek Bend Lane  
 City/State: Fulshear, Texas 77441  
 Telephone: 281-341-8320  
 Email Address: robb@johnsondev.com

Engineer/Planner: BGE, Inc.  
 Contact Person: Andrew Lang  
 Telephone: 281-579-0340  
 Fax Number: \_\_\_\_\_  
 Email Address: alang@bgeinc.com

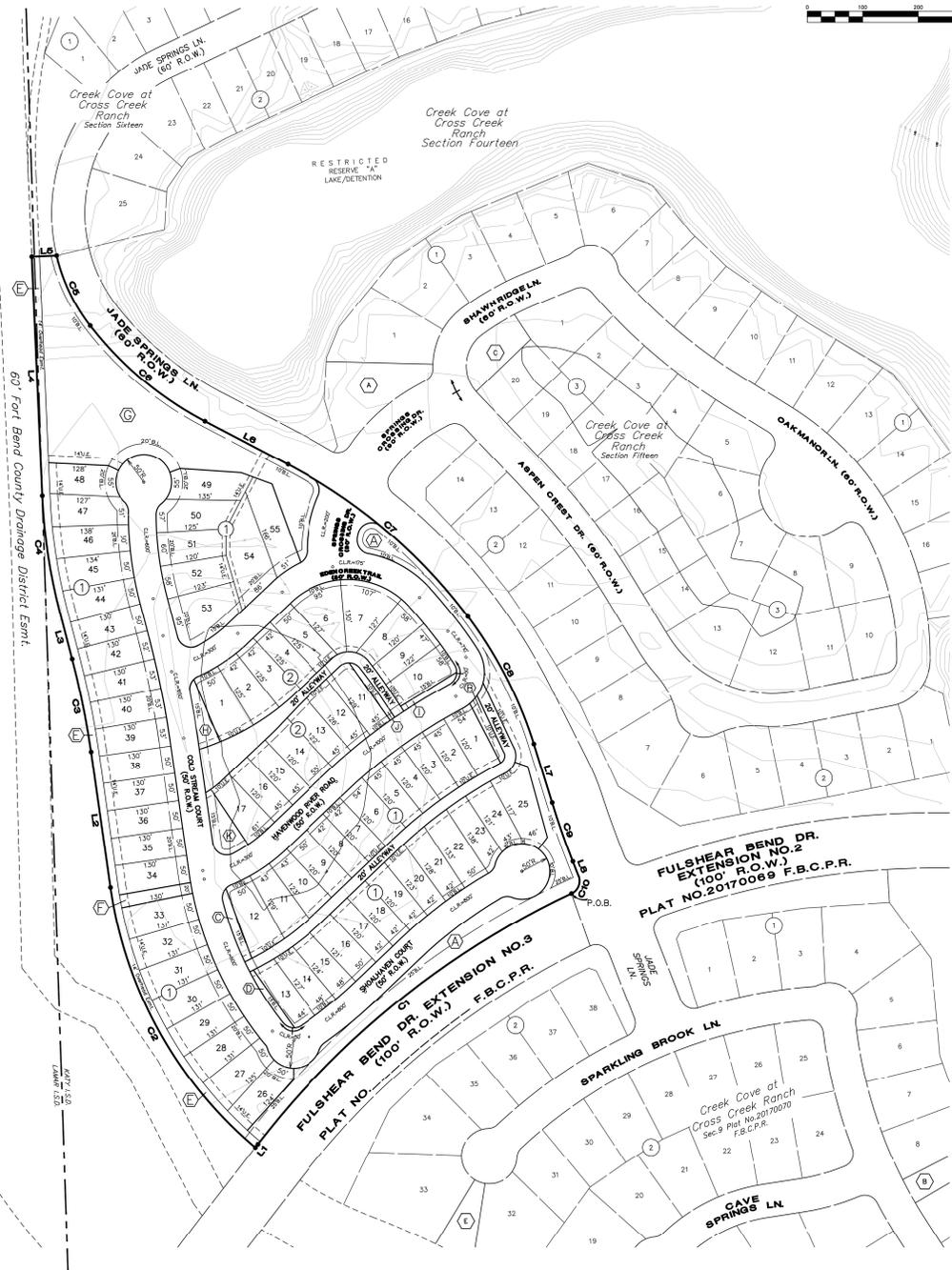
| Platting Fees  |                 |
|--|-----------------|
| Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre |                 |
| Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre      |                 |
| Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre            |                 |
| Amending or Minor Plat - \$200.00                                    |                 |
| Plat Vacation - \$500.00   |                 |
| 2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)  |                 |
| <b>TOTAL PLATTING FEE</b>  | <b>\$989.38</b> |
| Park Fees (due at Final Plat Application)                            | <u>n/a</u>      |

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

  
 SIGNATURE

Andrew Lang/ Planner  
 TYPED OR PRINTED NAME/TITLE

November 14,  
~~September 24,~~ 2018  
 DATE



- GENERAL NOTES:**
- "BL" INDICATES BUILDING LINE.
  - "UL" INDICATES UTILITY EASEMENT.
  - "R" INDICATES ONE FOOT RESERVE.
- dedicated to the public or to be as a buffer separation between the side or end of street unless such owner and adjacent acreage blocks, the location of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the one foot reserve shall revert to said street in the dedication, his heirs, assigns or successors.*
- "F.B.C.D." INDICATES FORT BEND COUNTY DEED RECORDS.
  - "F.B.C.P." INDICATES FORT BEND COUNTY PLAT RECORDS.
  - "A.P." INDICATES APPROXIMATE DIMENSIONS AND APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE.
  - ALL LOTS ARE SUBJECT TO A FIVE (5) FOOT SIDE SETBACK.
  - THE PROPERTY LIES IN THE UNZONED ZONE "C" (AREAS DETERMINED TO BE OUTSIDE THE 100 YEAR FLOODPLAIN) AS INDICATED ON THE FLOOD INSURANCE RATE MAP FOR FORT BEND COUNTY, TEXAS AND INCORPORATED AREAL MAP NUMBER 482000000, REVISED APRIL 2, 2014.
  - ALL OF THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT IS WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF FULSHEAR, TEXAS.

- NOTE:**
- A** RESTRICTED RESERVE "A" LANDSCAPE/OPEN SPACE ±1.12 ACRES
  - B** RESTRICTED RESERVE "B" LANDSCAPE/OPEN SPACE ±0.04 ACRE
  - C** RESTRICTED RESERVE "C" LANDSCAPE/OPEN SPACE ±0.03 ACRE
  - D** RESTRICTED RESERVE "D" LANDSCAPE/OPEN SPACE ±0.03 ACRE
  - E** RESTRICTED RESERVE "E" LANDSCAPE/OPEN SPACE ±0.55 ACRE
  - F** RESTRICTED RESERVE "F" DRAINAGE/RETENTION ±0.06 ACRE
  - G** RESTRICTED RESERVE "G" PARK ±1.71 ACRES
  - H** RESTRICTED RESERVE "H" LANDSCAPE/OPEN SPACE ±0.07 ACRES
  - I** RESTRICTED RESERVE "I" LANDSCAPE/OPEN SPACE ±0.03 ACRE
  - J** RESTRICTED RESERVE "J" LANDSCAPE/OPEN SPACE ±0.03 ACRE
  - K** RESTRICTED RESERVE "K" LANDSCAPE/OPEN SPACE ±0.10 ACRE

PRELIMINARY PLAT  
**CREEK COVE AT  
 CROSS CREEK  
 RANCH SECTION 13**

A SUBDIVISION OF 18.99 ACRES OF LAND  
 LOCATED IN THE  
 M. AUTREY SURVEY, A-100  
 J.W. SCOTT SURVEY, A-321  
 A.C. SHARPLESS SURVEY, A-322  
 CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS

LOTS: 72      RESERVES: 11      BLOCKS: 2  
 SCALE: 1"=100'      DATE: SEPTEMBER, 2018

OWNER:  
 CCR TEXAS HOLDINGS, LP  
 ATTN: ROB GANFORD  
 6450 CROSS CREEK BEND LANE  
 FULSHEAR, TX 77441



BGE, Inc.  
 10777 Westheimer, Suite 400, Houston, TX 77042  
 Tel: 281-558-8700 • www.bgeinc.com  
 TBPES Licensed Surveying Firm No. 10106

**DEVELOPER AND LIMITED WARRANTY**

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF FULSHEAR ORDINANCE NO. 2018-1275 IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY ORDINANCE OR ORDINANCES TO THE PROVISIONS OF THE INCORPORATED ORDINANCE WHICH ARE SUPERSEDED OR REVOKED BY THE CITY OF FULSHEAR PLANNING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN USE OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NOTWITHSTANDING ANY OF ITS EXPRESS OR IMPLIED CONDITIONS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES OR ON OVER OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.



November 29, 2019

## Engineering Review

Preliminary Plat (Revised)  
Creek Cove at Cross Creek Ranch Section 13  
City of Fulshear, Texas

### For Information only:

1. This plat will create 72 Lots in two (2) Blocks with eleven (11) Reserves that covers an area of 18.99 acres.
2. Access to this section is provided from Springs Crossing Drive off of Jade Springs Lane.
3. Lots in this section are generally 42-foot by 120-foot along with 50-foot by 120-foot.
4. This section will require several request for deviation from the Subdivision Ordinance and Development Agreement. See attached letter from Brown and Gay Engineers.

### Recommendations:

The following items need to be addressed before this Preliminary Plat (Revised) of Creek cove at Cross Creek Ranch Section 13 can be approved:

- A) The request to deviate from the subdivision ordinance needs to be resolved.
- B) Most of the contour lines need to be made slightly darker and have the elevations added to the lines.
- C) A note is required on the face of the plat showing that this section is located wholly in the city limits of the City of Fulshear.





November 30, 2018

Clay & Leyendecker, Inc.  
Attn: Mr. David Leyendecker  
1350 Avenue D  
Katy, Texas 77493

Re: Creek Cove at Cross Creek Ranch Sec 13

Dear Mr. Leyendecker,

On behalf of CCR Texas Holdings, LP, BGE, Inc. respectfully submits the above plat for your review and presentation to the Planning and Zoning Commission. See the below list of comments and our response:

- 1) *The variance request needs to be resolved as the current layout does not comply with City's Development Agreement for Cross Creek Ranch.*
  - a. Understood, we will address any concerns that Clay & Leyendecker or the City of Fulshear may have at the Planning and Zoning Commission.
- 2) *Most of the contour lines need to be made slightly darker and have the elevations added to the lines.*
  - a. Has been revised.
- 3) *A note is required on the face of the plat showing that this section is located wholly in the City Limits of the City of Fulshear.*
  - a. Has been revised to provide the requisite note.

If you have any questions, or require any additional information, please contact me at (281) 579-0340 or via email at [alang@bgeinc.com](mailto:alang@bgeinc.com).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrew Lang', written over a blue ink stamp of the name 'Andrew Lang'.

