



CITY OF Incorporated 1977

FULSHEAR

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30603 FM 1093

P.O. Box 279

Fulshear, Texas 77441

**PLANNING AND ZONING COMMISSION MINUTES
SEPTEMBER 12, 2014**

1. Call to Order

A Regular Meeting was called to order by Chairman Derek Einkauf at 8:30 a.m. on Friday, September 12, 2014 at Fulshear City Hall located at 30603 FM 1093 Road, Fulshear, Texas 77441.

PnZ Members Present:

Harold Collins

Derek Einkauf, Chairman

Ira Leary

Darryl Royer

David Worley, Co-Chairman

PnZ Members Absent:

Erin Tristan

One vacancy

City Staff:

D. (Diana) Gordon Offord, City Secretary

C.J. Snipes, City Administrator

Michelle Killebrew, Building Official

David Leyendecker, City Engineer

Others Present:

Jocelyn Ryan

Michele Keppler

Erica DeRouen

Gayla Henderson

Jennifer Montgomery

Kristi Harper

Healthier Hudson

Sara Katz

Michelle Bravo

Stacey Stone

Shannon Purcell

Bill Archer

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Continue-Others Present:

Brian Naware
William Casey

2. Quorum

Chairman Einkauf announced that a quorum was present.

3. Citizen's Comments

Citizens who desire to address the Planning And Zoning Commission with regard to matters on the agenda or other matters 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.

Jocelyn Ryan, Cross Creek Resident, stated that she supports a digital marquee sign for Randolph Elementary School and presented her reasoning's for support.

Michele Keppler, Cross Creek Resident, stated that she supports a digital marquee sign for Randolph Elementary School and presented her reasoning's for support.

Erica DeRouen, Cross Creek Resident, stated that she supports a digital marquee sign for Randolph Elementary School and presented her reasoning's for support. Ms. DeRouen stated that she represents a large group who also support the marquee sign and e-mails were sent to Michelle Killebrew.

Jennifer Montgomery, Cross Creek Resident, stated she supports a digital marquee sign for Randolph Elementary School and presented her reasoning's for support. Ms. Montgomery also had pictures of what the sign would look like.

Kristen Harper, Cross Creek Resident, principal of Randolph Elementary School and supports a digital marquee sign for the school and presented her reasoning's for support.

Sandy Stone, Cross Creek Resident, stated she supports a digital marquee sign for the school and presented her reasoning's for support.

Bill Archer, Bois D' Arc Resident, stated that he is not against a digital sign for the school but he is against a variance being given to allow for this digital marquee sign. He stated it needs to have a revision of the ordinance instead of a variance being given. Mr. Archer states giving a variance will open up a can of worms. Mr. Archer stated that variances should only be given if there is a unique circumstance(s).

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William Casey, Cross Creek Resident, stated he is opposed to a digital marquee sign for the school as it would take away from the beautiful aesthesis of the area and presented other supporting reasoning. Mr. Casey stated that fund raising can be done without having an electronic sign.

4. Approval of Minutes

August 1, 2013, Regular Meeting

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

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

5. PUBLIC HEARING

REQUEST FOR MARQUEE DIGITAL SIGN AT RANDOLPH ELEMENTARY SCHOOL

The Planning and Zoning Commission of the City of Fulshear hereby gives notice that a Public Hearing shall be held regarding a request from Katy I. S. D. to install a digital /electronic marquee for the front of the school. Address: 5303 Flewellen Oaks Lane, Fulshear, Texas 77441

Date: September 12, 2014

Time: 8:30 a.m.

Place: Fulshear City Hall, 30603 FM 1093 Rd., Fulshear, Texas

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

Date Posted: 8-20-2014 By: D. (Diana) Gordon Offord, City Secretary

Chairman Einkauf opened the Public Hearing at 8:50 a.m. Chairman Einkauf stated you have heard comments from the Citizen's Comments and asked if anyone had more to say during the Public Hearing. It was silent.

Chairman Einkauf stated he has several comments he would like to make regarding this issue. Chairman Einkauf stated he has resided in the area for over ten years and that he is a large supporter of elementary schools. He stated he would like to address a couple issues that was said during the citizen's comment.

He stated that Wolman elementary school in the Firethorne Development came in before this sign ordinance was adopted.

C. J. Snipes, City Administrator, stated that Firethorne Development came in year 2004 so the school was exempted under that agreement. He stated that the current sign ordinance went into effect year 2012.

Chairman Einkauf stated that the objection regarding this sign is that the sign is against the city's sign ordinance.

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Chairman Einkauf states he understands the need to use for fund raising tool. Chairman Einkauf stated that if we grant a variance for this sign then we will have commenced into a slippery slope. If we grant this to schools but then your perception maybe different what others view as a school. Chairman Einkauf stated that all may wind-up being defined in court. Chairman Einkauf continued to explain his reasoning for the variance not being granted for another five minutes.

Other Planning and Zoning Members joined the conversation and the discussion continued another twenty minutes.

Finally conclusion was that the sign ordinance needs to be revised in order to make allowances for digital and/or electronic signs for school.

Chairman Einkauf closed the Public Hearing at 9:06 a.m.

6. Consideration and possible action on Shops at Cross Creek Ranch/Revised/Final Plat

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

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

7. Consideration and possible action on Fulshear Enclave/Preliminary Plat/ Replat

C. J. Snipes, City Administrator, stated that there are a significant number of corrections are required and request that it be denied.

A motion was made by Planning and Zoning Member Worley to deny Fulshear Enclave/Preliminary Plat/Replat. It was seconded by Planning and Zoning Member Collins. Chairman Einkauf stated that we have a motion and second to return for additional data. The motion was carried by the following vote:

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

8. Consideration and possible action on Variance Application: Randolph Elementary/Katy I.S.D/ 5303 Flewellen Oaks Lane for a digital/electronic marquee for the front of the school.

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A motion was made by Planning and Zoning Member Worley to deny Variance Application: Randolph Elementary/Katy I.S.D./ Flewellen Oaks Lane for a digital /electronic marquee for the front of the school. It was seconded by Planning and Zoning Member Collins. The motion was carried by the following vote:

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

9. Consideration and possible action on Tamarron Section ten (10)/ Preliminary Plat

A motion was made by Planning and Zoning Member Collins to approve Tamarron Section 10/Preliminary Plat. It was seconded by Planning and Zoning Member Leary. The motion was carried by the following vote:

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

10. Consideration and possible action on Tamarron Section 22/Preliminary Plat

A motion was made by Planning and Zoning Member Worley to approve Tamarron Section 22/Preliminary Plat. It was seconded by Planning and Zoning Member Leary. The motion was carried by the following vote:

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

11. Consideration and possible action on Fulbrook on Fulshear Creek /Section 3/ Partial Replat No. 1

A motion was made by Planning and Zoning Member Worley to approve Fulbrook on Fulshear Creek/ Section 3Partial Replat No. 1. It was seconded by Planning and Zoning Member Collins. The motion was carried by the following vote:

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

12. Adjourn

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

Ayes: Planning and Zoning Members Collins, Einkauf, Leary, Royer, and Worley

Nays: None

Absent: Planning and Zoning Member Tristan and one vacancy

Chairman Einkauf announced that we are adjourned at 9:12 a.m.