

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, JANUARY 9, 2014**

The Planning and Zoning Commission met in regular session on Thursday, January 9, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Renee Powell, Brad Northcutt, Jim Rushing, Matt Faulkner, and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; and Town Secretary, Michelle Lewis Sirianni. Commissioners Heather Hager and Pat Friend were absent.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the December 12, 2013 Planning and Zoning Commission meeting.

Commissioner Powell stated that she called in a few corrections prior to the meeting.

Commissioner Rushing made a motion to approve the minutes as amended for the December 12, 2013 commission meeting. Commissioner Powell seconded that motion and the motion was unanimously approved.

2. Statement of rules.

Chairman Northcutt passed over the reading of the public hearing guidelines due to not having any audience members.

Mr. Schmidt noted that Commissioner Friend has suggested referencing these at the beginning of the meeting by stating that they can be found on the back of the agenda.

3. Continue a public hearing, consider, and take any necessary action on a request to amend the land use designation and zoning for Lot 4 of the Country Club Estates subdivision, a 2.85± acre lot which is currently zoned Two-Acre Ranch Estate (RE-2) and categorized as Residential Estate Country (REC) on the Future Land Use Plan, and generally located at the southeast corner of Country Club Road (FM 1378) and Red Oak Trail; to the Residential Estate (RE) land use designation and the One-Acre Ranch Estate (RE-1) Zoning District, generally, in order to add an additional single-family residential lot.

Mr. Schmidt stated that the applicant has decided to withdraw his application. After engaging with his neighbors, and being unsuccessful in obtaining a variance from the deed restrictions he determined it was best to withdraw the application.

No public comments were made; therefore, Chairman Northcutt closed the public hearing.

No additional comments were made by the commission members.

Commissioner Flood made a motion to approve the request to withdraw the application requesting to amend the land use designation and zoning for Lot 4 of the Country Club Estates subdivision. Commissioner Faulkner seconded that motion and the motion was unanimously approved.

- 4. Conduct a public hearing, consider, and take any necessary action on a request for approval of a Conditional Use Permit in order to allow for the expansion of an existing accessory building on a property that is zoned Planned Center (PC) and is specifically located at 431 Kentucky Lane, being Lot 7 & 8 of the Blue Grass Farms subdivision.**

Mr. Schmidt stated that Mr. Marvin Molodow was the applicant for this Conditional Use Permit (CUP) that is requesting to allow for the expansion of an existing accessory building. Mr. Schmidt stated that since the property is zoned Planned Center (PC), the RE-2 zoning standards are applied; therefore, the applicant is exceeding the maximum accessory building footprint of 1,800 SF by 192 SF. The proposed structure meets and conforms to the town requirements, and will have minimal visual impact. The town notified property owners and received one letter in support of the request and zero in opposition to the request. Mr. Schmidt stated town recommends approval of the CUP as submitted.

Chairman Northcutt opened the public hearing.

Mr. Marvin Molodow, 431 Kentucky Lane, applicant and owner stated that the proposed building is for storage and also used as a shop. There will be a garage door and one regular door frame on the south side of the building.

Chairman Northcutt closed the public hearing and opened discussion to commission members.

Commissioner Rushing made a motion to approve a Conditional Use Permit for the expansion of an existing accessory structure. Commissioner Faulkner seconded that motion and the motion was unanimously approved.

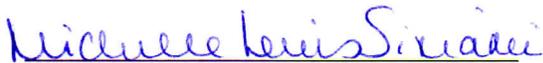
5. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt stated that there is nothing significant to report. Mr. Schmidt reminded the commissioners of the upcoming joint meeting dates with council.

6. Adjourn.

Chairman Northcutt adjourned the meeting at 7:15 p.m.

Respectfully submitted,



Michelle Lewis Sirianni
Town Secretary



Brad Northcutt Chairman
Planning and Zoning Commission



**TOWN COUNCIL
SPECIAL JOINT
MEETING MINUTES
February 11, 2014**

The Town Council, Planning and Zoning Commission, and Economic Development Corporation met in special session on Tuesday, February 11, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson, Council Members Ron Samuels, Frank O'Reilly, Paul Hendricks, and Henry Lessner; Planning and Zoning Commission Members Pat Friend, Renee Powell, Jim Rushing, Matt Faulker, and Brad Northcutt; Economic Development Corporation Members Frank O'Reilly and John Adler; Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Economic Development Manager, Ray Dunlap; Town Engineer, James Chancellor; Engineer in Training, Danielle Gregory; and Town Secretary, Michelle Lewis Sirianni. Town Council Members Mary Price and Jim Cunningham were absent; Planning and Zoning Commission Members Heather Hager and Debbie Flood were absent; Economic Development Board Members Chuck Williams, Warren Westberg, and Sim Israeloff were absent.

Mayor Culbertson called the meeting to order at 7:01 p.m. and declared a quorum was present.

Chairman Northcutt called the meeting to order and declared the Planning and Zoning Commission has a quorum.

Mayor Culbertson stated the Economic Development Corporation does not have a quorum with only two members present.

CPDD MASTER PLAN UPDATE: Consider, discuss, and take any necessary action on a presentation from staff and the town's planning consultant team concerning the status of the CPDD Master Plan update.

Mr. Mark Bowers and consultant team from Jacobs gave a presentation that highlighted the strategic direction for the district, a study area market opportunity, a preliminary development framework, a preliminary code direction, and next steps.

Within the strategic direction for the district, the consultant touched on urban design and character, natural assets and amenities, transportation, and the process on how to update the town's ordinance and have an approach that is clearer and simpler.

Within the study area market opportunity, the consultant discussed the trade area and the residential demand, office demand, and industrial demand. Considerations were also discussed based on factors that influence a study area.

The preliminary development framework entailed key developer points, a site analysis, vision precedents, a framework plan, and a block diagram. Types of districts were introduced including a urban village district, an urban transition district, a neighborhood edge district, and a neighborhood general district. The thoroughfare and pedestrian linkage plan were discussed on how this impacts each district within the streets and trails along with the character of the streets and their impacts on the major intersections. Parkland, trail, and an open space plan were also included within this discussion.

The preliminary code direction proposed would be form based. The consultant encouraged the members to think about what is important whether that was creating a 'sense of place'; and outdoor room with buildings and trees; streetscape and shade for pedestrians; avoiding letting parking lots dominate the streetscape; and/or ensuring ground floors of buildings are permeable and interesting. This also included how the mixing of uses and how housing types can provide for a sustainable development and the key elements within each district. The consultant outlined the administrative process and how to create a successful form-based code.

The consultant stated that a second joint session is scheduled so that they can answer additional questions related to the presentation and to discuss more detailed information related to methods for transitioning/ buffering between land uses, potential cross sections for district streets, and the specific direction of the Fairview code. A community open house is also scheduled to allow for community review and comment, and then the consultant team will initiate the development of a draft code and standards for discussion in March. The final code and standards will be considered for adoption at a public hearing in April.

SPECIAL USE PERMIT FOR CIRCUS: Conduct a joint Town Council and Planning and Zoning Commission public hearing, consider, and take any necessary action on a request for approval of a Special Use Permit in order to allow for the establishment of a temporary circus on properties that are zoned Commercial Planned Development District (CPDD) – Zone K, being Lots 5C and 7C, Block A of the Village at Fairview Addition.

Mr. Dunlap stated that the Carson Barnes has held a circus in Allen on land that is owned by the Allen Economic Development Corporation (AEDC). They are developing an office project on their land which has required the circus to locate an alternate site for the event. They have worked with the Village at Fairview to locate on their property. The event will be held March 7-9 and will have two to three performances each day. Mr. Dunlap stated that public safety officials have both reviewed their plans and will need a final fire inspection before they open on Friday, but otherwise no further concerns or objections.

Commissioner Rushing stated he is very familiar with this event and the City of Allen never had any issues.

Chairman Northcutt opened the public hearing. No comments were made. The public hearing was closed.

Commissioner Rushing made a motion to approve a Special Use Permit for the establishment of a temporary circus. Commission Faulkner seconded that motion and the motion was unanimously approved.

Mayor Culbertson opened the public hearing and asked if any other citizens would like to comment. No additional comments were made. The public hearing was closed.

Councilman Samuels made a motion to approve a Special Use Permit in order to allow for the establishment of a temporary circus. Mayor Pro Tem Lessner seconded that motion and the motion was unanimously approved.

The Town Council and Planning and Zoning Commission adjourned the meeting at 10:30 p.m.


DARION CULBERTSON, MAYOR

ATTEST:


Michelle Lewis Sirianni, Town Secretary



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, FEBRUARY 13, 2014**

The Planning and Zoning Commission met in regular session on Thursday, February 13, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Pat Friend, Renee Powell, Jim Rushing, Matt Faulkner, and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; and Town Secretary, Michelle Lewis Sirianni. Commissioners Heather Hager and Brad Northcutt were absent.

Vice Chairman Rushing called the meeting to order at 7:02 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the January 9, 2014 Planning and Zoning Commission meeting.

Commissioner Powell stated that she called in a few corrections prior to the meeting.

Commissioner Powell made a motion to approve the minutes as amended for the January 9, 2014 commission meeting. Commissioner Flood seconded that motion and the motion was unanimously approved.

2. Continue a public hearing, consider, and take any necessary action on a request for approval of a Conditional Use Permit in order to allow for construction of an accessory building on a property that is zoned Planned Center (PC) and is specifically located at 470 Kentucky Lane, being Lot 25 of the Blue Grass Farms subdivision.

