



CITY OF FULSHEAR

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PLANNING AND ZONING COMMISSION MINUTES JULY 11, 2014

1. Call to Order

A Regular Meeting was called to order by Chairman Derek Einkauf at 8:32 a.m. on Friday, July 11, 2014 at Fulshear City Hall located at 30603 FM 1093 Road, Fulshear, Texas 77441.

Members Present:

Derek Einkauf, Chairman
David Worley, Co-Chairman
Harold Collins
Ira Leary
Darrell Royer
Erin Tristan

Members Absent:

Terry Cozart

City Staff Present:

D. (Diana) Gordon Offord, City Secretary
C.J. Snipes, City Administrator
Michelle Killebrew, Building Official
April Jensen, Permit Secretary
Toni Velez, Utility Billing Clerk
David Leyendecker, City Engineer

Others Present:

Jocelyn Ryan
Shannon Purcell

Members Resigned:

Bill Archer
Mike Lavengco

2. Quorum

Chairman Einkauf announced that we have three new PnZ Members; Ira Leary, Erin Tristan, and Darryl Royer. He stated we do have a quorum. He also stated that Mr. Royer is on his way.

3. Recognition of departing Members

**PLANNING AND ZONING COMMISSION MINUTES
JULY 11, 2014
PAGE 2**

Chairman Einkauf stated since departing members are not available, they will be recognized at a City Council meeting or we can do it at a Planning and Zoning Meeting.

4. 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.

Chairman Einkauf recognized Jocelyn Ryan. Ms. Ryan a resident of Cross Creek Ranch and she was inquiring about a variance for a marquee sign for the new elementary school. She stated it would not advertising for bake sales, etc. only for information. Chairman Einkauf volunteered to discuss this matter with her after the meeting or she could go visit with the building official, Michelle Killebrew and she would instruct her how to apply for a variance.

5. Approval of Minutes

June 6, 2014, Regular Meeting

A motion was made by Planning and Zoning Member Worley to approve the minutes for June 6, 2014 meeting as presented. It was seconded by Planning and Zoning Member Collins. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Collins, Einkauf, Leary, Royer, Tristan, and Worley

Nays: None

Absent: Planning and Zoning Member Cozart

Chairman Einkauf stated he would like to take items 6 and 7 together if there are no objections. The PnZ members were silent.

6. Consideration and possible action on Tamarron/Section 7/Final Plat

7. Consideration and possible action on Tamarron /Section 8/Final Plat

Planning and Zoning Member Worley asked why do we continually get final plats with still a significant amount of corrections are needed. Chairman Einkauf stated that's why he is taking them together. Mr. Leyendecker, City Engineer, stated we have had this problem before and he would recommend denying until correction are done.

A motion was made by Planning and Zoning Member Worley to deny Tamarron Section 7 and Tamarron Section 8 Final Plats. It was seconded by Planning and Zoning Member Collins. The motion was carried by the following vote:

Comment [DO1]:

Comment [DO2]:

Comment [DO3]:

Ayes: Planning and Zoning Member Collins, Einkauf, Leary, Royer, Tristan, and Worley
Nays: None
Absent: Planning and Zoning Member Cozart

8. Consideration and possible action on West Firethorne Road Section 2 Street Dedication/Preliminary Plat

City Administrator, C. J. Snipes, stated that the name is in violation of our City Ordinance and we allowed them to get by on three different occasion without changing the name of the street. Mr. Snipes stated that we would not deny the plat but it must be noted that all three of these street names must be changed. County representative are also in agreement that the names must be changed.

A motion was made by Planning and Zoning Member Worley to approve the Preliminary street dedication for West Firethorne Road Section 2 subject to the name being changed. It was seconded by Planning and Zoning Member Collins.

The motion was carried by the following vote:

Ayes: Planning and Zoning Member Collins, Einkauf, Leary, Royer, Tristan, and Worley
Nays: None
Absent: Planning and Zoning Member Cozart

Chairman Einkauf stated he would like to take items 9 and 10 together if there are no objections. The Commission was silent.

9. Consideration and possible action on Firethorne West Section 12/Preliminary Plat

10. Consideration and possible action on Firethorne West Section 14/Preliminary Plat

A motion was made by Planning and Zoning Member Worley to approve items 9 and 10 as presented. It was seconded by Planning and Zoning Member Collins. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Collins, Einkauf, Leary, Royer, Tristan, and Worley
Nays: None
Absent: Planning and Zoning Member Cozart

11. Consideration and possible action on Shops @ Cross Creek Ranch/ Preliminary Plat

A motion was made by Planning and Zoning Member Collins to approve Shops at Cross Creek Ranch Preliminary Plat as presented. It was seconded by Planning and Zoning Member Worley. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Collins, Einkauf, Leary, Royer, Tristan, and Worley

Nays: None

Absent: Planning and Zoning Member Cozart

12. Consideration and possible action on Fulbrook on Fulshear Creek Section 3/ Partial Replat/Preliminary Plat

Planning and Zoning Members (Ira Leary and David Worley) recused themselves due to a conflict of interest. Both members live in the subdivision Fulbrook on Fulshear Creek. Chairman Einkauf stated in the past members were allowed to vote on plats as long as it directly not affecting you personally, however, this is fine line.

David Leyendecker stated that the developer is only changing the size of one lot. There is one reserve there and they needed to change the configuration of one lot and they do meet all other city ordinances. Mr. Snipes, City Administrator, seeked verification from the city attorney regarding this issue. The members are allowed to vote as long as it is not an issue regarding their own houses. This issue came up at one of meetings within the subdivision meetings.

A motion was made by Planning and Zoning Member Collins to approve Fulbrook on Fulshear Creek Section 3/ Partial Replat Preliminary Plat subject to recommendations by City Engineer, David Leyendecker. It was seconded by Planning and Zoning Member Royer. The motion was carried by the following vote:

Ayes: Planning and Zoning Member Collins, Einkauf, Royer, and Tristan

Nays: None

Abstain: Planning and Zoning Member Leary and Worley

Absent: Planning and Zoning Member Cozart

Note: Planning and Zoning Members Ira Leary and David Worley recused themselves. They reside in the area.

13. Adjourn

PLANNING AND ZONING MINUTES
JULY 11, 2014
PAGE 5

A motion was made by Planning and Zoning Member Worley to adjourn. It was seconded Planning and Zoning Member Collins. The motion was carried by the following vote: *Ayes: Planning and Zoning Member Collins, Einkauf, Leary, Royer, Tristan, and Worley*
Nays: None
Absent: Planning and Zoning Member Cozart