Andrew Lang

cc: Kimberly Kopecky, City Secretary  
Sharon Valiante, Director of Public Works  
Jack Harper, City Manager  
Brant Gary, Executive Director of Planning and Development



November 18, 2018

Mr. David Leyendecker, P.E.  
City Engineer  
City of Fulshear  
30603 FM 1093  
Fulshear, Texas 77441

**Re: Creek Cove at Cross Creek Ranch Section 13**

Dear Mr. Leyendecker,

Please accept this letter as our request to deviate from Ordinance No. 04-913 Section K of the Cross Creek Ranch Development Agreement regarding Building Setback Requirements pertaining to Creek Cove at Cross Creek Ranch Section 13. Specifically, we request approval of the enclosed plat which incorporates approximately 42 lots with a 10' building line in lieu of the required 25' building line. Additionally, we are requesting to deviate from the minimum right of way width as established by Ordinance No. 04-913 Section D (2). We request approval of the enclosed plat which incorporates a fifty foot (50') right of way instead of the standard 60 foot (60') right of way, as permitted by the development agreement. Finally, we are requesting the development of two 20' public alleyways to provide rear loading vehicular access to Lots 1-25, Block 1 and Lots 1-17, Block 2.

The proposed plat contains 72 lots with a mix of three types of products: 50'x120', 42'x120' alley served lots, and 50'x120' alley served lots. The request for a reduced building line is only for the alley served products. The intent is to create both a more aesthetically pleasing public facing streetscape for the alley served lots while also creating private space for the homeowners in their backyards. Since the garage will be taking rear access from the alley, a reduced building line will allow the alley product to maintain a large enough footprint and rear yard for the homeowner, as the garage will be occupying space in the rear yard. The reduction in building line will still create a minimum dimension of 21' from the back of curb to the proposed buildings. Allowing for the public alley service and reduced building line will also create a more attractive walkable, engaged streetscape, which will be further enhanced by the park space on the north end of the neighborhood. Additionally, the proposed design would eliminate multiple driveways along the streetscape creating safer traffic flow, particularly at the neighborhood entry.

Furthermore, the request for a reduced right of way width in this location is more suitable for this section of the development, as there are not any through streets proposed for this section and additional connections in this location would not benefit local traffic circulation or connectivity. The proposed changes to the right of way width would not affect the width of the paving section for this development. Since this section is bounded by Flewellen Creek on the western boundary, and two streets that function as collectors on the eastern and southern boundaries, additional right of way width for the proposed rights of way in this section are unnecessary.



Strict application of the ordinance would prohibit the Creek Cove at Cross Creek Ranch Section 13 development to provide the proposed design resulting in a better community having an attractive public streetscape and higher quality lots for those lots taking alley access. The granting of the requested variance will not be injurious to the public health, safety, or welfare, nor will it be detrimental to surrounding properties or have any effects on the orderly subdivision of future sections in accordance with the Development Agreement.

Thank you for your consideration and please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Lang". The signature is fluid and cursive, with a large, sweeping initial "A".

Andrew Lang  
Land Planner

Serving. Leading. Solving.™

23501 Cinco Ranch Boulevard | Suite A-250 | Katy, Texas 77494 | 281-579-0340



December 11, 2018

City of Fulshear  
Attn: Sharon Valiante, Public Works Director  
30603 FM 1093 West  
Fulshear, Texas 77441

Re: CREEK COVE AT CROSS CREEK RANCH SECTION THIRTEEN and  
CROSS CREEK RANCH SPECIALTY PRODUCT EXAMPLES

Dear Ms. Valiante:

On behalf of our client, Johnson Development Corp., we, BGE, Inc., respectfully offer the following Cross Creek Ranch recorded plats reflecting a 50-foot right-of-way with 20-foot setbacks, except Willows Section One which has a 25-foot setback:

- **The Pond at Cross Creek Ranch recorded in October of 2013.**
  - 68 lots averaging 6,500 square feet in size (lots are approximately 50'x130').
  - One point of ingress/egress from West Cross Creek Bend Lane with 50-foot public streets.
  - Lots are “zero side setbacks” on one side and 10-foot side setbacks on the opposite side. The triangles denote the zero-lot line.
  - The front setback is 20-feet.
  - No formal variance and/or special requests submitted with plat applications.
  
- **Bonterra at Cross Creek Ranch Section Three recorded in October of 2015.**
  - 37 lots averaging 7,500 square feet in size (lots are approximately 60'x125').
  - Two points of ingress/egress; one from Whispering Plains Drive and one from Fulshear Bend Drive through Bonterra at Cross Creek Ranch Section Five.
  - Bonterra at Cross Creek Ranch Section Three has 50-foot private streets.
  - The front setback is 20-feet.
  - No formal variance and/or special requests submitted with plat applications.
  
- **Willows at Cross Creek Ranch Section One recorded in August of 2016.**
  - 74 lots averaging 3,000 square feet in size (lots are approximately 28'x105' / 28'x115').
  - One point of ingress/egress from West Cross Creek Bend Lane with 50-foot public streets.
  - Lots are “zero side setbacks” on one side and 5-foot side setbacks on each side of the lot line opposite of the zero-foot interior side setbacks. The triangles denote the zero-lot line.
  - The front setback is 25-feet.
  - No formal variance and/or special requests submitted with plat applications.

Please contact me should you have any questions or require any additional information.

Sincerely,



Tracy M. Youngblood  
Interim Director | Land Planning

Cc: David Leyendecker, Clay & Leyendecker, Inc.  
Kimberly Kopecky, City of Fulshear  
Jack Harper, City of Fulshear  
Brant Gary, City of Fulshear  
Jason Svatek, BGE, Inc.  
Karena Hauter, BGE, Inc.  
Kevin Gilligan, BGE, Inc.  
Gerald Grissom, BGE, Inc.  
Trey DeVillier, BGE, Inc.  
Andrew Lang, BGE, Inc.  
Rob Bamford, Johnson Development Corp.  
Todd Hamilton, Johnson Development Corp.

*Enclosures: The Pond at Cross creek Ranch recorded plat  
Bonterra at Cross Creek Ranch Sec. 3 recorded plat  
Willows at Cross Creek Ranch Sec. 1 recorded plat*

**CITY OF FULSHEAR**  
**Registration & Permit Department**  
Ph: (281) 346- 1796 fax: (281) 346-2556  
30603 FM 1093 P.O. Box 279 Fulshear, TX 77441

**PLATTING AND SUBDIVISION REVIEW**

Plan or Plat:     **CREEK COVE AT CROSS CREEK RANCH SECTION 13/ PRELIMINARY PLAT**    

**City Engineer Review**

Reviewed  
 See Attached Letter

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BY:     **DAVID LEYENDECKER**     DATE:     **1/29/2019**    

**City Secretary**

Processed  
 Returned for additional data

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BY:     **KIMBERLY KOPECKY**     DATE:     **1/20/2019**    

**Planning Commission Review**

Approved  
 Returned for additional data

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BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**City Council Review**

Approved  
 Returned for additional data

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BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING**  
**COMMISSION CITY OF FULSHEAR, TEXAS**

|                        |  |                    |                                     |
|------------------------|--|--------------------|-------------------------------------|
| <b>AGENDA OF:</b>      | February 1, 2019   | <b>ITEM(S):</b>    | 8                                   |
| <b>DATE SUBMITTED:</b> | January 30, 2018   | <b>DEPARTMENT:</b> | Planning and Development            |
| <b>PREPARED BY:</b>    | Sharon Valiante,<br>Public Works Director,<br>Kerry Sigler<br>Building Official,<br>Brant Gary,<br>Assistant City Manager  | <b>PRESENTER:</b>  | David Leyendecker,<br>City Engineer |
| <b>SUBJECT:</b>        | <b>Plat Summary - Final Plat – Tamarron Multifamily for Planning and Zoning Commission</b>   |                    |                                     |
| <b>ATTACHMENTS:</b>    | <ol style="list-style-type: none"> <li>1. <b>Plat Application - Tamarron Multifamily</b></li> <li>2. <b>Copy of Plat - Tamarron Multifamily</b></li> <li>3. <b>City Engineer’s Engineering Reviews: Final Plat: Tamarron Multifamily</b></li> <li>4. <b>City Planning Letter – Tamarron Multifamily</b></li> <li>5. <b>FBC Drainage District – Impact Analysis</b></li> <li>6. <b>Infrastructure Support Documents</b> <ol style="list-style-type: none"> <li>a. <b>Detention Area Layout</b></li> <li>b. <b>Lift Station Site Plan</b></li> <li>c. <b>Infrastructure Construction Schedule</b></li> <li>d. <b>Excerpt from Lift Station Engineering Report (partial)</b></li> <li>e. <b>Overall Development Layout (showing infrastructure)</b></li> </ol> </li> <li>7. <b>Plat Review &amp; Recommendation Form</b></li> </ol> |                    |                                     |

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration the plat for: **Final Plat – Tamarron Multifamily**

The plat, as submitted for consideration, generally meets the requirements set forth in the City’s Subdivision Ordinance No. 04-913 and/or 013-1091, which is in alignment with Chapter 21, Texas Local Government Code. Plat comments noted in the City Engineer’s report are provided in support of the rules and regulations governing plats and subdivisions of land within the City’s territorial limits and the extra territorial jurisdiction to promote safe, orderly, and healthful development of the City.

The Final Plat submitted for consideration was reviewed by the City Engineer. There were some major comments that were needing to be addressed. The comments were sent to the applicants to be addressed prior to the February 1st Planning and Zoning Commission meeting. The applicant has provided updates to both the Traffic Impact Analysis and the Drainage Study items. The remaining item of major concern is the lack of approved plans for public infrastructure to serve the development. While the City has received additional information regarding the infrastructure planned, all public infrastructure plans are typically required to be completed and submitted to the City Engineer for review and approval. If the Commission desires, the plat can receive a positive approval with conditions applied prior to recordation for submittal and approval of those plans.