Mr. Schmidt stated that the applicant and property owner is Mr. Dan Miller. The applicant is applying for a Conditional Use Permit (CUP) in order to construct an accessory building that will be used for storage purposes. The applicant's property is 3.001 acres in size, located in the Blue Grass Farms Addition, and zoned Planned Center (PC); therefore, the accessory building regulations will follow the RE-2 zoning district. Mr. Schmidt stated that the applicant's property currently contains an existing accessory building that is 1,120 SF. The proposed 900 SF building would exceed the 1,800 SF maximum accessory building footprint by 220 SF. The applicant is also requesting to locate the building in a manner that would encroach into the 40' setback by a maximum of 20' and is requesting to

provide for a 2:4:12 roof pitch instead of the regulatory requirement of 4:12. Mr. Schmidt commented that the applicant can conform to the town's setback and roof pitch requirements, but doing so would require additional tree removal and pruning. Town staff has received two letters of support and zero letters of opposition. Town staff recommends approval as submitted.

Vice Chairman Rushing opened the public hearing.

Dan Miller, 470 Kentucky, owner and applicant, stated that he has talked to his neighbors most impacted and they were in support. Mr. Miller the building will be used for more storage space for lawn equipment, furniture, etc.

Vice Chairman Rushing closed the public hearing and opened discussion to commission members. Commissioner's discussed the encroachment of the building, but no further concerns were raised.

Commissioner Friend made a motion to approve a Conditional Use Permit (CUP) for construction of an accessory building at 470 Kentucky Lane. Commissioner Flood seconded that motion and the motion was unanimously approved.

- 3. Conduct a public hearing, consider, and take any necessary action on a request to approve a site plan for a 9.73± acres tract of land that is zoned Commercial Planned Development District (CPDD) – Zone L (6.55± acres) and One-Acre Ranch Estate (RE-1) (3.18± acres), and is situated in the Samuel Sloan Survey, Abstract No. 791, and is generally located at the eastern terminus of Pond View Lane and east of the Sloan Creek Estates – Phase III Addition, generally, in order to allow for a development comprised of three (3) single-family residential lots.**

Mr. Schmidt stated that Mr. Justin Lamothe of Morgan Madison Homes is applying on behalf of the property owner Timothy Jackson. The applicant is applying for Site Plan and Final Plat approval in order to establish a subdivision comprised of three single-family detached residential lots. The subject property has a mixed zoning classification with 6.55± acres zoned CPDD, Zone L and the remaining 3.18± acres is zoned RE-1. Mr. Schmidt explained that in Texas a Plat application is a “ministerial” review process, meaning, that if the submitted plat conforms to the town's zoning, subdivision and development regulations, the town is duty bound to approve the plat. Mr. Schmidt discussed the site improvements, utilities, and the landscaping specifically addressing the cul-de-design issue. Town staff received four letters of support and zero in opposition to

the request. Mr. Schmidt commented that he has received feedback that the Sloan Creek Estates HOA would like to link this new subdivision to their HOA. The town cannot do that legally and would be a private matter between entities. Town staff recommends approval with provision that the commissioners provide a recommendation on the design for the proposed cul-de-sac.

Vice Chairman Rushing opened the public hearing.

Camma Fowler, 441 Sloan Creek Pkwy, asked if the proposed subdivision would have their own covenants. Mr. Schmidt replied that yes they would unless an agreement is met.

Ron Workman, 5145 Pond Bluff, stated he has no objection to the proposed.

Judy Habel, 5149 Pond Crest Trl, stated she would if possible like to speak to the developer afterwards to discuss the possibility of them becoming part of Sloan Creek's HOA.

Justin Lamothe, applicant, stated that in regards to the cul-de-sac, he would request that there be no median with landscaping since they usually become a maintenance issue and it clutters of the cul-de-sac. In regards to the street light, he requested the possibility of having individual lights at end of each drive way versus one.

Vice Chairman closed the public hearing and opened discussion to commission members.

Commissioner Friend asked if the emergency vehicles would have any concerns about the cul-de-sac and how would you keep cars from parking in this area. Mr. Chancellor responded that the width is sufficient for emergency vehicles to maneuver and an island plus parking is an issue.

The commissioners discussed the street light with some questioning how it will do any good with their only being one. Mr. Chancellor responded some light is better than none and oftentimes acts as a deterrent and even with the dark skies ordinance the wattage could be increased and still be in compliance.

The commissioners all agreed that they did not want a median within the cul-de-sac.

Commissioner Powell made a motion to approve the Site Plan for the Jackson Estates subdivision as submitted. Commissioner Friend seconded that motion and the motion was unanimously approved.

- 4. Consider and take any necessary action on a request to approve a Final Plat for a 9.73± acres tract of land that is zoned Commercial Planned Development District (CPDD) – Zone L (6.55± acres) and One-Acre Ranch Estate (RE-1) (3.18± acres), and is situated in the Samuel Sloan Survey, Abstract No. 791, and is generally located at the eastern terminus of Pond View Lane and east of the Sloan Creek Estates – Phase III Addition, generally, in order to allow for a development comprised of three (3) single-family residential lots.**

Mr. Schmidt stated that the Final Plat conforms to the Site Plan. They have provided for all easements and right-of-way dedication. Mr. Schmidt stated that the staff recommendation to the Park Board will be cash in lieu of land. Town staff recommends approval as submitted.

Commissioner Powell made a motion to approve the Final Plat for the Jackson Estates subdivision as submitted. Commissioner Faulkner seconded that motion and the motion was unanimously approved.

- 5. Consider and take any necessary action on a request for approval of a Final Plat for a religious institution on a 5.818± acre property that is situated in the John Taylor Survey – Abs. No. 909, and is generally located north of Stacy Road and 950 feet west of Meandering Way.**

Mr. Schmidt stated that Mr. Don Vandiver, the project architect is applying on behalf of the LDS church. The subject property is 5.818 acres in size and zoned RE-1, with a Conditional Use Permit approving the overlay zoning for the church. Mr. Schmidt stated that as part of the Conditional Use Permit approval, the applicant was required to submit a traffic study with this plat application. Mr. Schmidt stated that this plat application is also a “ministerial” review process, and if the submitted plat conforms to the prescribed zoning, subdivision and development regulations, the town is duty bound to approve the plat. However, the town may exercise discretion in the review of the development’s landscape plan, but ideally be supported by town ordinances and development planning best practices.

Mr. Schmidt stated in regards to the traffic study, it indicated that the proposed access points were appropriate, and a deceleration lane should not be required. The left turn lane will be funding by the applicant. Mr. Schmidt also discussed utilities and landscaping. Town staff recommends approval as submitted.

Mr. Don Vandiver stated that they are willing to accommodate with appropriate landscaping in order to provide for an ample buffering and streetscape for Stacy Road. Mr. Vandiver commented that the landscaping will all be irrigated. They should be starting construction as early as April or May on the project.

The commissioners discussed the landscape buffering in regards to the northern property boundary.

Commissioner Faulkner made a motion to approve a Final Plat for a religious institution with authorizing town staff to have the ability to provide secondary landscape plan if a privacy fence is installed. Commissioner Friend seconded that motion and the motion was unanimously approved.

6. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt reminded the commissioners of the upcoming joint meeting dates with council.

7. Adjourn.

Vice Chairman Rushing adjourned the meeting at 8:05 p.m.

Respectfully submitted,


Michelle Lewis Sirianni
Town Secretary


Jim Rushing, Vice Chairman
Planning and Zoning Commission



**TOWN COUNCIL
SPECIAL JOINT
MEETING MINUTES
February 20, 2014**

The Town Council, Planning and Zoning Commission, and Economic Development Corporation met in special session on Tuesday, February 20, 2014 at 4:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Council Members Ron Samuels, Frank O'Reilly, Paul Hendricks, Mary Price, and Henry Lessner; Planning and Zoning Commission Members Pat Friend, Heather Hager, Renee Powell, Jim Rushing, Matt Faulkner, Debbie Flood, and Brad Northcutt; Economic Development Corporation Members Frank O'Reilly and Warren Westberg; Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Assistant to the Town Manager, Adam Wilbourn; Economic Development Manager, Ray Dunlap; Town Engineer, James Chancellor; Engineer in Training, Danielle Gregory; and Town Secretary, Michelle Lewis Sirianni. Town Council Members Darion Culbertson and Jim Cunningham were absent; Economic Development Board Members Chuck Williams, John Adler, and Sim Israeloff were absent.

Mayor Pro Tem called the meeting to order at 4:01 p.m. and declared a quorum was present of Town Council and the Planning and Zoning Commission.

Members of the Town Council, Planning and Zoning Commission, Economic Development Corporation, and town staff went on a guided tour through the town's Commercial Planned Development District (CPDD).

Mayor Pro Tem reconvened the meeting back into special session at 7:01 p.m.

CPDD MASTER PLAN UPDATE: Consider, discuss, and take any necessary action on a presentation from staff and the town's planning consultant team concerning the status of the CPDD Master Plan update.

Mr. Mark Bowers with Jacobs introduced the agenda for the topics of discussion for the meeting. The agenda included additional questions and/or follow up from the February 11 meeting; updates on the strategic direction for the district, development framework, thoroughfare and pedestrian linkage plan; transition/buffer detail, additional code detail, and next steps.

The consultant team provided updates regarding the Strategic Direction and the Urban Village District within Transportation and the Development Framework of the proposed plan.

The consultants discussed and asked for feedback with the members if they believe a mixed residential building type should be allowed to occur immediately south of Sloan Creek. The members discussed having the ability to do commercial with possibility of

residential with a condition of providing something in addition to such as open space, quality building standards, and/or retail.

The Thoroughfare and Pedestrian Linkage Plan was discussed with the plan being that the street system is developed being directly tied to the varying land uses/building types in the district and is accessible for pedestrians and bicyclists are accommodated for within the majority of the corridors. The consultant conversed about Fairview Parkway, primary streets, traditional secondary streets, State Highway 5, and Frisco Road within the proposed plan.

