

STATE OF TEXAS  
COUNTY FORT BEND  
CITY OF FULSHEAR

# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441

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## ***PLANNING AND ZONING COMMISSION MINUTES NOVEMBER 1, 2013***

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

*A Regular Meeting of the Planning and Zoning Commission was called to order by Chairman, Derek Einkauf in the City Hall located at 30603 F.M. 1093 Road, Fulshear, Texas 77441 on Friday, November 1, 2013 at 8:00 a.m.*

### **Present:**

*Derek Einkauf, Chairman  
David Worley, Co-Chairman  
Bill Archer  
Terry Cozart*

### **Absent:**

*Mike Lavengco  
Harold Collins*

### **City Staff:**

*D. Gordon Offord, City Secretary  
C. J. Snipes, City Administrator  
Michelle Morris, Building Inspector  
David Leyendecker, City Engineer*

### **Others Present:**

*Chris Jousan  
Diego Cutarna  
J. D. McCann  
Terry Crockett  
Michael Rush  
And 8 others who did not sign in*

### **2. Quorum**

*Chairman Einkauf announced that a quorum was present.*

**3. Citizen's Comments**

*There were no Public Comments.*

**4. Public Hearing: "Zoning Change**

**The Planning and Zoning Commission of the City of Fulshear hereby gives notice that a Public Hearing shall be held regarding a request from Kenneth G. McCann, Gerald W. McCann, and John Douglas McCann to zone the said property (20.943 acres) from Residential to Commercial. (No Address)**

**A Field Note Description of 20.943 Acres of Land out of the Call Tract A.-125.55 Acre Tract (FBC 2005014002), in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas. For the Metes and Bounds, contact the City Secretary's office.**

**Date: November 1, 2013**

**Time: 8:00 a.m.**

**Place: Fulshear City Hall**

**Interested Parties may appear at the Public Hearing and be heard with respect to the application.**

**COMMERCIAL USE:**

**The Planning and Zoning Commission of the City of Fulshear, Texas has received a request from Kenneth G. McCann, Gerald W. McCann, and John Douglas McCann to zone the said property (20.943 acres) to Commercial Use (retail, restaurants, office space). The property is located at southwest corner FM 1093 and James Lane. The application may be inspected by the public at Fulshear City Hall Monday through Thursday from 8:00 a.m. -5:00 p.m. and Fridays 8:00 a.m. -3:00 p.m. For more details, contact the City Secretary, D. Gordon Offord at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 (Phone number: 281-346-1796 x204)**

*Public Hearing was opened at 8:01a.m. Mr. J.D. McCann stated that five acres of property has been in the City from the time it was incorporated and now the other acreage is in the City. He stated the developer has not stated what type of businesses will be located on the property but it will be commercial since it is located right off FM 1093. One gentlemen spoke from the audience stating that he hopes the development will be beneficial to the City. PnZ Member Archer asked if there were any residents from James Lane. It was silent. Public Hearing closed at 8:07 a.m.*

**5. Minutes**

**Regular Meeting, October 4, 2013**

*A motion was made by PnZ Member Worley to approve the minutes as presented. It was seconded by PnZ Member Cozart. The motion was carried by the following vote:*

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*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley*

*Nays: None*

*Absent: Planning and Zoning Member Collins and Lavengco*

**6. Consider and take action Fulbrook on Fulshear Creek: Section 4/Final Plat**

*A motion was made by PnZ Member Worley to approve Fulbrook on Fulshear Creek/Section 4/Final Plat. It was seconded by PnZ Member Cozart. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley*

*Nays: None*

*Absent: Planning and Zoning Member Collins and Lavengco*

**7. Consider and take action on Fulbrook on Fulshear Creek: Fulshear Trace Street Dedication / Final Plat**

*A motion was made by PnZ Member Worley to approve Fulbrook on Fulshear Creek/Fulshear Trace Street Dedication/ Final Plat. It was seconded by PnZ Member Archer. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley*

*Nays: None*

*Absent: Planning and Zoning Member Collins and Lavengco*

*Chairman Einkauf stated he would like to take Firethorne Section 9, 10, and 11 together if there are no objections. The Commission was silent.*