## **RECOMMENDATION**

Staff recommends the Planning and Zoning Commission provide the following recommendation:

Positive for Approval for the **Final Plat for: Tamarron Multifamily**, with the following condition:

Prior to recordation, a complete and approved set of plans for public infrastructure to provide public utilities to serve the development



**Subdivision/Development Platting Application**

Date: 1.18.2019 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: Tamarron Development: \_\_\_\_\_

**SUBMITTAL OF PLAT: (Check Appropriate Selection)**

Preliminary  Final  Short Form Final  
 Replat  Vacation Plat  Admin. (Minor) Plat  
 Amending Plat

**TYPE OF PLAT: (Check Appropriate Selection)**

Single-Family Residential  Zero Lot Line/ Patio Home  Multi-Family Residential  
 Planned Development  Commercial  Industrial

Plat Location:  City  ETJ (Extraterritorial Jurisdiction)

Legal Description: subdivision of 20.37 acres of land out of the A.G. Sharpless Survey, A-322

Variance: \_\_\_\_\_ Yes (Attach a Copy of Approval Letter) \_\_\_\_\_ No

Total Acreage: 20.37  
 Number of Streets: 0  
 Number of Lots: 4  
 Number and Types of Reserves: 4; detention, L.S. jopen space  
 Total Acres in Reserve: 20.37

Owner: DHI-Tamarron, LLC  
 Address: 1341 Horton circle  
 City/State: Arlington Texas  
 Telephone: 817-390-8270  
 Email Address: \_\_\_\_\_

Engineer/Planner: Jones/Carter  
 Contact Person: Daniel Valdez  
 Telephone: 832-913-4000  
 Fax Number: 832-913-4010  
 Email Address: dvaldez@jonescarter.com

| Platting Fees  |                                   |
|--|-----------------------------------|
| Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre |                                   |
| Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre      |                                   |
| Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre            |                                   |
| Amending or Minor Plat - \$200.00                                    |                                   |
| Plat Vacation - \$500.00   |                                   |
| 2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)  |                                   |
| TOTAL PLATTING FEE   | <u>\$1045.00</u> # <u>1029.25</u> |
| Park Fees (due at Final Plat Application)                            | _____                             |

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

CJamnik Chantelle Jamnik/Planner 1.18.2019  
 SIGNATURE TYPED OR PRINTED NAME/TITLE DATE





January 29, 2019

## Engineering Review

Final Plat  
Tamarron Multifamily  
Fort Bend County, Texas

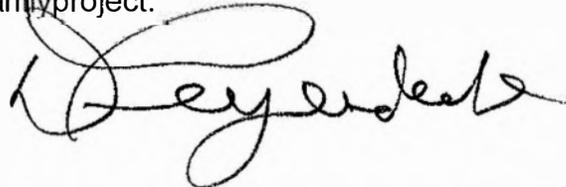
### For Information Only:

1. This plat will create four (4) Reserves that cover a total acreage of 20.37 acres.
2. Access will be from F.M. 1463 thru the Texas Department of Transportation Permit Process.
3. Since this tract is located in the ETJ of the City of Fulshear, it will require approval of both the City and Fort Bend County.
4. The offsite construction plans for sanitary sewer service for this project have not been turned into the City nor the County.

### Recommendations:

I recommend that this Final Plat of Tamarron Multifamily be conditionally approved, and not allowed to be recorded until the following items are addressed:

- A) Since the offsite sanitary sewer plans have not been completed, there is a concern that the project may not have service at time of completion. Fort Bend County Development Services requires public infrastructure plans servicing the tract be approved prior to recording the plat. Recommend approval, but no recordation until infrastructure plans are approved.
- B) The Traffic Impact Analysis needs to be updated to account for Multifamily
- C) Contour lines are required on the face of the plat as is a Metes & Bounds description.
- D) The Drainage Study needs to be updated to take into account the multifamily project.



**DHI TITLE OF CENTRAL TEXAS  
10700 Pecan Park Blvd., Ste. 220  
Austin, Texas 78750**

**CITY PLANNING LETTER**

January 17, 2019

City Planning Commission

To Whom It May Concern:

This company ("Title Company") certifies that a diligent search of the real property records of Title Company's title plant has been made, as to the herein described property, and as of 8:00 AM on the 9th day of January, 2019, we find the following:

**Record Owner:**

DHIC-TAMARRON, LLC, a Delaware limited liability company, as to 19.217 acres.

D. R. Horton – Texas, Ltd., a Texas limited partnership, as to 1.153 acres.

**Recording Instrument:**

Deed With Limited Warranty of Title, executed by D. R. Horton-Texas, Ltd., a Texas limited partnership to DHIC-TAMARRON, LLC, a Delaware limited liability company, dated March 28, 2018, recorded in Document No. 2018033424 of the Official Public Records of Fort Bend County, Texas.

Special Warranty Deed, executed by Dan Harrison, III, and BFH Mining, Ltd., a Texas limited partnership to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated April 16, 2014, recorded in Document No. 2014039914 of the Official Public Records of Fort Bend County, Texas.

**Legal Description:**

**TAMARRON MULTIFAMILY (Proposed Plat)**

Being 20.37 acres of land located in the A. G. Sharpless Survey, Abstract Number 322, Fort Bend County, Texas, more particularly being a portion of that certain called 19.217 acre tract conveyed to DHIC-TAMARRON, LLC by deed recorded in Document No. 2018033424 of the Official Public Records of Fort Bend County, Texas and a part of that certain called 119.4655 acre tract,

described as "Tract 1" conveyed to D. R. Horton – Texas, Ltd., deed recorded in in Document No. 2014039914 of the Official Public Records of said Fort Bend County, Texas, said 20.37 acre tract being more particularly described by metes and bounds in Exhibit "A" attached hereto.

**1. Deed Restrictions:**

Those recorded in Document Nos. 20180322361, 2018032605, 2018032615, 2018032835, 2018032956 and 2018041423, Official Public Records of Fort Bend County, Texas, as to 19.271 acre tract.

**2. Easements and other encumbrances (Oil, Gas and other Minerals excluded):**

Deed - Minerals, Resources and Groundwater recorded in Document No. 2014039915 of the Official Public Records of Fort Bend County, Texas.

Storm sewer easement recorded in Document No. 2017107692 of the Official Public Records of Fort Bend County, Texas.

Sanitary sewer easement recorded in Document No. 2017115256 of the Official Public Records of Fort Bend County, Texas.

The rights of Fort Bend County Municipal Utility District No. 182 to levy taxes and issue bonds.

Easements, and other matters, to be created by the proposed plat.

**3. Lien Holders:** None of record.

No examination has been made as to oil, gas or other minerals, or documents affecting the title thereto, abstracts of judgments, state or federal tax liens, the status of taxes, tax suits or paving assessments.

This letter is issued for the use of, and shall inure to the benefit of PLATTING. Liability of Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

This letter is issued with the express understanding, evidenced by the acceptance thereof, that Title Company does not undertake to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty nor warranty of title.

Liability hereunder is limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein, and may not be given to or used by any third party, Title Company assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. YOU AGREE TO RELEASE, INDEMNIFY AND HOLD HARMLESS TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY TITLE COMPANY (WHETHER SOLE, JOINT OR OTHERWISE) FOR ANY CLAIM, LOSS,

LIABILITY OR DAMAGES ARISING OUT OF THIS REPORT. This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined solely by the terms of such policy.

Sincerely,

*George T. Dunn*

DHI Title of Central Texas

# Exhibit "A"

Tamarron Apartments  
20.37 Acres

A.G. Sharpless  
Abstract No. 322

STATE OF TEXAS                   §

COUNTY OF FORT BEND           §

A **METES & BOUNDS** description of a certain 20.37 acre tract of land situated in the A.G. Sharpless Survey, Abstract No. 322 in Fort Bend County, Texas, being out of a called 119.4665 acre tract of land conveyed to D.R. Horton – Texas, Ltd. by Deed recorded in Clerk’s File No. 2014039914 of the Fort Bend County Clerk’s File; said 20.37 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, South Central Zone;

**COMMENCING** at the northeasterly corner of said 119.4665 acre tract, the southerly line of the remainder of a called 650.105 acre tract of land recorded in the name of JDC/Firethorne, Ltd. In Fort Bend County Clerk’s File No. 2003138620 and on the westerly Right-of-Way line of F.M. 1463 (width varies) recorded in Volume 62, Page 304, Volume 275, Page 526, Volume 25, Page 531 and Volume 275, Page 548 of the Fort Bend County Deed Records.

Thence, through and across said 119.4665 acre tract, South 64°29’27” West, 306.53 feet to a 5/8-inch iron rod with cap stamped “GBI”, being the **POINT OF BEGINNING** of the herein described tract;

THENCE, South 01°49’13" East, 1123.80 feet to a point for corner;

THENCE, North 88°10’47" East, 233.12 feet to a point for corner in the west line of a 14,453 square foot T.X.D.O.T right-of-way widening;

THENCE, South 01°49’16" East, along the said westerly line of said right-of-way widening, 76.78 feet to a point for corner;

THENCE, South 87°55’00" West, along the southerly line of the called 20.37 acre tract of land, common with the northerly line of a called 52.582 acre tract of land conveyed to Weiss Land and Development, LP recorded in Fort Bend County Clerk’s File No. 2006048282, 1710.36 feet to a point for corner;

THENCE, North 50°33’10" East, 128.81 feet to a found 5/8-inch iron rod stamped “GBI” for corner;

THENCE, North 50°01’26" East, 291.73 feet to a found 5/8-inch iron rod stamped “GBI” for corner;

THENCE, North 50°11’09" East, 294.37 feet to a found 5/8-inch iron rod stamped “GBI” for corner;

THENCE, North 48°57’49" East, 294.65 feet to a point for corner;

THENCE, North 47°49’21" East, 296.47 feet to a point for corner;

THENCE, North 47°58’03" East, 386.91 feet to a found 5/8-inch iron rod stamped “GBI” for corner;

Tamarron Apartments  
20.37 Acres

A.G. Sharpless  
Abstract No. 322

THENCE, North 47°37'56" East, 168.02 feet to a found 5/8-inch iron rod stamped "GBI" for corner;

THENCE, North 47°46'22" East, 47.92 feet to the **POINT OF BEGINNING, CONTAINING**  
20.37 acres of land in Fort Bend County, Texas.

**This metes and bounds description is to be used to initiate title research and shall not be used for transfer of title to the property herein described.**



## DRAINAGE DISTRICT

Fort Bend County, Texas

January 9, 2018

Ms. Carolyn Gilligan P.E., CFM  
LJA Engineering & Surveying, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, TX 77042-3703

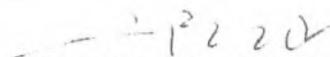
**Re: Tamarron Lake Phase5 (Northeast Tract) Impact Analysis**

Dear Ms. Gilligan,

The Fort Bend County Drainage District staff has reviewed the above reference report. The proposed 128 ac phase5 development will provide 81.5 ac-ft of the detention storage; the detention rate proposed is 0.64 ac.ft/ac for the ultimate condition. Based on the analysis, the proposed development would not cause negative impact to the downstream and surrounding areas for the events up to and including the 100 year event. The proposed development will release less than allowable discharge to the receiving Cinco Ranch Northwest detention system based on the agreement between MUD 58 and MUD 182. Therefore we have no objections to the proposed development.