The Transition/Buffer Detail was then discussed with examples being provided of what currently exists and what the consultants are proposing.

The Additional Code Detail was outlined with an overview of considering what is important, the key elements, standards, the process and requirements of administering the code including the Development Plan and role of the Urban Design Officer. The members agreed with the overall general structure of the proposed development review process with some suggestions.

The consultants stated that they would be taking their comments and feedback along with the proposed plan to the community open house and then would develop their draft of the code and standards that will be discussed with Council, P&Z, and EDC on March 26, 2014, and with the final code and standards being presented for consideration for adoption at a public hearing at the April Town Council meeting.

The Town Council and Planning and Zoning Commission adjourned the meeting at 10:34 p.m.


HENRY LESSNER, MAYOR PRO TEM

ATTEST:


Michelle Lewis Sirianni, Town Secretary



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, MARCH 13, 2014**

The Planning and Zoning Commission met in regular session on Thursday, March 13, 2014 at 6:30 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Pat Friend, Heather Hager, Jim Rushing, Matt Faulkner, Bread Northcutt, and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; and Town Secretary, Michelle Lewis Sirianni. Commissioner Renee Powell was absent.

Chairman Northcutt called the meeting to order at 6:36 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the February 13, 2014 Planning and Zoning Commission meeting.

Commissioner Flood made a motion to approve the minutes for the February 13, 2014 commission meeting. Commissioner Rushing seconded that motion and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Two-Acre Ranch Estate (RE-2) and is specifically located at 3410 Orr Road, being an 8.55 acre tract in the Calvin Boles Survey, Abstract No. 28.

Mr. Schmidt stated that the applicant for this request is Mr. Mike Jones, the property owner's architect. The applicant is requesting to construct an accessory building that will be used for storage purposes. The subject property is 8.55 acres and zoned Two-Acre Ranch Estate (RE-2), is not platted, and currently undeveloped. Mr. Schmidt stated that the applicant is requesting a metal building that is 2,400 SF with an attached 720 SF covered porch. The applicant is permitted by right to provide for two accessory buildings that shall not exceed a combined building footprint are of 1,800 SF. The applicant's proposed building would exceed this by 1,320 SF. Mr. Schmidt stated that surrounding property owners were notified and the town has not received any statements of support or in opposition to the request. Mr. Schmidt stated that proposed building conforms to town requirements and is not visible from Orr Road; therefore, recommends approval.

Chairman Northcutt opened the public hearing. No comments were made and the public hearing was closed.

Chairman Northcutt opened discussion to commission members. Chairman Northcutt asked if an accessory building usually has a home on the property when requested. Mr. Schmidt replied that there is usually a home on the property when an accessory building is requested; however, the property owner has a right to construct a larger building once the home site is built.

Commissioner Friend asked why they are requesting the accessory building now prior to the dwelling and the difference between pursuing now versus later. Mr. Schmidt responded that they are permitted by right to request one now, which entitles them to request a larger building as long as it conforms to the town's requirements.

Commissioner Rushing made a motion to approve a Conditional Use Permit (CUP) for the constructions of an accessory building at 3410 Orr Road. Commissioner Faulkner seconded that request and the motion was unanimously approved.

3. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt stated that the Final Plat for the LDS church and the Final Plat/Site Plan for the three lot development were approved as submitted at the March council meeting.

Mr. Schmidt also reminded the commissioners of the upcoming joint meeting with council on March 26 at 7:00 p.m., and added that the Community Open House was well attended with approximately 350 people.

4. Recess.

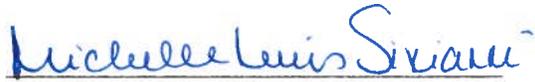
Chairman Northcutt called for a ten minute recess.

The commission then conducted a joint meeting session with Town Council to consider potential updates to the Town's Future Land Use Plan.

5. Adjourn.

Chairman Northcutt adjourned the commission from the joint meeting at 9:04 p.m.

Respectfully submitted,



Michelle Lewis Sirianni
Town Secretary



Brad Northcutt, Chairman
Planning and Zoning Commission



**TOWN COUNCIL
SPECIAL JOINT
MEETING MINUTES
March 26, 2014**

The Town Council, Planning and Zoning Commission, and Economic Development Corporation met in special session on Wednesday, March 26, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Council Members Darion Culbertson, Ron Samuels, Frank O'Reilly, Paul Hendricks, Mary Price, and Henry Lessner; Planning and Zoning Commission Members Pat Friend, Heather Hager, Renee Powell, Jim Rushing, Matt Faulkner, and Brad Northcutt; Economic Development Corporation Members Frank O'Reilly, Chuck Williams, and Sim Israeloff; Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Assistant to the Town Manager, Adam Wilbourn; Economic Development Manager, Ray Dunlap; Town Engineer, James Chancellor; and Town Secretary, Michelle Lewis Sirianni. Town Council Member Jim Cunningham was absent; Planning and Zoning Commission Member Debbie Flood was absent; Economic Development Board Members John Adler and Warren Westberg were absent.

Mayor Culbertson called the meeting to order at 7:00 p.m. and declared a quorum was present of Town Council.

Chairman Northcutt declared a quorum of the Planning and Zoning Commission was present.

Chairman Williams declared a quorum of the Economic Development Corporation was present.

CPDD MASTER PLAN UPDATE: Consider, discuss, and take any necessary action on a presentation from staff and the town's planning consultant team concerning the status of the CPDD Master Plan update.

Mr. Mark Bowers with Jacobs introduced the agenda for the topics of discussion for the meeting. The agenda included a meeting overview; discuss the open house, preliminary implementation including barriers to investment and development value/revenue potential, zoning, and next steps.

The consultants briefed the council and commission regarding the community open house that was held in February. There were approximately 300 residents, business owners, developers, elected, and appointed officials. Comments were received from eight categorical stations that were set up. The consultants discussed the following categories: the strategic direction/preliminary development framework, the urban village, the transit station vision/location background, areas south of Sloan Creek, areas north of Sloan Creek, mobility, and the form based code.

Within the development value and revenue potential, the consultants discussed the potential scenarios of the urban transition district and how a community's "return on investment" is directly impacted by a balance of land uses. The consultants also addressed the transition and buffer details within the areas south of Sloan Creek.

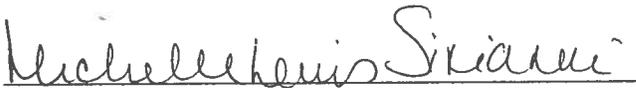
The consultants highlighted the key elements in a form based code. The consultants focused on the framework plan, buildings and types, and the administration aspect of the code.

Mr. Bowers stated that the next steps will include the consultants taking the feedback from the meeting's discussion topics and incorporate them into the master plan materials and form based code. The consultant team will present the draft code and standards in April to the council and commission(s). Another meeting will be held to discuss any remaining issues with the draft code and standards in early May, and the final code to be presented for consideration through a public hearing in May.

The Town Council, Planning and Zoning Commission, and Economic Development Corporation adjourned the meeting at 10:48 p.m.


DARION CULBERTSON, MAYOR

ATTEST:


Michelle Lewis Sirianni, Town Secretary



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, APRIL 10, 2014**

The Planning and Zoning Commission met in regular session on Thursday, April 10, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Pat Friend, Jim Rushing, Renee Powell, Matt Faulkner, Brad Northcutt, and Debbie Flood. Staff members present were Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Assistant to the Town Manager, Adam Wilbourn; Economic Development Manager, Ray Dunlap, and Town Secretary, Michelle Lewis Sirianni. Commissioner Heather Hager was absent.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the March 13, 2014 Planning and Zoning Commission meeting.

Commissioner Friend made a motion to approve the minutes for the March 13, 2014 commission meeting. Commissioner Rushing seconded that motion and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on an ordinance amending the town's Zoning Ordinance, specifically, Sec. 14.02.011: Maximum building height and minimum setbacks for accessory buildings and Sec. 14.02.514: Use regulations, generally, in order to amend the town's policy on the timing of construction for accessory buildings.

Mr. Schmidt stated that the applicant has requested to postpone until the commissioner's May meeting. Mr. Schmidt requested the commission to keep the public hearing open until the next regular scheduled meeting.

Commissioner Northcutt opened the public hearing. No comments were made and the public hearing was kept open.

Commissioner Friend made a motion to continue a public hearing until the commission's May meeting for a request to approve an ordinance amending the town's Zoning Ordinance, specifically, Sec. 14.02.514: Use regulations, generally, in order to amend the town's policy on the timing of construction of accessory buildings. Commissioner Rushing seconded that motion and the motion was unanimously approved.

- 3. Conduct a public hearing, consider, and take any necessary action on a request for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Two-Acre Ranch Estate (RE-2) and is specifically located at 3410 Orr Road, being an 8.55 acre tract in the Calvin Boles Survey, Abstract No. 28.**

Mr. Schmidt stated that the same comments apply as the previous item.

Commissioner Northcutt opened the public hearing. No comments were made and the public hearing was kept open.

Commissioner Friend made a motion to continue a public hearing until the commission's May meeting for a request for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Two-Acre Ranch Estate (RE-2) and is specifically located at 3410 Orr Road. Commissioner Rushing seconded that motion and the motion was unanimously approved.

- 4. Receive a report from staff on the status of recent planning cases.**

No items were discussed.

- 5. Joint Session with Council.**

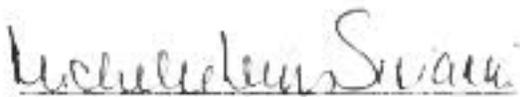
The commission then conducted a joint meeting session with Town Council to discuss and consider potential updates to the Town's Future Land Use Plan.