**8. Consider and take action on Firethorne: Firethorne West Section 9/ Final Plat**

**9. Consider and take action on Firethorne: Firethorne West Section 10/Final Plat**

**10. Consider and take action on Firethorne: Firethorne West Section 11/Final Plat**

*A motion was made by PnZ Member Archer to approve items 8, 9, and 10 as presented. It was seconded by PnZ member Worley. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley*

*Nays: None*

*Absent: Planning and Zoning Member Collins and Lavengco*

**11. Consider and take action on Firethorne: Firethorne West Section 16/Preliminary Plat**

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*A motion was made by the PnZ Member Worley to approve Firethorne West Section 16 Preliminary Plat as presented. It was seconded by PnZ Member Archer. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley*

*Nays: None*

*Absent: Planning and Zoning Member Collins and Lavengco*

**12. Consider and take action on CCC Ranch Replat/5.0067 acres being lot 23 of North Fulshear Estates/ Preliminary Plat**

*There was approximately a ten minute discussion among the Commission Member. Chairman Einkauf stated that the property is L-shaped and that according to the City ordinance, it requires a 50ft. City Engineer, David Leyendecker states that this plat does meet requirements according to the City's ordinance. Mr. Leyendecker stated the following will need to be met or ask for a variance: 1) This tract has two owners (was subdivided illegally) Both owners will need to plat the entire tract 2) Lot 5 will have only 24 foot of frontage on South Mallard Drive and the requirement is 50 foot. 3) Lot 5 will need 7.5 foot side lot building line along the north line of the Lot. Diego Cutrena was present as representative for CCC Ranch. Mr. Cutrena was advised by the Commission to make correction and he could present it at meeting on November 8th without having to wait a whole month.*

*A motion was made by Planning and Zoning Member Archer to table until next meeting for correction on CCC Ranch Replat/5.0067 acres being lot 23 of North Fulshear Estates/ Preliminary Plat. It was seconded by Planning and Zoning Member Cozart. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley*

*Nays: None*

*Absent: Planning and Zoning Member Collins and Lavengco*

**13. Consider and take action on request from owners (Kenneth McCann, Gerald McCann, and John Douglas McCann to zone the said property (20.943 acres) from Residential to Commercial - "Zoning Change".**

*A motion was made by Planning and Zoning Member Worley to approve request from owners (Kenneth McCann, Gerald McCann, and John Douglas McCann) to zone the said property (20.943 acres) from Residential to Commercial (zoning change). It was seconded by Planning and Zoning Member Cozart.*

*Ayes: Planning and Zoning Member Cozart, Einkauf, and Worley*

*Nays: Planning and Zoning Member Archer*

*Absent: Planning and Zoning Member Collins and Lavengco*

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*Chairman Einkauf stated we will take items 14 and 15 together if there are no objectives.*

**14. Consider and take action on Tamarron Section 3 Final Plat  
15. Consider and take action on Tamarron Section 4 Final Plat**

*A motion was made by Planning and Zoning Member Archer to approve items 14 and 15 subject to the recommendations made by City Engineer, David Leyendecker. It was seconded by Planning and Zoning Member Worley. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley  
Nays: None  
Absent: Planning and Zoning Member Collins and Lavengco*

**16. Consider and take action on Around the Bend Plaza/ Final Plat**

*A motion was made by Planning and Zoning Member Worley to approve Around the Bend Plaza/Final Plat. It was seconded by Planning and Zoning Member Archer. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley  
Nays: None  
Absent: Planning and Zoning Member Collins and Lavengco*

**17. Adjourn**

*A motion was made by Planning and Zoning Member Worley to adjourn. It was seconded by Planning and Zoning Member Cozart. The motion was carried by the following vote:*

*Ayes: Planning and Zoning Member Archer, Cozart, Einkauf, and Worley  
Nays: None  
Absent: Planning and Zoning Member Collins and Lavengco*

*Chairman Einkauf announced that we are now adjourn.*