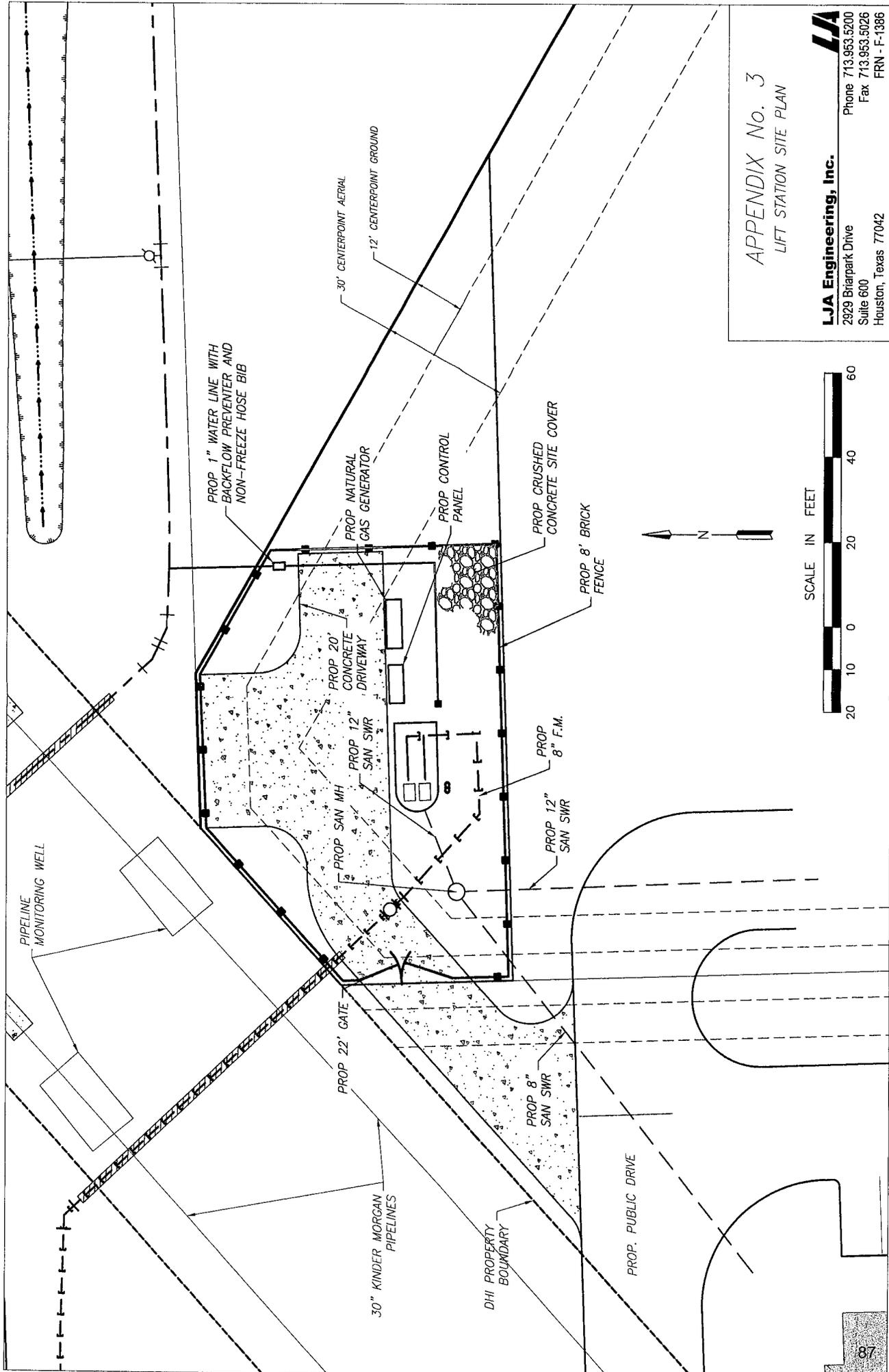
If you should have any questions, please do not hesitate to contact me at 281-342-2863.

Sincerely,

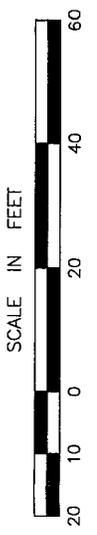
  
Juling Bao, P.E., C.F.M

Fort Bend County Drainage District





APPENDIX No. 3  
LIFT STATION SITE PLAN



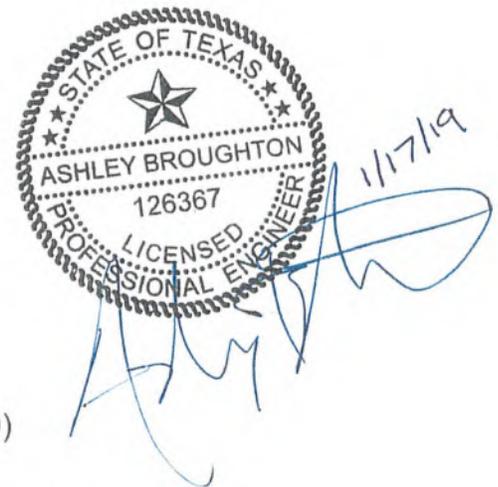
**LJA Engineering, Inc.**  
 2929 Briarpark Drive  
 Suite 600  
 Houston, Texas 77042  
 Phone 713.953.5200  
 Fax 713.953.5026  
 FRN - F-1386



ENGINEERING REPORT

LIFT STATION NO. 5  
TO SERVE  
FORT BEND COUNTY  
MUNICIPAL UTILITY DISTRICT NO. 182

CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS



LJA Job No. 1931-1329 (6.0)  
January 2019

Prepared By:  
LJA Engineering, Inc.  
2929 Briarpark, Suite 600  
Houston, TX 77042  
(713) 953-5200  
FRN F-1386

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## **1. Introduction**

### **1.1. Purpose**

The following is an engineering report for the Lift Station No. 5 to serve Fort Bend County Municipal Utility District No. 182. The project includes construction of a submersible duplex lift station. The lift station will serve the development with a firm capacity of 480 gallons per minute (gpm). The lift station will be owned and operated by Fort Bend County Municipal Utility District No. 182.

### **1.2. Summary of Facilities**

The proposed lift station will pump through approximately 3,600 linear feet of eight-inch (8") diameter force main to sanitary manhole which flows to Lift Station No. 2. The lift station will be fed by a twelve-inch (12") and an eight-inch (8") gravity sanitary sewers that combine in an on-site manhole.

## **2. Lift Station Site**

### **2.1. Site Location**

The lift station will serve part of the Tamarron Development. The Tamarron Development is located in Fulshear south of I-10 west of the intersection of Katy Road and F.M. 1463 Road. The lift station site is located east of the intersection of Tamarron Crossing and Tamarron Trace, on Tamarron Crossing. The location of the proposed lift station is shown in Appendix 1.

### **2.2. Lift Station Service Area**

The service area for the proposed lift station consists of residential multifamily and commercial development. The ultimate number of Equivalent Single Family Connections (ESFCs) served by this facility will be 576 ESFCs. The service area is indicated in Appendix 1.

### **2.3. Flood Plain**

The lift station site is located within unshaded Zone X which is defined as an area determined to be outside the 0.2% annual chance flood plain. The top slab of the wet well will be at an elevation of 145.80 feet, which is above the 100-year flood plain elevation as shown on the FEMA Flood Insurance Rate Map number 48157C0105L. The FIRM is included in Appendix 2.

### **2.4. Site Access**

Access to the lift station site is provided by a drive through driveway off of Tamarron Crossing as shown in Appendix 3.

### **2.5. Stormwater Pollution Prevention Plan**

The construction of the proposed lift station site will disturb approximately 0.21 acres. Silt fence will be installed around the site to contain disturbed soils during construction.

### 3. Proposed Lift Station Facilities

#### 3.1. Design Criteria

The design of this facility conforms to the current Texas Commission on Environmental Quality design criteria promulgated under 30 TAC Chapter 217-*Design Criteria for Domestic Wastewater Systems*. This project lies within the City of Fulshear. The system curve was prepared using the Hazen-Williams equation for friction head loss calculations. Calculations used in the design of the proposed lift station are attached as appendices to this report.

#### 3.2. Capacity

The proposed lift station is designed as a submersible duplex lift station. The firm capacity of lift station is 480 gpm which will serve up to 576 connections. The proposed lift station capacity has been calculated based on 300 gallons per day per connection and a peaking factor of 4.0.

$$\begin{aligned}(576 \text{ ESFCs})(300 \text{ gpd/ESFC}) &= 172,800 \text{ gpd} \\ \text{Average Daily Flow (ADF)/(Q): } (172,800 \text{ gpd})/(1,440 \text{ min}) &= 120 \text{ gpm} \\ \text{Two (2) Hour Peak Flow (4Q): } (4)(120 \text{ gpm}) &= 480 \text{ gpm}\end{aligned}$$

#### 3.3. Wet Well

##### 3.3.1. Wet Well Sizing

The wet well was designed based on a capacity of 480 gpm. A six (6) minute minimum cycle time for all pumps and an operating depth between one-foot (1') and four-feet (4') were used to size the wet well. The lift station will be housed in a eight-foot (8') diameter concrete wet well and a concrete top slab with hatches to access the pumps. Wet well sizing calculations are included in Appendix 4.

##### 3.3.2. Buoyancy

Buoyancy was checked to ensure the lift station will remain in place during flooding conditions. The weight of the wet well bottom slab, top slab, and walls are used to resist buoyant forces. The skin friction values were conservatively assumed to be 50 psf from 10 feet below the surface to the bottom of the wet well. Buoyancy calculations are in included in Appendix 5.

##### 3.3.3. Wet Well Ventilation

The wet well will be provided with a flanged eight-inch (8") vent to allow air into and out of the wet well through the venting pipe without exceeding a velocity of 600 feet per minute. Vent sizing calculations are included in Appendix 6.

### 3.4. Pumps

We recommend installing two (2) FLYGT NP 3153 HT 3~ 456 submersible pumps (or equivalent). These pumps utilize three-phase power, carry a eleven horsepower (11-hp) rating, and operate at 1,500 rpm. Force main loss calculations and the system curve are included as Appendix 7.

### 3.5. Piping

#### 3.5.1. Force Main Analysis

Approximately 3,600 linear feet of eight-inch (8") diameter PVC force main will be constructed as part of another project. The system curves for the force main are calculated using the Hazen-Williams formula for friction losses and K factors for minor losses. To simulate pipe conditions, Hazen-Williams friction constants  $C = 120$  and  $140$  were used for design to represent old and new pipe conditions. The force main size was calculated based on the ultimate capacity of the lift station. See Appendix 8 for force main sizing calculations.