- 6. Adjourn.**

Chairman Northcutt adjourned the commission from the joint meeting at 7:48 p.m.

Respectfully submitted,




Michelle Lewis Sirianni
Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission

**TOWN COUNCIL
SPECIAL JOINT
MEETING MINUTES
May 7, 2014**

The Town Council, Economic Development Corporation and Planning and Zoning Commission met in special session on Wednesday May 7, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor, Darion Culbertson; Council Members Ron Samuels, Frank O'Reilly, Jim Cunningham, Paul Hendricks, Mary Price, and Henry Lessner; Economic Development Board Members John Adler, Chuck Williams, Warren Westberg, and Mary Price; Planning and Zoning Commission Members Pat Friend, Jim Rushing, Renee Powell, Matt Faulkner, Debbie Flood, and Brad Northcutt; Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Assistant to the Town Manager, Adam Wilbourn; Town Secretary, Michelle Lewis Sirianni and Interim Town Secretary, Yolanda Wilson. Commissioner Heather Hager Board Member Sim Israeloff was absent.

Mayor Culbertson called the meeting to order at 7:02 p.m. and declared a quorum of Town Council was present.

Chairman Northcutt declared a quorum of the Planning and Zoning Commission was present.

Chairman Williams declared a quorum of the Economic Development Corporation into session and declared a quorum was present.

CPDD MASTER PLAN UPDATE: Consider, discuss, and take any action necessary on presentation from staff and the town's planning consultant team concerning the status of the CPDD Master Plan update.

Mr. Ken Schmidt introduced the purpose of the work session by providing a brief history of the process as well as outlining some of the issues that will need to be addressed. Mr. Schmidt proceeded to provide an overview of the Town's current Ordinances and how they will have to comply and be defined with the Community Planned Development District (CPDD).

Mr. Mark Bowers with Jacobs provided an overview of the work. Adopting framework will play a role in land layout. The meeting addressed the Planned Development District (PDD) Ordinance, Properties West of Stoddard Road, and plan Strategic Direction for the District, plan Implementation.

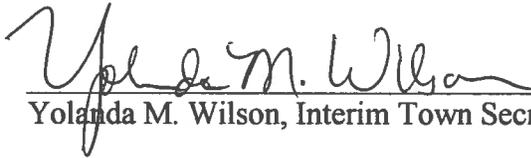
The consultants briefed the council and commission regarding the PDD standards and guidelines. Consultants stated that criteria for commercial district need to be consistent in order to ensure quality development. Town Manager Julie Couch stated regulations will be included in order to ensure smoother development process. Existing Ordinances that

are in conflict with standards in the PDD will have to be reviewed and updated for nonconformity.

Mayor Culbertson adjourned the meeting at 10:25 p.m.


DARION CULBERTSON, MAYOR

ATTEST:


Yolanda M. Wilson, Interim Town Secretary

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, MAY 8, 2014**

The Planning and Zoning Commission met in regular session on Thursday, May 8, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Pat Friend, Jim Rushing, Renee Powell, Matt Faulkner, Heather Hager, Bread Northcutt, and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; Town Secretary, Michelle Lewis Sirianni and Yolanda Wilson, Interim Town Secretary.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

- 1. Consider and take action regarding the minutes of the April 10, 2014 Planning and Zoning Commission meeting.**

Commissioner Powell made a motion to approve the minutes for the April 10, 2014 commission meeting. Commissioner Rushing seconded that motion and the motion was unanimously approved.

- 2. Conduct a public hearing, consider, and take any necessary action on a request made by 84 Acres Red Oak Trail LLC to rezone a 24.30± acres segment of land which is part of an 83.99± acres tract of land that is zoned Agricultural (AG) and is situated in the GB Pilant Survey, Abstract No. 691, and generally located at the eastern terminus of Red Oak Trail and north of the Montecito Estates #2 Addition, to the Two-Acre Ranch Estate (RE-2) Zoning District. (ZA2014-01)**

Chairman Brad Northcutt opened public hearing.

Mr. Schmidt stated that the applicant has requested to postpone the review of application. Letters will be mailed out to all residents involved as to when the public hearing will be held.

Commissioner Friend made a motion to postpone public hearing until the June regular meeting. Commissioner Faulkner seconded that motion and the motion was unanimously approved.

3. Conduct a public hearing, consider, and take any necessary action on an ordinance amending the town's Zoning Ordinance, specifically, Sec. 14.02.013: Landscaping, generally, in order to amend the town's requirements for the provision of landscaping for new development and redevelopment. (ZA2014-07)

Commissioner Northcutt opened public hearing then having no comments from the public, closed public hearing for comments from commission.

Mr. Schmidt stated that in certain instances there is not enough landscaping and this could be improved. Mr. Schmidt reviewed the proposed ordinance and why landscaping should be addressed and require landscape plans to ensure that those areas are addressed properly. There would be a requirement of 6 canopy tree planting on single family lots in the low-density area of town. There will be special provisions for a reduction of trees depending on drought conditions. During a more restrictive level of water usage due to drought conditions, there would be an escrow allowed to extend planting to a more appropriate time.

Commissioner Northcutt stated concerns about who would be responsible for setting up escrow accounts. Mr. Schmidt stated that each time someone applies for a building permit, a deposit occurs where a refund takes place. Mr. Schmidt stated escrow procedures can be outlined in a separate procedures that addresses the escrow.

Commissioner Northcutt recommended approval of the ordinance conditioned upon the adoption of an escrow policy. Commissioner Powell made a motion to recommended approval of the proposed ordinance. Commissioner Faulkner seconded the motion and the motion was unanimously approved.

4. Conduct a public hearing, consider, and take any necessary action on an ordinance amending the town's Zoning Ordinance, specifically, Art. 14.02, generally, in order to establish requirements for exterior building façade materials for institutional land uses and structures. (ZA2014-08)

Mr. Schmidt stated that there are very few regulations for non-residential uses outside of the CPDD. Mr. Schmidt recommended that the commission take a look at extending more formal architectural ordinances to institutional uses and to avoid substandard material for these structures. Mr. Schmidt listed unacceptable materials for these areas. Mr. Schmidt will adjust language for types of stones and those materials that are considered unacceptable..

Commissioner Northcutt opened and then closed the public hearing having no comments from the public.

Commission Powell stated concerns about percentage of usage of brick and quality of the type of masonry to the structure. Mr. Schmidt stated currently there is a need to address this so every building will not be too similar but offer a variety in material. There are no regulations currently that address metal buildings.

Commissioner Powell made a motion to recommend approval of an ordinance establishing requirements for exterior building façade materials for institutional land uses and structures. Commissioner Hager seconded the motion and the motion was unanimously approved.

- 5. Continue a public hearing, consider, and take any necessary action on an ordinance amending the town's Zoning Ordinance, specifically, Sec. 14.02.011: Maximum building height and minimum setbacks for accessory buildings and Sec. 14.02.514: Use regulations, generally, in order to amend the town's policy on the timing of construction for accessory buildings. (ZA2014-05)**

Mr. Schmidt stated that the applicant has requested to postpone until the commissioner's June meeting. Mr. Schmidt requested the commission to keep the public hearing open until the next regular scheduled meeting.

Commissioner Northcutt opened the public hearing. No comments were made.

Commissioner Powell made a motion to continue public hearing. Commissioner Rushing seconded the motion and the motion was unanimously approved.

- 6. Conduct a public hearing, consider, and take any necessary action on a request for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Two-Acre**

Ranch Estate (RE-2) and is specifically located at 3410 Orr Road, being an 8.55 acre tract in the Calvin Boles Survey, Abstract No. 28. (ZA2014-06)

Mr. Schmidt stated applicant has requested to postpone review of application to allow more time for additional information.

Commissioner Northcutt opened then closed public hearing, there being no comments from the public.

Commissioner Friend made a motion to continue a public hearing until the next meeting for a request for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Two-Acre Ranch Estate (RE-2) and is specifically located at 3410 Orr Road.

Commissioner Rushing seconded the motion and the motion was unanimously approved.

7. Receive a report from staff on the status of recent planning cases.

There were no planning cases at this time.

8. Discuss schedule for upcoming planning and zoning commission meetings.

Mr. Schmidt stated that items to be discussed will be the Update for the Comprehensive Plan to be covered on May 27 during the Joint Meeting. There will be a work session on the Commercial Planned Development District during the June 5 work session.

Mr. Schmidt stated that this will be Michelle Sirianni, Town Secretary last P&Z Meeting as she is relocating to Virginia. Mr. Schmidt thanked Mr. Sirianni for her assistance throughout the years they have worked together and expressed how helpful she has been with assisting him with P&Z items. Yolanda Wilson, Interim Town Secretary will be filling in on a temporary basis.

9. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 7:36 p.m.

Respectfully submitted,


Yolanda M. Wilson
Interim Town Secretary
Commission


Brad Northcutt, Chairman
Planning and Zoning



**TOWN COUNCIL/
PLANNING AND ZONING COMMISSION
SPECIAL JOINT
MEETING MINUTES
May 27, 2014**

The Town Council and Planning and Zoning Commission met in special session on Tuesday, May 27, 2014 at 7:30 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson, Council Members John Adler, Ron Samuels, Frank O'Reilly, Paul Hendricks, Renee Powell, and Henry Lessner; Planning and Zoning Commission Members Chairman Brad Northcutt, Pat Friend, Heather Hager, Jim Rushing, Matt Faulkner, and Debbie Flood; Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Assistant to the Town Manager, Adam Wilbourn; and Interim Town Secretary, Yolanda Wilson.

Mayor Culbertson called the joint meeting session to order at 7:30 p.m. and declared a quorum of the Town Council was present. Chairman Northcutt called the Planning and Zoning Commissioners into session and declared a quorum was present.

FUTURE LAND USE PLAN: Conduct a joint public hearing, consider, and take any necessary action on an ordinance amending the town's Comprehensive Plan, specifically, the Future Land Use Plan and the Goals and Objectives sections, generally, in order to update these sections to better reflect town goals and strategies for growth and land development.

Mayor Culbertson requested that Mr. Schmidt cover previously discussed items that were covered in respect to those who may not have attended in the past.

Mr. Schmidt reviewed information covered during previous meetings. Mr. Schmidt provided an overview of the proposed amendments to the Comprehensive Plan, including the changes to the Goals and Objectives; the text changes to the land use section of the plan which included two additional residential land use districts, Residential Estate Transition and Residential Estate Open Space and certain modifications to the existing residential districts; and the proposed land use map changes.

Mayor Culbertson then proceeded to open the public hearing for comments. Ricardo Doi addressed the Commission and Council indicating support for the changes. Kurt Smith asked some general questions. There being no further comments from the public, he then closed the joint public hearing. Mayor Culbertson then turned the items over to the Planning and Zoning Commission for consideration and recommendations.

There was general discussion regarding parks and trails. Chairman Northcutt asked if there were any additional comments from the Commission and there being none asked for action by the Commission.

Chairman Northcutt asked for a motion to accept the text amendments to the Goals and Objectives and the land use sections of the Plan as presented. Commissioner Friend made

a motion to approve the recommended text amendments as presented, which was seconded by Commissioner Rushing. The motion was unanimously approved.

Chairman Northcutt asked for a motion to accept the map amendments as presented. Commissioner Friend made a motion to approve the recommended map amendments as presented, which was seconded by Commissioner Rushing. The motion was unanimously approved.

Chairman Northcutt then indicated that the report was being passed on to the Council for their consideration.

Mayor Culbertson called for action by the Council.

Councilmember Lessner made a motion to approve text amendments to the goals and objectives of the Comprehensive Plan as presented. The motion was seconded by Councilmember Samuels and was unanimously approved.

Councilmember O'Reilly made a motion to approve text amendments to the Future Land Use Plan as presented. The motion was seconded by Councilmember Powell and was unanimously approved.

Mayor Culbertson recommended accepting map amendments separately for the record with regard to the changes in the Future Land Use Plan.

Mayor Culbertson then made the following recommendations to be approved separately for the following amendments:

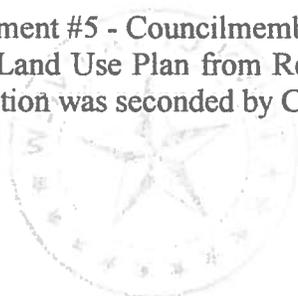
Amendment #1 - Councilmember Lessner made a motion to approve amendment to the Future Land Use Plan from Residential Estate Country to Residential Estate Transition. The motion was seconded by Councilmember Hendricks. All voted in favor except Mayor Culbertson and Councilmember Powell who voted against. The item passed.

Amendment #2 - Councilmember Samuels made a motion to approve amendment to the Future Land Plan from Residential Estate to Institutional. The motion was seconded by Councilmember Hendricks and was unanimously approved.

Amendment #3- Councilmember Hendricks made a motion to approve amendment to the Future Land Use Plan from Residential Estate Country to Residential Estate. The motion was seconded by Councilmember O'Reilly and was unanimously approved.

Amendment #4 - Councilmember Lessner made a motion to approve amendment to the Future Land Use Plan from Residential Estate Country/Residential Estate to Residential Estate Transition. The motion was seconded by Councilmember Hendricks and was unanimously approved.

Amendment #5 - Councilmember Hendricks made a motion to approve amendment to the Future Land Use Plan from Residential Estate Country to Residential Estate Transition. The motion was seconded by Councilmember Samuels and was unanimously approved.



Amendment #6 - Councilmember Lessner made a motion to approve amendment to the Future Land Use Plan from Residential Estate Country to Residential Estate Transition. The motion was seconded by Councilmember O'Reilly and was unanimously approved.

Amendment #7 - Councilmember Samuels made a motion to approve amendment to the Future Land Use Plan from Residential Estate to Institutional. The motion was seconded by Councilmember O'Reilly and was unanimously approved.

Amendment #8 - Councilmember Lessner made a motion to approve amendment to the Future Land Use Plan from Institutional to Parks / Recreation / Open Space. The motion was seconded by Councilmember Samuels and was unanimously approved.

Councilmember Samuels asked if the water district water line going through the area will supersede it becoming a road. Mayor Culbertson stated that while the town has no future plans to build a road in this area, the water line would not prevent the county from building a road there.

Amendment #9 - Councilmember O'Reilly made a motion to approve amendment to the Future Land Use Plan from Residential Estate to Residential Estate Country. The motion was seconded by Councilmember Lessner and was unanimously approved.

Amendment #12 - Councilmember Samuels made a motion to approve amendment to the Future Land Use Plan from Parks / Recreation / Open Space to Army Corps of Engineers. The motion was seconded by Councilmember O'Reilly and was unanimously approved.

Amendments #10 & #11 - Councilmember Samuels made a motion to approve change in Future Land Use Plan from Residential Estate to Parks / Recreation / Open Space. The motion was seconded by Councilmember Adler and was unanimously approved.

Amendment #13 - Councilmember Samuels made a motion to amend the Future Land Use Plan from Institutional to Parks / Recreation / Open Space. The motion was seconded by Councilmember O'Reilly and was unanimously approved.

Councilmember Lessner made a motion to approve an Ordinance amending the town's Comprehensive Plan, including map amendments to the Future Land Use Plan, text amendments to the Goals and Objectives of the Future Land Use Plan and the amended Future Land Use Plan itself. The motion was seconded by Councilmember Hendricks and was unanimously approved.

Mayor Culbertson of the Town Council and Chairman Northcutt of the Planning and Zoning Commission adjourned the meeting at 9:04 p.m.


DARION CULBERTSON, MAYOR

ATTEST:


Caitlin Scalley, Interim Town Secretary



along the south side of Bluebird Lane with the consensus being that the area currently out of the district be added to the district along with the stipulation that the area all along Bluebird that would be in the district be designated for residential uses, not commercial uses.

There was no action taken.

Mayor Culbertson adjourned the meeting at 10:25 p.m.


DARION CULBERTSON, MAYOR

ATTEST:


Yolanda M. Wilson, Interim Town Secretary



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, JUNE 12, 2014**

The Planning and Zoning Commission met in regular session on Thursday, June 12, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Heather Hager, Jim Rushing, Matt Faulkner, and Brad Northcutt. Staff members present were Planning Manager, Ken Schmidt, Town Engineer, James Chancellor and Interim Town Secretary, Yolanda Wilson; Pat Friend and Debbie Flood were absent.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the May 8, 2014 Planning and Zoning Commission meeting.

Commissioner Rushing made a motion to approve the minutes, as amended, of the May 8, 2014 Planning and Zoning meeting, Commissioner Hager seconded the motion and the motion was unanimously approved.

2. Continue a public hearing, consider, and take any necessary action on a request made by 84 Acres Red Oak Trail LLC to rezone a 24.30± acres segment of land which is part of an 83.99± acres tract of land that is zoned Agricultural (AG) and is situated in the GB Pilant Survey, Abstract No. 691, and generally located at the eastern terminus of Red Oak Trail and north of the Montecito Estates #2 Addition, to the Two-Acre Ranch Estate (RE-2) Zoning District. (ZA2014-01)

Mr. Schmidt stated that the applicant requested to postpone review of the application to further address several issues associated with the development of the property. Mr. Schmidt recommended that the commission conduct the public hearing and take no action on the application. The applicant will not be required to submit a new application because no action would be taken on the application, however, it will require re-advertisement of the public hearing.

Chairman Northcutt opened the Public Hearing.

Chairman Northcutt closed the public hearing, after no comments were made by the public.

The commission had no discussion. Commissioner Faulkner made a motion to postpone the item indefinitely, Commissioner Rushing seconded that request and the motion was unanimously approved.

- 3. Conduct a public hearing, consider, and take any necessary action on a request by Katana Homes for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Commercial Planned Development District – Zone L and is specifically located at 5128 Pond Bluff Way, being Lot 2, Block J of the Sloan Creek Estates – Phase III subdivision. (ZA2014-11)**

Mr. Schmidt stated that the applicant is applying for a Conditional Use Permit (CUP). The applicant applied for a permit to construct an outdoor kitchen approximately 315 SF in size. Mr. Schmidt stated that the applicant is applying for a CUP in order to exceed the accessory building footprint area requirements by 315 SF and to encroach into the 15' accessory building setback from the primary structure by 1.8'. The partially constructed accessory building located near the southern property boundary is 900 SF, and the requested outdoor kitchen is 315 SF, amounting to a total accessory building area of 1,215 SF. Mr. Schmidt stated that he received 2 letters in support of the application and 2 letters in opposition of the application.

Chairman Northcutt opened the public hearing.

Mr. Roger Boivin, the property owner located to the south of the applicant's property, spoke in favor of the applicant's request.

Mr. Greg Simpson, the property owner located to the north of the applicant's property, spoke in favor of applicant's request.

Mr. Willie Norman, the property owner, stated that he had no comments.

Mr. Josh Pearson, the applicant, stated that due to the space that was already underway, he decided to redesign it as an outdoor kitchen.

Commissioner Rushing requested to see letters from those who were in opposition. Mr. Schmidt stated that he will ensure the commission receives copies of the letters.

Chairman Northcutt closed the public hearing.