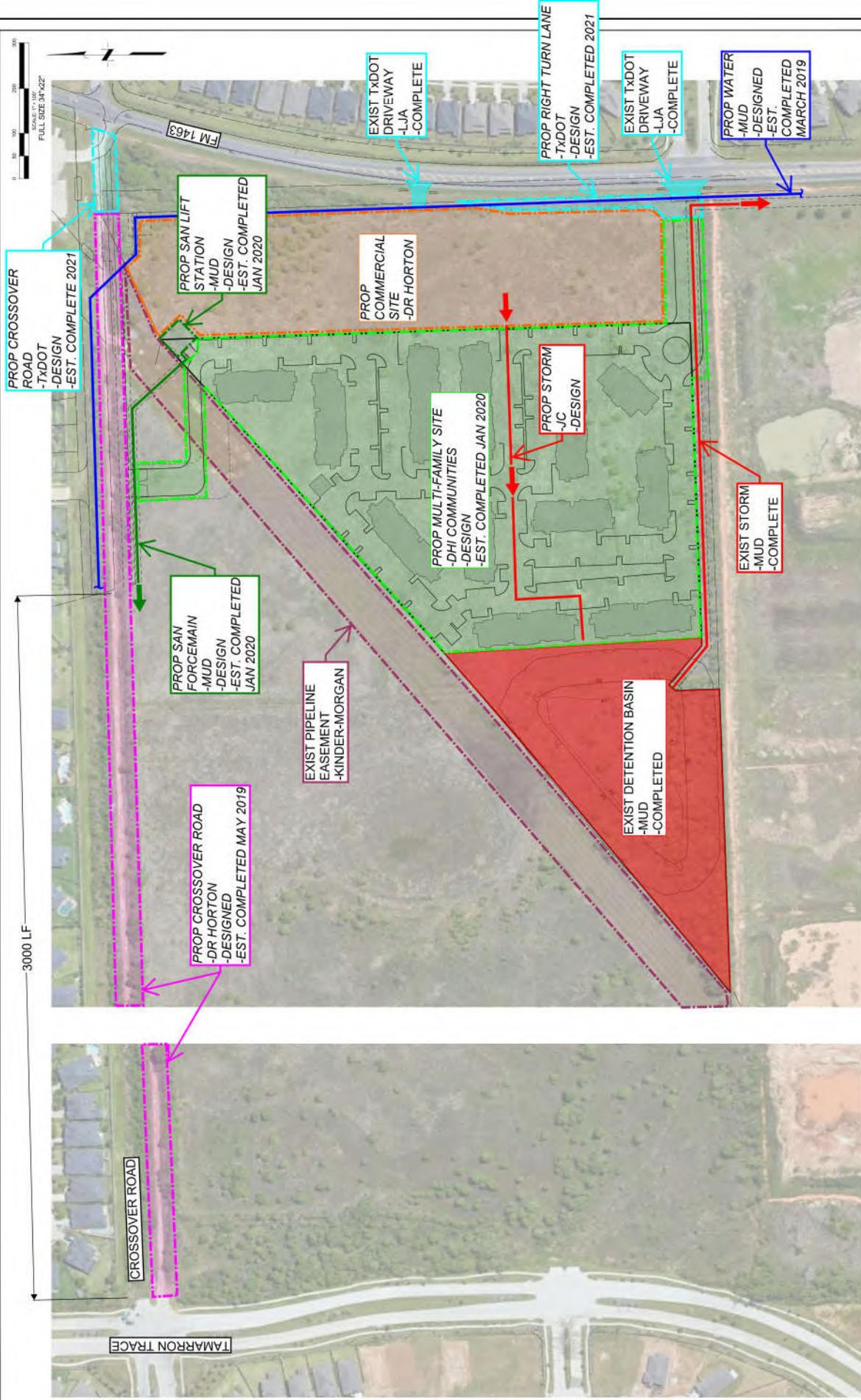
#### 3.5.2. Riser Pipe Analysis

The proposed risers for the ultimate pumps will be eight-inch (8") diameter DIP. The riser losses are calculated using the Hazen-Williams formula for friction losses and K factors for minor losses. To simulate pipe conditions, Hazen-Williams friction constants  $C=120$  and  $140$  were used for design, to represent old and new pipe conditions. The riser pipe losses are added in to the total head for the force main. See Appendix 9 for riser pipe sizing calculations.

### 3.6. Electrical Controls

The proposed lift station controls include power supply with pump controller with pump alternator, level transducer, back-up floats, and alarm contacts. Motor failure, high and low level alarms employing both audio and visual alert capabilities are provided.

The lift station will be equipped with an automatic transfer switch and a natural gas generator to provide power in the event of a power outage.



**TAMARRON MULTIFAMILY**  
 DEVELOPMENT LAYOUT

**CITY OF FULSHEAR**  
**Registration & Permit Department**  
Ph: (281) 346- 1796 fax: (281) 346-2556  
30603 FM 1093 P.O. Box 279 Fulshear, TX 77441

**PLATTING AND SUBDIVISION REVIEW**

Plan or Plat: Tamarron Multifamily / Final Plat

**City Engineer Review**

Reviewed  
 See Attached Letter

BY: DAVID LEYENDECKER DATE: \_\_\_\_\_

**City Secretary**

Processed  
 Returned for additional data

BY: KIMBERLY KOPECKY DATE: 1-18-2019

**Planning Commission Review**

Approved  
 Returned for additional data

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**City Council Review**

Approved  
 Returned for additional data

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

|  |   |
|--|---|
| <b>AGENDA OF:</b> February 1, 2019   | <b>AGENDA ITEM:</b> 9   |
| <b>DATE SUBMITTED:</b> January 28, 2018  | <b>DEPARTMENT:</b> Planning & Development   |
| <b>PREPARED BY:</b> Sharon Valiante,<br>Director of Public Works<br>Brant Gary,<br>Assistant City Manager<br>Kerry Sigler,<br>Chief Building Official          | <b>PRESENTER:</b> Sharon Valiante,<br>Director of Public Works<br>Brant Gary,<br>Assistant City Manager<br>Kerry Sigler,<br>Chief Building Official |
| <b>SUBJECT:</b> Presentation and possible action to approve the Polo Ranch Master Signage Plan   |   |
| <b>ATTACHMENTS:</b><br>1.) Proposed Polo Ranch Master Signage Plan<br>2.) COF Codes, Section 28-4 (4)<br>3.) Examples of other Master Signage Plans (separate) |   |

**EXECUTIVE SUMMARY**

Section 28-4 of the City's Code of Ordinances allows for master planned communities in the city limits and ETJ to request approval of a master sign plan to allow for various signage within that master planned community. The Polo Ranch developer has requested approval of the attached Master Signage Plan. Approval of this plan would require the establishment of a master planned community sign district consistent with the boundaries of the Polo Ranch development. This plan would then specifically govern sign placement and requirements within the development. The request and proposed plan are similar in nature to those covering Cross Creek Ranch, Tamarron, Jordan Ranch, and other master planned communities in the city limits/ETJ.

The full text of Section 28-4 is attached along with examples of other approved master sign plans. In addition, Section 28-2 of the City's Code of Ordinances provides the following definition:

*Master planned community* means developments of more than 200 acres which include more than 500 residential units and provide for specialized amenities including sidewalks, park and recreational facilities, customized drainage and decorative landscaping and a unifying theme for the development.

Representatives of the Polo Ranch development will be on-hand to answer any questions.

Based on Section 28-4, subsection (4) of the City's Code of Ordinances a two-step process is required. As a result, the Planning and Zoning Commission is being asked to take the following actions:

- 1.) Recommend approval or denial of the creation of a master planned community sign district to the City Council for the Polo Ranch development.

- 2.) Contingent upon future City Council approval of the establishment of the master planned community sign district for Polo Ranch, approve or deny the proposed master signage plan for the Polo Ranch development.

### **RECOMMENDATION**

Staff recommends the Planning and Zoning Commission recommend approval of the master planned community sign district for the Polo Ranch development to the City Council and approve the proposed Polo Ranch master signage plan.

# Century Communities Polo Ranch Master Residential Signage Plan Submitted to City of Fulshear

January 18, 2019

Prepared by



**Planning &  
Landscape Architecture**

Sustainable Design  
Community Planning  
Urban Design  
Landscape Architecture

**LJA Engineering, Inc.**

2929 Briarpark Drive, Suite 600  
Houston, Texas 77042-3703  
713.953.5200 f 713.953.5026

- I. **Destination Signage:**
  - A. **Permanent:**
    - 1. **External**
      - a) **Entry monument**
        - (1) Located at the main entry off of FM 1093 & Polo Ranch Boulevard
      - b) **Entry monument**
        - (1) Located at the entry off FM 359 and future road
      - c) **Entry monument**
        - (1) Located at the secondary entrance off Balding Dr.
      - d) **Entry monument**
        - (1) Located at the secondary entrance off future road (east side)
    - 2. **Internal:**
      - a) **Amenity identification signs:**
        - (1) Located at recreation center
        - (2) Located at cemetery
  - B. **Temporary:**
    - 1. **External:**
      - a) **Community marketing signs**
        - (1) Located at main entrance off FM 1093 and Polo Ranch Boulevard
        - (2) Located at Sales Trailer Site
        - (3) Located in reserve at entry off of FM 359
        - (4) 11' x 4'
      - b) **Informational Sign**
        - (1) Located at Sales Trailer and Construction trailer site
    - 2. **Internal**
      - a) **Model identification signs**
        - (1) Located in front of model home
      - b) **Marketing Trail Signs**
        - (1) Located along Polo Ranch Boulevard and future road
        - (2) Located along Polo Ranch Boulevard and future road
        - (3) Located along Polo Ranch Boulevard and future road
        - (4) Located along Polo Ranch Boulevard and future road
        - (5) Located along Polo Ranch Boulevard and future road
        - (6) Located along Polo Ranch Boulevard and future road
        - (7) Located along Polo Ranch Boulevard and future road
        - (8) 6' x 4'

## Polo Ranch Sign Legend

- Primary Entrance/ Monument Sign
- Secondary Entrance/ Monument Sign
- Model Monument Sign
- Marketing Trail/ Wayfinding Sign
- Amenity Sign
- Marketing Sign
- Informational Sign



# Century Communities Polo Ranch Fulshear, Fort Bend, Texas

# PRIMARY ENTRANCE/ MONUMENT SIGN CONCEPT ● - FM 1093 LOCATION



- Note:
- Permanent sign will include accompanying art features, decorative elements, and features separate from the sign.
  - All lighting will conform to city standards

# PRIMARY ENTRANCE/ MONUMENT SIGN DETAIL



(A)

Powder Coat Metal



(B)

Powder Coat Metal



(C)

Textured Concrete



(D)

Stone



(E)

Brick



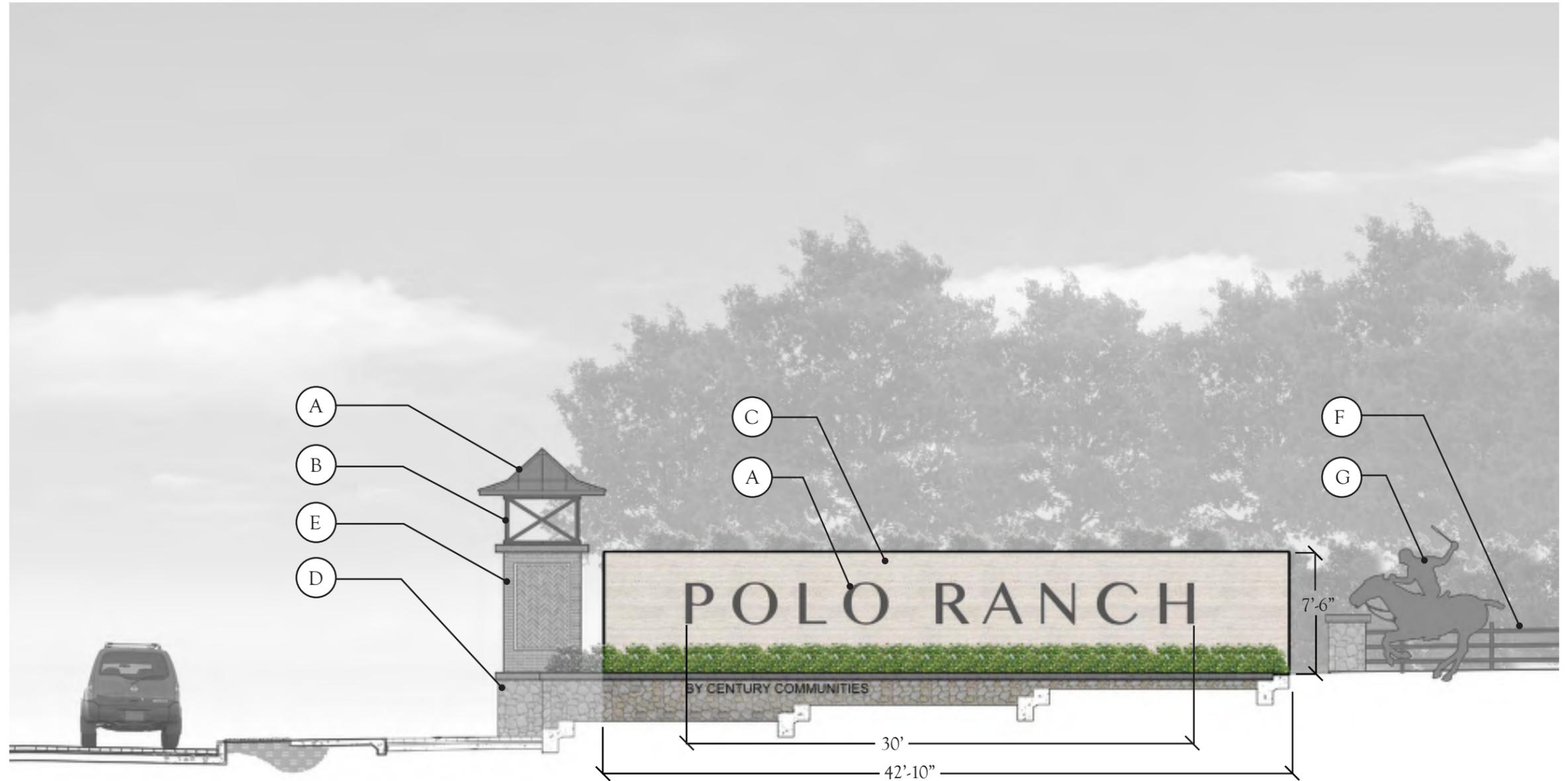
(F)

Stain



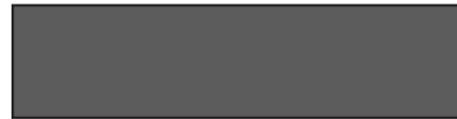
(G)

Powder Coat Metal



- Note:
- Permanent sign will include accompanying art features, decorative elements, and features separate from the sign.
  - All lighting will conform to city standards

# PRIMARY ENTRANCE/ MONUMENT SIGN CONCEPT #2 ● - FM 359 LOCATION



Powder Coat Metal



Powder Coat Metal



Textured Concrete



Stone



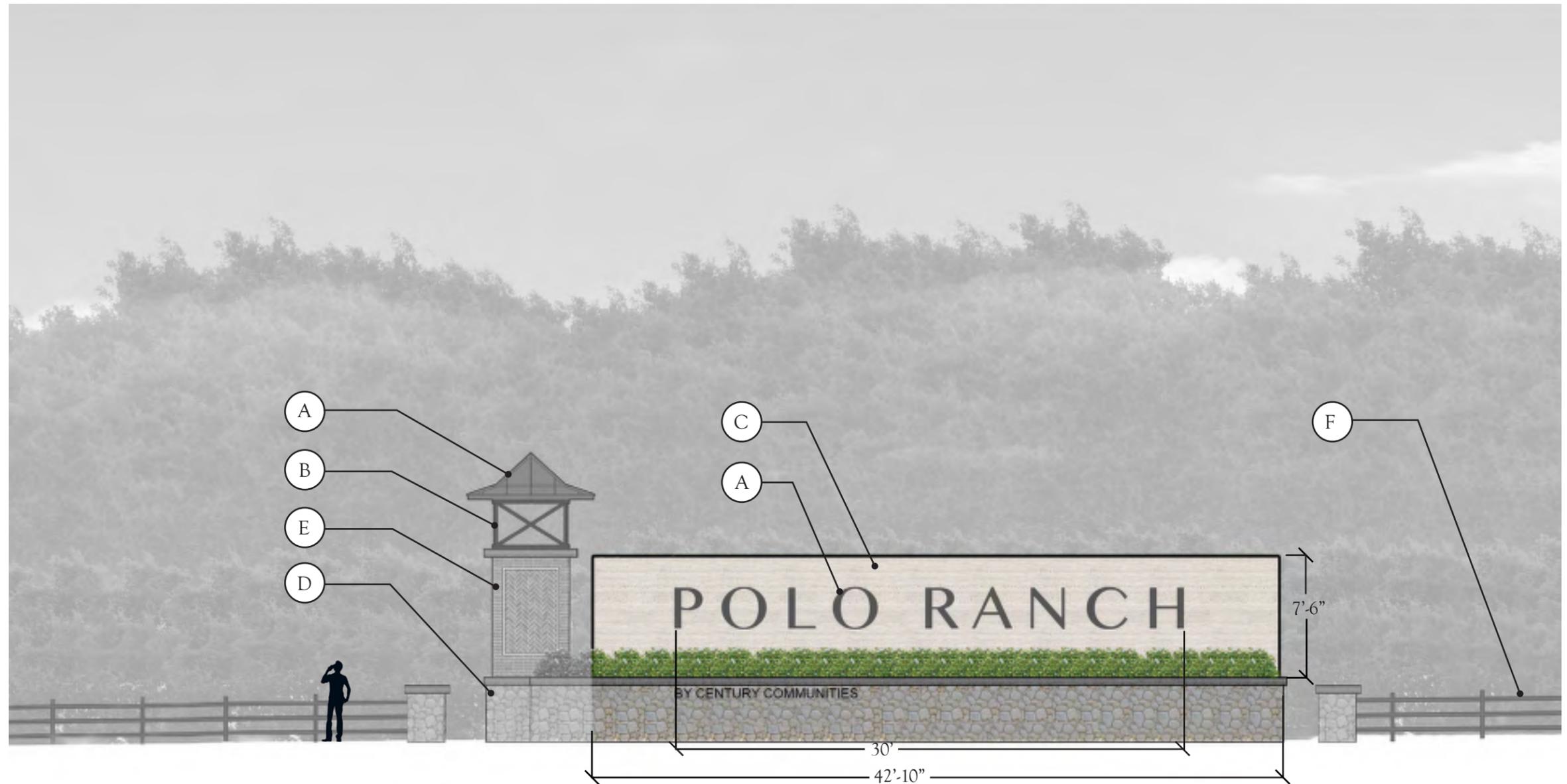
Brick



Stain



Powder Coat Metal



- Note:
- Permanent sign will include accompanying art features, decorative elements, and features separate from the sign.
  - All lighting will conform to city standards

# SECONDARY ENTRANCE/ MONUMENT SIGN CONCEPT ●



Powder Coat Metal



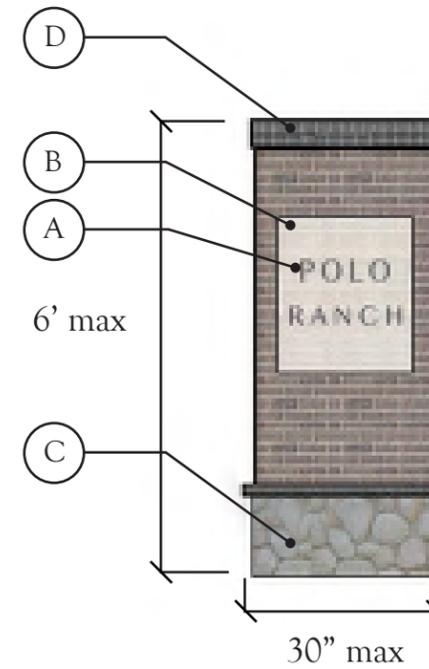
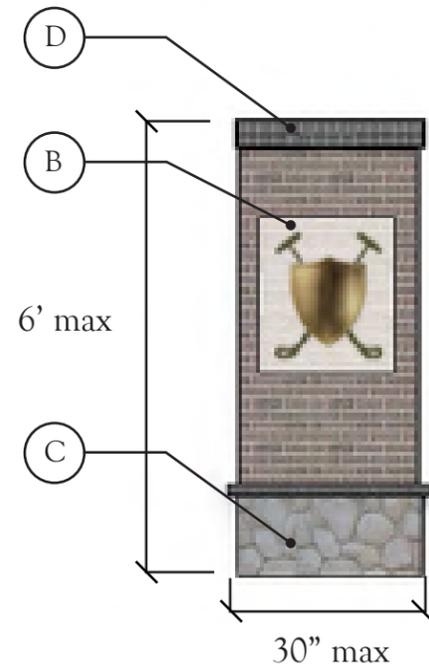
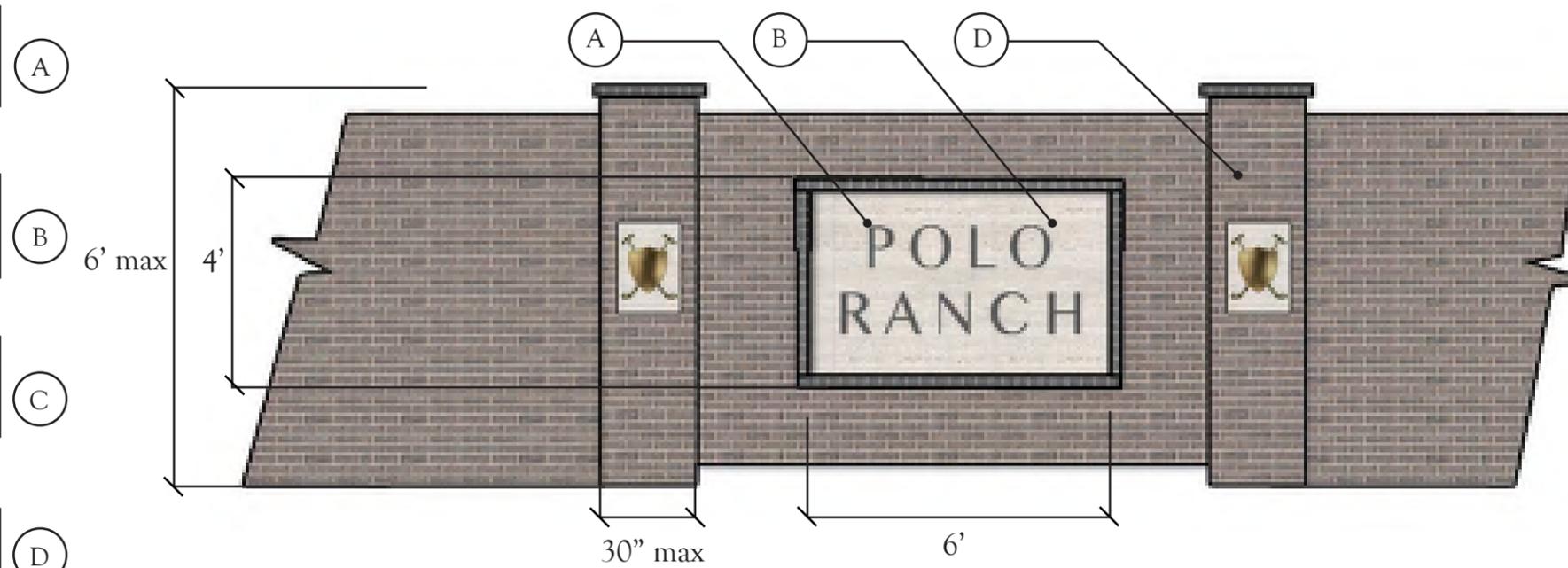
Textured Concrete