Commissioner Heather Hagar made a motion to recommend approval of the applicant's request for a Conditional Use Permit, Commissioner Rushing seconded that request and the motion was unanimously approved.

- 4. Conduct a public hearing, consider, and take any necessary action on a request by Cumulus Design for approval of a Site Plan for a proposed hotel on Lot 2R-2, North Addition, a 2.733± acre lot that is zoned Commercial Planned Development District (CPDD), Zone K, and is generally located east of Convention Drive and north of Murray Farm Road. (SP2014-02)**

Mr. Schmidt stated that the applicant is applying for Site Plan approval in order to establish a Marriott Residence Inn, Extended Stay hotel on Lot 2R-2, Block A, North Addition. The applicant's property is 2.735 acres in size, is generally located north of Murray Farm Rd. and east of Convention Drive, within the Village at Fairview development. Applicant's property is zoned CPDD – Zone K, and has vested rights through an existing Concept Plan that was approved by the town in June, 2013.

Mr. Schmidt stated that the applicant is proposing a six story, 119 room hotel with limited food service and guest amenities catering to the extending stay customer class – pool, gym, social area, dining area. The proposed Site Plan meets parking, landscaping, and outdoor lighting requirements for the CPDD and access is provided to adjacent properties to the west through proposed access easements, in accordance with the previously approved Concept Plan. Utilities and emergency access are sufficient for public safety purposes, and public art provision shall be required to be met during the construction process.

Mr. Schmidt stated the applicant was proposing to provide for more stucco than was approved with the concept plan, and that the applicant was proposing to use cultured stone in lieu of natural stone on the first floor. Mr. Schmidt stated that the town notified adjacent property owners in accordance with state law, and received one letter of support and did not receive any letters of opposition.

Chairman Northcutt opened the public hearing.

The applicant, Paul Cragun of Cumulus Design, discussed the application and stated that it was the applicant's intent to further address the recommendations of the commission.

Chairman Northcutt closed the public hearing.

Commissioner Hager addressed concerns about materials and gate specifications for the dumpster screen.

Chairman Northcutt addressed concerns about landscape screening on the east side of the property and the use of knockout roses in the landscape plan.

Chairman Northcutt addressed concerns about the need for additional architectural detail on the north side of the building.

The Commission also communicated a preference for the amount of stucco provided for with the Site Plan, as opposed to the amount of stucco provided for in the approved Concept Plan.

Mr. Schmidt stated the following are recommended conditions of approval:

1. Provision of natural stone in lieu of cultured stone for stone façade component of the building; request for additional stucco is appropriate provided stucco it is of the three-stage application type (and commission/council approval);
2. Dumpster screen should be constructed of materials that are consistent with the primary structure and the gate should be constructed of metal;
3. Design submittal for the monument sign façade;
4. Match town spec for proposed bike parking;
5. Completion of public art requirements, to include the provision of a public art feature/fountain in the development entryway;
6. Improved pedestrian lighting adjacent to Murray Farm Road sidewalk and parking lot lighting at north and south cross-access cuts;
7. Adjustment of landscaping at the eastern property boundary to better screen vehicle lighting;
8. Substitution for knockout roses in the landscape plan; and
9. Provision of additional architectural detail on the north side of the proposed structure.

Commissioner Faulkner made a motion to approve the request with noted conditions, Commissioner Rushing seconded that request and the motion was unanimously approved.

5. **Conduct a public hearing, consider, and take any necessary action on a zoning change request by OakStreet Wholesale Nursery, LLC, generally, to amend Article 14.02 (Zoning Ordinance), Division 14 (Commercial Planned Development District) in order to add a new and unlisted use, “Wholesale Nursery and Landscape Supply” as a use that shall be permitted by Special Use Permit within Zone M of the CPDD. (ZA2014-09)**

Mr. Schmidt stated that items 3d, 3e, and 3f have all been submitted by the same applicant so he will make the staff presentation for all three items during this item. Mr. Schmidt stated that the OakStreet Nursery is a wholesale nursery business that is bisected by the Fairview-McKinney boundary at the northern limit of SH 5 (point of sale is in McKinney). The nursery was established solely in McKinney in 2007 on a three acre tract at the SE corner of SH 5 and Enterprise Drive. The nursery expanded its operations into Fairview on a two acre tract that was formerly comprised of a single family lot immediately to the south of the Fairview-McKinney border. The mission of the business is to sell plant materials

to landscape contractors and large commercial operations on a wholesale basis – the company does not conduct retail sales, and does not intend to do so in the future. The business is essentially an outdoor warehousing business for plant materials, and while they do have to conduct operations to sustain the plants, the inventory is generally cycled through quickly as they are a fairly high volume wholesaler.

Mr. Schmidt stated that the applicant's property is 5.009 acres in size and is generally located east of State Highway 5 and north of Frisco Road. The applicant's property is zoned CPDD – Zone M and the proposed use is not permitted within Zone M of the CPDD. The proposed use is not projected to be included as a permitted use or as a permitted Special Use in the amended CPDD zoning ordinance. The Future Land Use Plan categorizes this property as "Commercial Mix".

Mr. Schmidt stated that the applicant is applying for a zoning change to add "Wholesale Nursery and Landscape Supply" as a use permitted by SUP in CPDD – Zone M. The Applicant is applying for a Special Use Permit for a "Wholesale Nursery and Landscape Supply" facility on the subject property. The applicant is applying for Site Plan approval for a "Wholesale Nursery and Landscape Supply" facility on the subject property.

Mr. Schmidt discussed the contents of the proposed site plan and stated that the applicant proposed to provide for an emergency access drive, landscaping, and access lighting to the property. The applicant is also proposing to add a temporary building in order to establish a point of sale in the town. If the application were to be approved, the applicant would contribute funds for public art and a trail escrow for a future trail on SH 5.

Mr. Schmidt stated that the town notified adjacent property owners in accordance with state law, and received one letter of support and did not receive any letters of opposition.

Mr. Schmidt stated that Wholesale Nursery and Landscape Supply should only be permitted as a Temporary Use, with expiration terms of the use to be determined by the Town Council.

Chairman Northcutt opened the public hearing.

Don Paschal, the applicant addressed the commission to discuss the business, its history on the adjacent property, and its plans for the subject property. Mr. Paschal discussed the current use of the subject property and the potential for its future use. He stated that he and his clients agreed with town staff's

recommendations to deny the zoning change request and to permit the temporary use application.

Chairman Northcutt closed the public hearing.

Commissioner Faulkner made a motion to deny a zoning change request by OakStreet Wholesale Nursery, LLC, generally, to amend Article 14.02 (Zoning Ordinance), Division 14 (Commercial Planned Development District) in order to add a new and unlisted use, "Wholesale Nursery and Landscape Supply" as a use that shall be permitted by Special Use Permit within Zone M of the CPDD.

Commissioner Rushing seconded Commissioner Faulkner's motion and the request was unanimously denied.

- 6. Conduct a public hearing, consider, and take any necessary action on a request by OakStreet Wholesale Nursery, LLC for approval of a Special Use Permit for a proposed wholesale nursery and landscape supply facility on a 5.009± acres tract situated in the Joab Butler Survey – Abstract No. 68 that is zoned CPDD, Zone M, and is generally located east of State Highway 5 and north of Frisco Road. (ZA2014-10)**

Mr. Schmidt stated that the staff presentation for this item was already presented with the previous item.

Chairman Northcutt opened the public hearing, and then having no further discussion, Chairman Northcutt closed the public hearing.

Commissioner Hager made a motion to deny the request, Commissioner Rushing seconded Commissioner Hager's motion and the request was unanimously denied.

- 7. Conduct a public hearing, consider, and take any necessary action on a request by OakStreet Wholesale Nursery, LLC for approval of a Site Plan for a proposed wholesale nursery and landscape supply facility on a 5.009± acres tract situated in the Joab Butler Survey – Abstract No. 68 that is zoned CPDD, Zone M, and is generally located east of State Highway 5 and north of Frisco Road. (SP2014-03)**

Mr. Schmidt stated that the staff presentation for this item was already presented with the previous item.

Chairman Northcutt opened the public hearing, and then having no further discussion, Chairman Northcutt closed the public hearing.

Mr. Schmidt stated that the commission should recommend approval of the Site Plan with the following conditions:

1. Wholesale Nursery and Landscape Supply shall only be permitted as a Temporary Use, with expiration terms of the use to be determined by the Town Council;
2. Point of sale for the business shifts from McKinney to Fairview; and
3. Improvements to the subject property and adjacent properties are completed as provided for in the Site Plan.

Commissioner Hager questioned Mr. Schmidt about the duration of the temporary use and Mr. Schmidt stated that there would be a sunset to the use that would be established in a developer's agreement between the town council and developer.

Commissioner Rushing made a motion to approve the site plan with conditions noted by the planning and zoning commission. Commissioner Faulkner seconded Commissioner Rushing's motion and the motion was unanimously approved.

- 8. Continue a public hearing, consider, and take any necessary action on a request by Mr. Gerry Taylor to amend the town's Zoning Ordinance, specifically, Sec. 14.02.011: Maximum building height and minimum setbacks for accessory buildings and Sec. 14.02.514: Use regulations, generally, in order to amend the town's policy on the timing of construction for accessory buildings. (ZA2014-05)**

Mr. Schmidt stated the applicant has not been in contact with staff for nearly a month, and as a result, the town should consider this request to be abandoned by the applicant. Staff's recommendation is to conduct the public hearings and take no action on the applications, and to consider the requests to be abandoned.

Chairman Northcutt continued the public hearing, then having no further discussion moved to close public hearing. Due to item being abandoned by applicant, there was no action taken on this item.