Stone

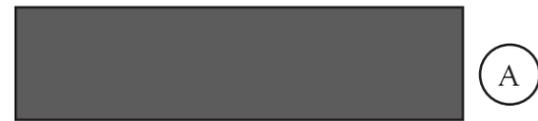


Brick



- Note:
- Permanent sign will include accompanying art features, decorative elements, and features separate from the sign.
  - All lighting will conform to city standards

# AMENITY SIGN CONCEPT ●



(A)

Powder Coat Metal



(B)

Textured Concrete



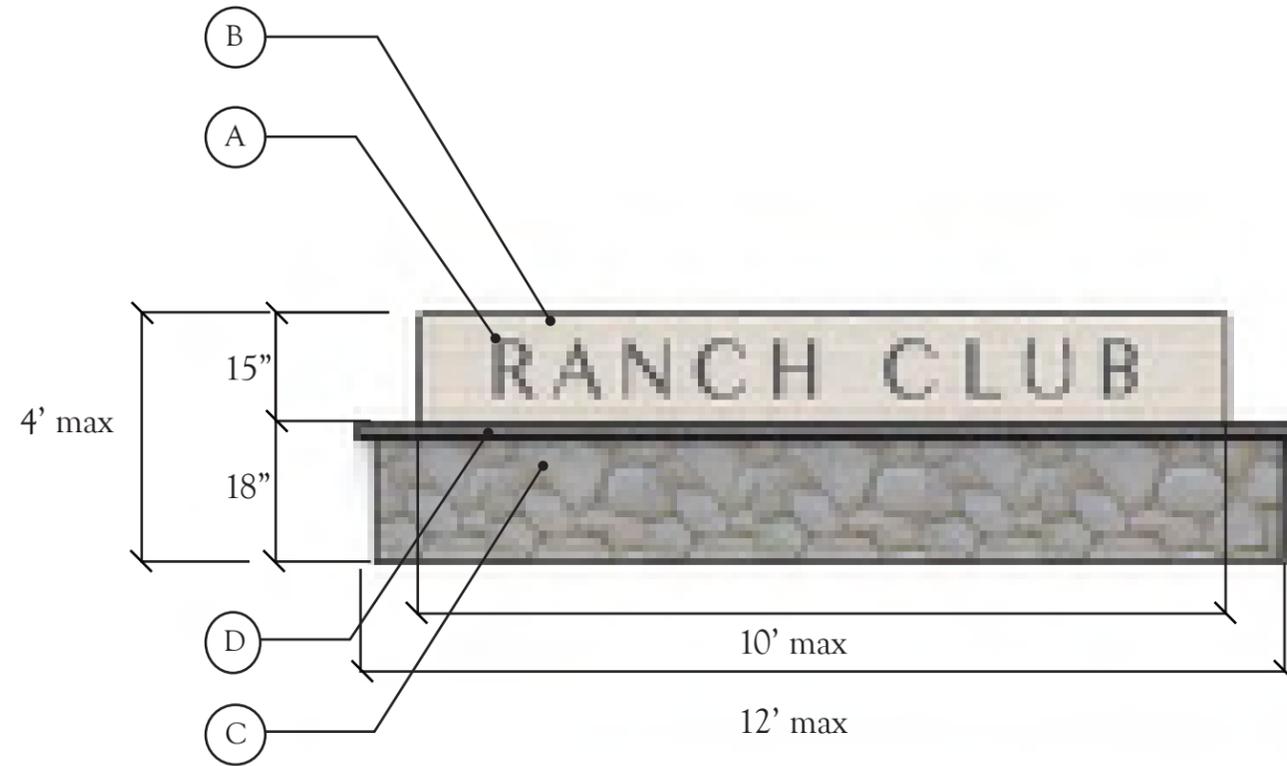
(C)

Stone



(D)

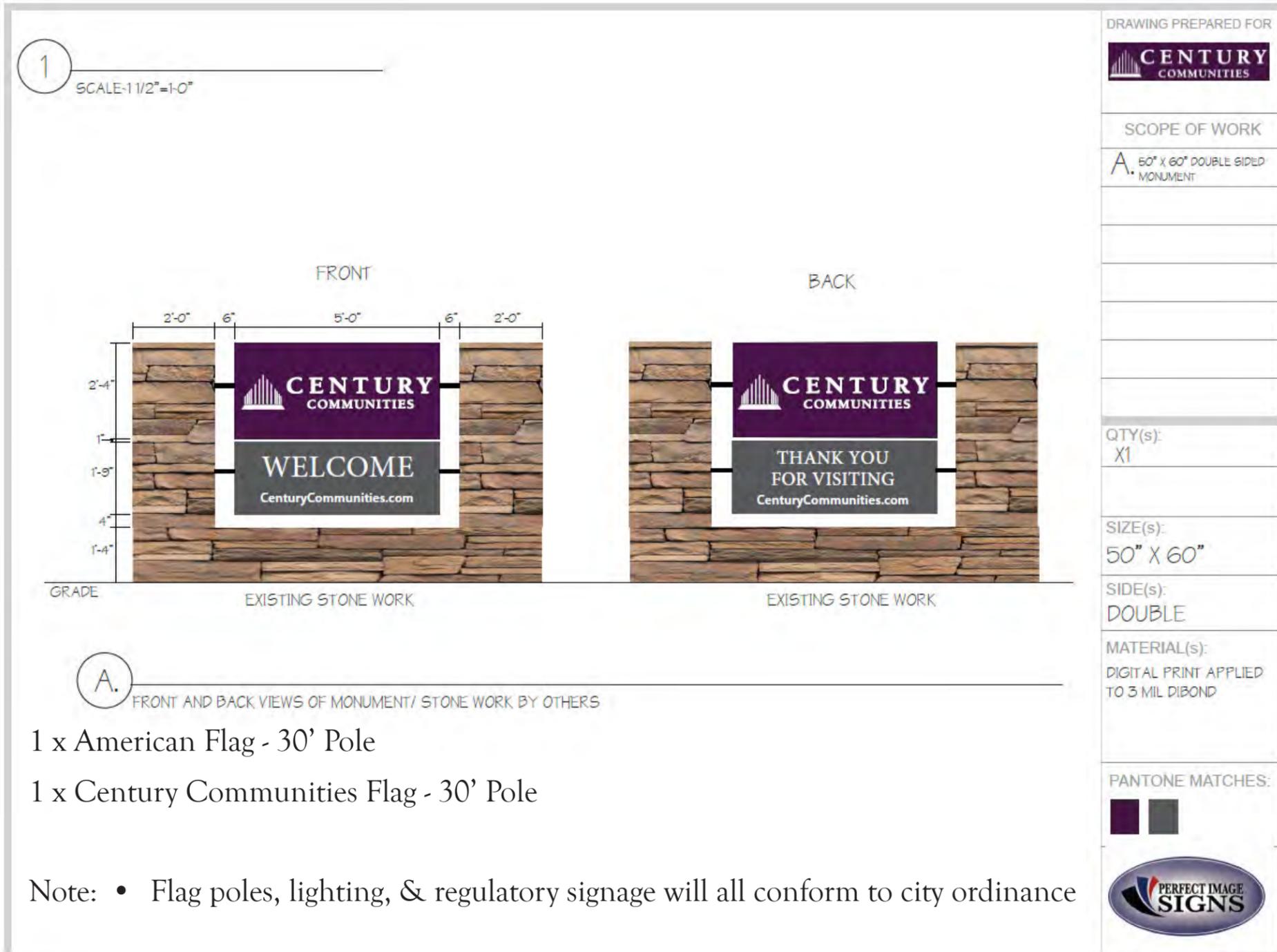
Brick



Permanent Amenity Identification Sign

- Note:
- Permanent sign will include accompanying art features, decorative elements, and features separate from the sign.
  - All lighting will conform to city standards

# MODEL MONUMENT SIGN ●



**A.** FRONT AND BACK VIEWS OF MONUMENT/ STONE WORK BY OTHERS

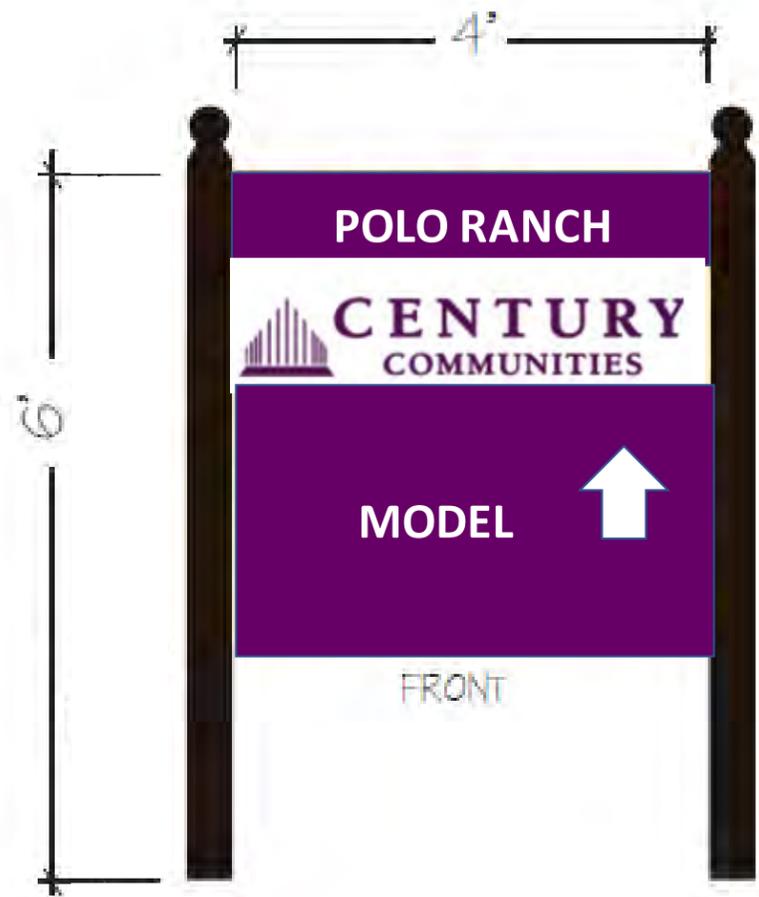
1 x American Flag - 30' Pole

1 x Century Communities Flag - 30' Pole

Note: • Flag poles, lighting, & regulatory signage will all conform to city ordinance