- 9. Continue a public hearing, consider, and take any necessary action on a request by Mr. Gerry Taylor for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Two-Acre-Ranch-Estate (RE-2) and is specifically located at 3410 Orr Road, being an 8.55 acre tract in the Calvin Boles Survey, Abstract No. 28. (ZA2014-06)**

Mr. Schmidt stated that the town should consider this request to be abandoned by the applicant. Staff's recommendation is to conduct the public hearings and take no action on the applications, and to consider the requests to be abandoned.

Chairman Northcutt continued the public hearing, then having no further discussion moved to close public hearing. Due to item being abandoned by applicant, there was no action taken on this item.

- 10. Consider and take any necessary action on a request by Mr. Juergen Luebbe for approval of a Final Plat for a two lot residential subdivision on a 5.00± acre tract that is situated in the Calvin Boles Survey - Abs. No. 28 and zoned**

Two-Acre-Ranch-Estate (RE-2), and is generally located north of Stacy Road and 2,500 feet west of Orr Road. (FP2014-03)

Mr. Schmidt stated that the applicant is applying for a Final Plat in order to develop a two lot residential subdivision on the subject property. The applicant's property is 5.00 acres in size and zoned Two-Acre Ranch Estate (RE-2). The applicant is proposing to subdivide the lot into a 2.75 acre lot, a 2.0 acre lot, and .25 acre ROW dedication for Stacy Road and access to each lot will be provided for from a common access easement within the property to the east. The applicant obtained Minor Plat approval from Town Staff earlier this month and the proposed subdivision will fully conform to the zoning ordinance and subdivision regulations.

Mr. Schmidt stated that as a condition of development, the applicant will be required to install a fire hydrant near the common boundary between the two lots, and the applicant will increase the width of the common access drive adjacent to future residential structures on Lot 1. To satisfy the town's parkland dedication requirements, staff recommends that the town requires cash-in-lieu of land dedication in the amount of \$3,471.

Commissioner Rushing made a motion to approve the Final Plat, Commissioner Faulkner seconded Commissioner Rushing's motion, and the motion was unanimously approved.

11. Receive a report from staff on the status of recent planning cases.

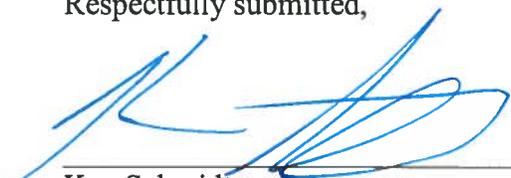
Mr. Schmidt stated that the council approved all zoning cases that went before them in June.

12. Discuss schedule for upcoming planning and zoning commission meetings.

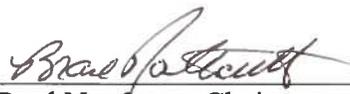
Mr. Schmidt stated that this year's Texas American Planning Association Conference will be held in Frisco in October, and the commission would be permitted to attend.

Chairman Northcutt adjourned the meeting at 8:46 p.m.

Respectfully submitted,



Ken Schmidt
Planning Manager



Brad Northcutt, Chairman
Planning and Zoning Commission



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, JULY 10, 2014**

The Planning and Zoning Commission met in regular session on Thursday, July 10, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Pat Friend, Heather Hager, Jim Rushing, Brad Northcutt, Matt Faulkner and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; Engineer-in-Training, Danielle Gregory; and Interim Town Secretary, Caitlin Scalley.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the June 12, 2014 Planning and Zoning Commission meeting.

Chairman Northcutt stated he emailed a change prior to the meeting. Mr. Schmidt stated the change would be made prior to the next meeting.

Commissioner Friend made a motion to approve the minutes for the June 12, 2014 commission meeting. Commissioner Flood seconded that motion, and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. for an amendment to the Future Land Use Plan component of the Comprehensive Plan for an 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently designated as Residential Estate Country and the requested designation is for the Open Space Preservation land use. (PA2014-01).

Mr. Schmidt stated the applicant requested to postpone review of the application and a date has not been established. Mr. Schmidt recommended that the commission conduct the public hearing and take no action on the application. Mr. Schmidt stated staff will re-advertise the public hearing and property owners within 500 feet will receive public notice.

Chairman Northcutt opened the public hearing.

Chairman Northcutt closed the public hearing, after no comments were made by the public. No action was taken.

3. **Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. for a zoning change for an 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently zoned Two-Acre Ranch Estates (RE-2), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-12).**

Mr. Schmidt stated the applicant requested to postpone review of the application and a date has not been established. Mr. Schmidt recommended that the commission conduct the public hearing and take no action on the application. Mr. Schmidt stated staff will re-advertisement the public hearing and property owners within 500 feet will receive public notice.

Chairman Northcutt opened the public hearing.

Nick Mueth, 1755 Stacy Road, asked if the plan was available for review. Mr. Schmidt stated he would email the plan.

Chairman Northcutt closed the public hearing.

The commission had no discussion. No action was taken.

4. **Conduct a public hearing, consider, and take any necessary action on a request by Martin Raymond Custom Homes for a zoning change for a 31.055± acre tract of land situated in the Samuel Sloan Survey, Abstract No. 791, and generally located north of Hart Road and 500' west of Beechwood Lane. The subject property is currently zoned Three-Acre-Ranch Estate (RE-3), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-13).**

Mr. Schmidt stated the applicant has requested a zoning change for Planned Center (PC) zoning and has submitted a preliminary plan comprised of 20 single-family detached residential lots with a gross density of one dwelling unit per 1.5 acres and an average lot size of 1.13 acres, along with 3.96 acres of open space. Mr. Schmidt stated that town staff has provided development regulations to be incorporated in the proposed PC zoning ordinance. Mr. Schmidt stated the proposed land use fully conforms to the Residential Estate Transition land use provided in the Future Land Use Plan.

Mr. Schmidt stated the preliminary plan provides two points of access on Country Club Road and Hart Road. The applicant is providing a gridded street and common area and open space generally adjacent to the north and west sides of the property. Mr. Schmidt state the applicant is proposing to preserve and enhance the existing pond in the northwest corner of the property and to provide a landscape buffer adjacent to Country Club Road. The applicant is proposing to provide trails along Country Club Road and Hart Road to increase pedestrian mobility.

Mr. Schmidt stated there are appropriate existing utilities adjacent to the site, and the proposed development would utilize septic systems. Mr. Schmidt stated the traffic impact is forecasted to include 191 daily trips based on 20 dwelling units and will not have a detrimental impact on FM1378 or Hart Road. Mr. Schmidt stated preliminary drainage plans would be provided with any potential development plan application submittal.

Mr. Schmidt presented the proposed development standards.

Mr. Schmidt stated 20 statements of opposition had been received from within the 500 foot notification range and 28 statements of opposition from outside of the 500 foot notification range. No statements of support had been received.

Mr. Schmidt stated town staff recommends approval for the zoning change request with the approval conditions as stipulated in the proposed development standards.

Chairman Northcutt opened the public hearing and invited the applicant to speak.

The applicant Martin Raymond, owner of Martin Raymond Custom Homes, resides at 4561 Old Pond Drive, Plano, Texas 75024. Mr. Raymond acknowledged residents' density, traffic and design concerns related to the development of the property. Mr. Raymond stated efforts had been made to address privacy and drainage issues previously raised by Michael Pezzulli by adding a berm, trees and a 50 foot easement. Mr. Raymond stated lot density was necessary to afford to provide amenities.

Michael Pezzulli, 880 Country Club Road, stated he is opposed to the request and cited his concern about drainage issues potentially leading to flooding of his property. Mr. Pezzulli stated concerns of privacy issues in relation to the berm being proposed in the plan and potential pond pollution on his property.

Wynn Allen, 1021 Hart Road, stated she is opposed to the request due to traffic concerns and the square grid design of the property.

Leslie Knight, 841 Beechwood Lane, stated she is opposed to the request and stated the development does not match the vision of the community.

Clay Hastings, 880 Beechwood Lane, asked that the master plan for the town be applied to all developments and town recommendations.

Elise Robinson, 821 Beechwood Lane, stated she is opposed to the request due to higher density, increased water demands and Hart Road traffic.

Kelly Jordan stated she is opposed to the request.

Tom Greenwald, 871 Beechwood Lane, stated he is opposed to the request due to traffic concerns regarding Country Club Road and the proposed path to Puster Elementary.

Ross Tarkington, 960 Hart Rd, stated his support for the request.

Barbara Isaacs, 811 Beechwood Lane, stated she is opposed to the request due to concerns with the design of the plan.

Chairman Northcutt closed the public hearing.

Chairman Northcutt opened discussion to commission members. Chairman Northcutt invited the applicant to respond to concerns brought to the commission's attention during the public hearing. The commission had dialogue in regard to the requested plan's density being in compliance with the town's land use plan. The commission had dialogue regarding the concerns related to the layout and design of the development.

Upon a motion made by Commissioner Friend and a second by Commissioner Rushing, the commission voted four (4) for and two (2) opposed to deny approval of the zoning request change from RE-3 to PC. The motion carried.

5. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt stated there were notification issues regarding planning items that went forward to Town Council for July. Mr. Schmidt stated the Final Plat for the Luebbe property was approved and was the only planning case to be brought before Town Council.

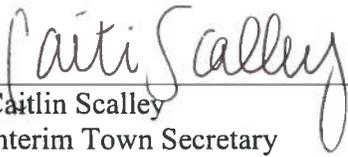
6. Discuss schedule for upcoming planning and zoning commission meetings and training events.

Mr. Schmidt stated there were no updates regarding the Tree Board. Mr. Schmidt stated there are training funds available for commissioners to attend the Texas American Planning Association Conference in Frisco in October.

7. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 8:47 p.m.