# MARKETING TRAIL/ WAYFINDING SIGN ●



Wayfinding



Marketing



Marketing

# INFORMATIONAL SIGN ○

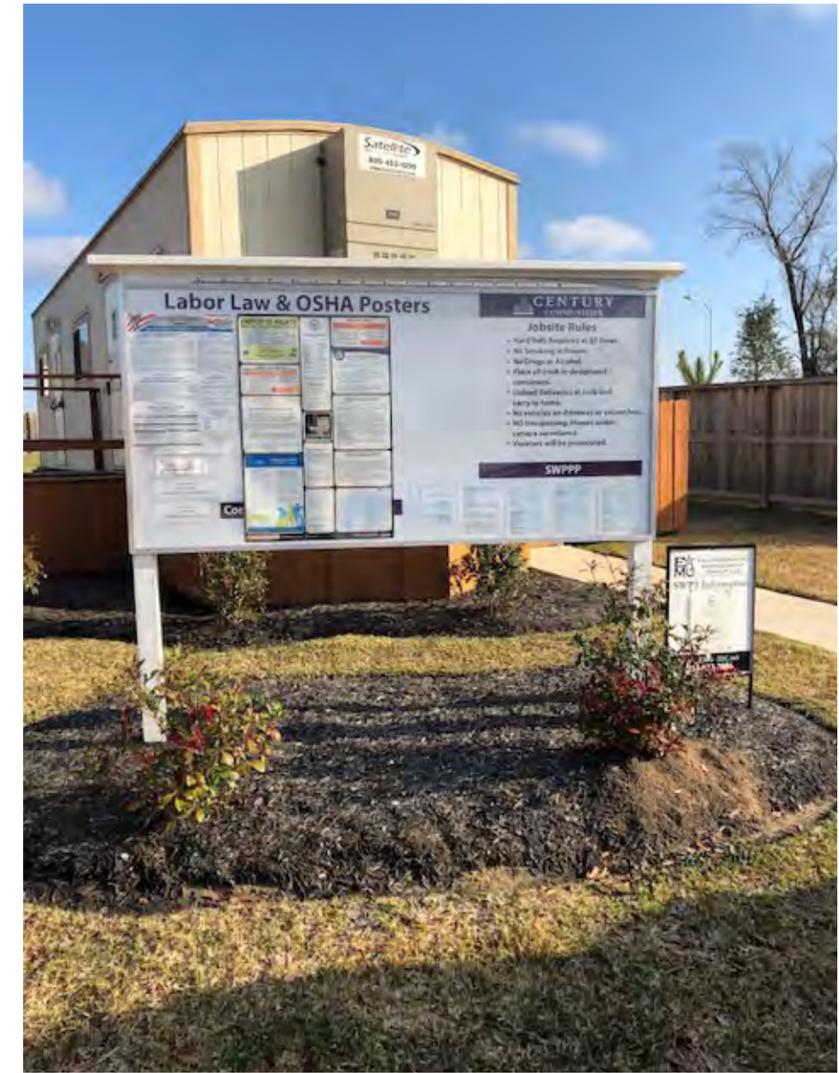


Located at Sales Trailer site.

Similar sign for Construction Trailer,  
Located at Construction Trailer site.



SWPPP sign - Located on site



Construction Trailer  
Comprehensive Sign:  
- LABOR/OSHA  
- Job Site Rules  
- SWPPP

## **Sec. 28-4. - Design, construction and maintenance of signs by district.**

All signs erected within the city and its ETJ shall adhere to the design and construction standards described below.

- (4) *Master planned community sign district.* As noticed on the maps in section 28-3, there are several master planned sign districts within the city limits and extraterritorial jurisdiction (ETJ) of the city. These districts coincide with the boundaries of currently platted master planned communities. Additional master planned community districts may be added through council action at a later date. Generally, aside from destination signage designating the entrances to master planned communities, all signs within this district shall be constructed in one of two formats as discussed below. However, the developer of the master planned community may submit a formal master signage plan as detailed below.

a. *Monument signs.*

1. Monument signs shall be constructed to substantially appear as a solid mass, such as cylinder, block, rectangle, or square, from ground level to the highest portion of the sign, otherwise commonly known as monument signs. The bottom portion of the sign shall rest flush against the ground, allowing no space between the ground and the bottom of the sign structure. The portion of the sign containing the message shall not exceed 72 total square feet of area. The total height of the sign, including the sign structure and the portion containing the message of the sign, shall not exceed ten feet. The total width of the sign, including the sign structure and the portion containing the message of the sign, shall not exceed 12 feet. If one commercial property contains more than ten different businesses and has more than 350 feet of road frontage, the property shall be allowed two monument signs at that location, both of which must comply in all respects with this chapter.
2. Each monument sign shall be permitted a decorative cap which shall not be included in the total sign height restrictions recited above. Each decorative cap shall be no more than two feet in height and shall extend beyond the permitted width of each such sign by no more than one foot on each side. Any decorative cap permitted by this subsection shall be purely ornamental, and shall be constructed of construction materials identical to or similar to the construction materials used in the construction of the sign or the construction of the building located on the premises.
3. It shall be prohibited for monument signs on separate properties to be located within 50 linear feet of each other. It shall be prohibited for monument signs on the same property to be located within 100 linear feet of each other.

- b. *Facade or wall signs.* Facade or wall signs shall be allowed only on a wall or facade that is parallel to a public street, and only so long as the total sign area does not exceed ten percent of the area of the facade or wall on which it is mounted or painted, provided that for buildings with two or more tenants, the total sign area for a facade or wall sign shall be limited to ten percent of the facade or wall area on which it is mounted or painted that is attributable to the applicable tenant's lease. Facade or wall signs may be mounted or painted upon the wall, and must be maintained in good condition at all times. The sign shall contain only information identifying the business located on the site. A mounted wall sign shall not project more than 12 inches from the building wall to which it is attached.

c. *Master signage plan.*

1. The developer of a master planned community may install signage of varying style and construction if included as part of a master signage plan that shall be reviewed and approved by the planning commission. Such a plan shall include the following elements:

- (i) An accurate artistic representation of the proposed signage including color scheme and materials for each sign type.
  - (ii) A detailed listing of the number of signs by type (temporary, permanent, way-finding, etc.).
  - (iii) Inclusion of traffic control and public safety signage.
  - (iv) A map indicating the proposed signage's location within the development.
2. A developer may divide, update and modify the plan based on phased/sectional development so long as it provides an updated plan to the commission for review and approval no less than 60 days following the approval of a final plat for a new phase or section to be developed.
  3. Upon submittal of the plan, the developer shall pay the appropriately adopted fees for the total number of signs included in the plan with the understanding that fees for temporary signage shall only be paid once based on the total number of temporary signs included in the plan. The developer will be able to place and replace temporary signage without incurring additional fees so long as the total number of temporary signs does not exceed that previously approved by the commission. In the event that the developer does not install all permanent signs accounted for in the plan, it may be reimbursed those fees by the city. Further, the developer shall not pay fees for appropriately installed and approved traffic control and public safety signage.
  4. Destination signage shall be exempt from fee and permit so long as such signage is located solely at the primary entrances to the development located along the primary arterial roadways within the city or ETJ. In the event that a development does not front an existing or proposed arterial roadway, such destination signage shall be exempt so long as it is located at a primary entrance along a major thoroughfare.
  5. Neighborhood identification signage shall be exempt from fee and permit so long as such signage is accounted for in the master sign plan.
  6. Destination signage and neighborhood identification signage shall both be exempt from the right-of-way placement prohibitions so long as the actual message lies outside the right-of-way and the landscaping and monumental structures do not hinder sight lines necessary for driving safety. The city may require the removal of any structure lying within the right-of-way at any time. The city shall not be liable for costs associated with the removal and relocation of any structure located within the right-of-way.
- (5) *Maintenance.* All signs within the city shall be erected and maintained in compliance with all applicable federal and state statutes and regulations and with the building code, electrical code, and other applicable ordinances of the city. In the event of conflict between this chapter and other statutes, regulations or ordinances, the most restrictive standard shall apply. All signs shall be kept in good repair and neat appearance. Maintenance shall be performed on all signs at reasonable intervals, and shall include replacement of defective parts, painting, repainting, and cleaning. The owner of a sign and the owner of the property upon which the sign is located shall be jointly and severally responsible for the sign's maintenance and repair. The building official of the city, or his designee, shall inspect all signs on a regular basis and shall require maintenance or repair of any sign deemed in violation of this chapter.
- (6) *Waller County Road Improvement District.* Those properties located within the area voluntarily annexed into the city's extraterritorial jurisdiction under Ordinance No. 2014-1142 consisting of property located primarily within the boundaries of the Waller County Road Improvement District #1 are hereby exempted from the provisions of this chapter.

(7) *Master planned commercial tracts.*

- a. Developers of master planned commercial tracts consisting of five or more contiguous acres may develop a master sign plan for said tracts. Signage contained within said plan shall conform to the design requirements as listed for other districts contained herein and shall include the elements provided in subsection (7)b of this section.
- b. Master signage plan.
  1. The developer of a master planned community may install signage of varying style and construction if included as part of a master signage plan that shall be reviewed and approved by the planning commission. Such a plan shall include the following elements:
    - (i) An accurate artistic representation of the proposed signage including color scheme and materials for each sign type.
    - (ii) A detailed listing of the number of signs by type (temporary, permanent, way-finding, etc.).
    - (iii) Inclusion of traffic control and public safety signage.
    - (iv) A map indicating the proposed signage's location within the development.
  2. A developer may divide, update and modify the plan based on phased/sectional development so long as it provides an updated plan to the commission for review and approval no less than 60 days following the approval of a final plat for a new phase or section to be developed.

**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

|   |   |
|---|---|
| <b>AGENDA OF:</b> February 1, 2019  | <b>AGENDA ITEM:</b> 10  |
| <b>DATE SUBMITTED:</b> January 28, 2018   | <b>DEPARTMENT:</b> Planning & Development   |
| <b>PREPARED BY:</b> Sharon Valiante,<br>Director of Public Works<br>Brant Gary,<br>Assistant City Manager<br>Kerry Sigler,<br>Chief Building Official | <b>PRESENTER:</b> Sharon Valiante,<br>Director of Public Works<br>Brant Gary,<br>Assistant City Manager<br>Kerry Sigler,<br>Chief Building Official |
| <b>Discussion and possible recommendation/feedback regarding proposed City planning initiatives:</b>  |   |
| <b>SUBJECT:</b>   | <ul style="list-style-type: none"> <li>a. Parks &amp; Pathways Master Plan</li> <li>b. Livable Centers Study Plan</li> </ul>                        |
| <b>ATTACHMENTS:</b> Copies of proposed plans (separate)   |   |

**EXECUTIVE SUMMARY**

A. Parks & Pathways Master Plan

After several community input sessions, meetings with the Parks and Recreation Commission, and feedback from City Council, the draft Parks & Pathways Master Plan has been prepared and ready for consideration of adoption. The proposed Master Plan includes findings relative to the City's current and future park and recreation needs. City Staff would request any additional requests for information or changes to the draft plan be provided. The most recent presentation and draft of the plan will be emailed to the P&Z Commission separately.

B. Livable Centers Study Plan

After several community meetings, City Council sessions, and Advisory Group meetings, the proposed plan for the Livable Centers Study is at the final review stage. It is expected that City Council will be asked to consider adoption in the near future. City Staff would request any additional requests for information or changes to the draft plan be provided. The latest version of the plan and related documents can be found at: <http://fulshearlivablecenter.com/>.

**RECOMMENDATION**

Staff recommends the Planning and Zoning Commission provide any feedback regarding these plans prior to formal City Council consideration.