Respectfully submitted,


Caitlin Scalley
Interim Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission



**TOWN COUNCIL
SPECIAL JOINT
MEETING MINUTES
July 17, 2014**

The Town Council and Planning and Zoning Commission met in special session on Thursday, July 17, 2014 at 7:30 p.m. at Puster Elementary School at 856 Stoddard Road, Fairview, Texas. Those present were Mayor Darion Culbertson, Council Members Ron Samuels, John Adler, Frank O'Reilly, Henry Lessner, Paul Hendricks and Renee Powell; Planning and Zoning Commission Chairman Brad Northcutt and Commission Members Heather Hager, Jim Rushing, Matt Faulkner and Debbie Flood; Town Manager, Julie Couch; Assistant to the Town Manager, Adam Wilbourn; Planning Manager, Ken Schmidt; Interim Town Secretary, Caitlin Scalley; Town Attorney, Clark McCoy; Town Engineer, James Chancellor; and Engineer In Training, Danielle Gregory. Commissioner Member Pat Friend was absent.

Mayor Culbertson called the joint meeting to order at 7:40 p.m. and declared a quorum of the Town Council was present.

Chairman Northcutt declared a quorum of the Planning and Zoning Commission was present.

PRESENTATION OF COMPREHENSIVE PLAN AMENDMENT:

Mr. Schmidt gave a project overview of the history of the CPDD and the role it has played in the town over the past twelve years. Mark Bowers of Kimley-Horn and Associates gave a presentation regarding the proposed comprehensive plan amendment. The amendment provides more detail for the opportunities and constraints for future developments within the CPDD.

COMPREHENSIVE PLAN AMENDMENT:

Conduct a joint public hearing, consider, and take any action on an ordinance amending the town's Comprehensive Plan, specifically, to adopt the Commercial District Area Plan and to make map and text amendments to impacted Comprehensive Plan Sub-Sections.

Mayor Culbertson opened the public hearing.

A resident from Windmill Lane stated his concerns regarding the water supply, master road plan and currently available commercial space along Stacy Road.

Bob Hawkins, 460 S Highway 5, stated his concerns related to the required setback and when changes to that setback occurred.

Brown Rooda asked about the planned bicycle trail. Mr. Schmidt stated the bicycle and pedestrian trail will act as a key part of the open space network.

Porter Hull, 1000 Briardale Court, stated he did not understand what was being amended and did not receive a notification. Mr. Hull requested information be put in the newsletter in an easily understood format.

Lonnie Tillinghast, 661 Meandering Way, stated he is upset with the process and did not receive information.

Cody Hooper, 491 Bluebird Lane, asked about commercial district advancement. Mayor Culbertson stated efforts had been made to ensure Bluebird Lane remained residential.

Mike Vannatta, 5141 Stream Crest Way, stated relevant information has been available on the town website under the planning department.

Michael Peay, 915 Foxglove, stated he was representing members of the Tranquility Farms HOA. He asked about the time frame for implementing the amended plan and stated his concerns about redirecting resources from current development issues at the Village at Fairview.

Stephanie Hunt, 980 Briardale Court, stated her concerns regarding design standards and limiting the size and scope of buildings.

Leslie Knight, 841 Beechwood Lane, stated her opposition.

Vi Von Bergen, 681 Country Club Road, stated there is not enough information to allow residents to determine their support or opposition of the changes to the CPDD.

Ronen Kahana, 705 Elmbrook, suggested staff and council members work with the homeowner associations to disseminate information.

Mayor Culbertson suspended the public hearing.

CPDD ZONING ORDINANCE AMENDMENT:

Conduct a joint public hearing, consider, and take any necessary action on an ordinance amending the town's Zoning Ordinance, specifically, Division 14: Commercial Planned Development District (CPDD), in order to adopt a Framework Plan which shall replace in whole, the existing CPDD Land Use Map and establish four new sub-district classifications to be known as the Urban Village Sub-District, Urban Transition Sub-District, Neighborhood General Sub-District, and the Neighborhood Edge Sub-District, and to amend the CPDD code in order to provide for amended procedural requirements and permitted land uses, and amended standards and guidelines for site design, building form, building design, street design, parking, outdoor lighting, signage, landscaping, and fencing; preserving the special entertainment overlay district. Mayor Culbertson opened the public hearing.

Arti Harchekar of TownScape, Inc. gave a presentation regarding the adoption of a framework plan that will replace the existing CPDD land use map, the establishment of four new subdivision districts and the amendment of the CPDD code. The town's natural resources and features were

considered when creating a plan for a regional identity and enhancing the public realm. Ms. Harchekar presented each new subdivision district and its characteristics and standards for development. She provided details about planned street connectivity, trail system and open space.

Several residents stated concerns regarding building height requirements and the employment center area. Mayor Culbertson communicated the desire to attract a day-time population by allowing for additional office space.

Ingrid Rooda stated the town should look to the future and plan according to water reserves and nature preservation.

Ernest Pages, 202 Newchester Drive, stated his opposition due to urban density.

Leland Payne, 398 Parkvillage Avenue, stated his concerns regarding the Village at Fairview and empty storefronts. Mayor Culbertson restated the need for a day-time population to help sustain the restaurants and shops located within the Village at Fairview.

Mayor Culbertson stated the current property owners within the CPDD have vested rights and have the ability to develop today. The proposed plan provides high quality zoning and is aligned with the vision of the town.

Mayor Culbertson suggested staff schedule an additional community workshop.

Councilman Hendricks supported the need for further education on the plan.

Councilman Adler encouraged residents to look to the website for relevant planning documents and information.

Councilman Adler made a motion to continue the public hearing on a date certain of September 11, 2014. Councilman Hendricks seconded the motion, and the motion was unanimously approved.

Mayor Culbertson resumed the public hearing pertaining to the Comprehensive Plan amendment.

Councilman Adler made a motion to continue the public hearing for the Comprehensive Plan amendment on a date certain of September 11, 2014. Councilman O'Reilly seconded the motion, and the motion was unanimously approved.

ZONING CHANGE SOUTHEAST CORNER OF BLUEBIRD LANE AND HIGHWAY 5:

Conduct a joint public hearing, consider, and take any necessary action on An ordinance rezoning and adopting a Framework Plan for a 0.95± acre tract situated in the John A. Taylor Survey – Abs. No. 909, which is currently zoned One-Acre Ranch Estate (RE-1) and is generally located at the southeast corner of State Highway 5 (SH 5) and Bluebird Lane, to the Commercial

Planned Development District (CPDD), specifically, to apply the Urban Transition Sub-District standards and guidelines to the subject property. (ZA2014-14)

Mayor Culbertson opened the public hearing.

No comments were made.

Councilmember Adler made a motion to continue the public hearing on a date certain of September 11, 2014. Councilman O'Reilly seconded the motion, and the motion was unanimously approved.

Chairman Northcutt adjourned the Planning and Zoning Commission at 10:18 p.m.

AMENDING FEE SCHEDULE ORDINANCE:

Consider and take any necessary action on an ordinance amending the town's Fee Schedule, specifically, Appendix A, Article A3.000 (Miscellaneous Fees), in order to amend the fee schedule for planning and development application review within the Commercial Planned Development District (CPDD).

Mr. Schmidt recommended no action be taken. The council did not have a discussion and no action was taken.

Mayor Culbertson adjourned the joint meeting at 10:19 p.m.



DARION CULBERTSON, MAYOR

ATTEST:

Caitlin Scalley, Interim Town Secretary

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, AUGUST 14, 2014**

The Planning and Zoning Commission met in regular session on Thursday, August 14, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Vice Chairman Jim Rushing, Pat Friend, Mike VanNatta, Matt Faulkner and Debbie Flood. Staff members present were Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-in-Training, Danielle Gregory; and Interim Town Secretary, Caitlin Scalley. Chairman Brad Northcutt and Commission member Heather Hager were absent.

Vice Chairman Rushing called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the July 10, 2014 Planning and Zoning Commission meeting.

Commissioner Flood made a motion to approve the minutes for the July 10, 2014 commission meeting. Commissioner Friend seconded the motion, and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request by Lovejoy Independent School District (LISD) to amend Ordinance #2011-6-7B, the Planned Center District for the LISD Administration Building and Elementary School, specifically to provide for two additional temporary buildings on the subject property. (ZA2014-16).

Mr. Schmidt stated the applicant is requesting a zoning amendment in order to provide for two additional portable buildings that will be used to accommodate additional office space for the LISD administrative function. The location of the portable buildings is compatible with adjacent properties. Town staff has received one (1) statement of support and no statements of opposition. Mr. Schmidt stated town staff recommends approval of the request.

Vice Chairman Rushing opened the public hearing. No comments were made.

Vice Chairman Rushing closed the public hearing.

Dennis Womack, 259 Country Club Road, is an LISD representative. He stated the portable buildings will be used for additional office space.

The commission had a discussion regarding the number of exits for each building.

Commissioner Faulkner made a motion to approve the request to amend Ordinance #2011-6-7B to provide for two additional temporary buildings. Commissioner Friend seconded the motion, and the motion was unanimously approved.

- 3. Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. for an amendment to the Future Land Use Plan component of the Comprehensive Plan for an 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently designated as Residential Estate Country and the requested designation is for the Open Space Preservation land use. (PA2014-01).**

Mr. Schmidt gave a presentation that applied to planning cases PA2014-01 and ZA2014-12. Mr. Schmidt stated the applicant, Toll Brothers, is requesting to amend the land use designation and change the zoning for the subject property. The proposed plan provides for 62 single family residential lots with an average lot size of 1.13 acres and 29.21 acres of publicly accessible open space.

Mr. Schmidt stated the proposed plan provides for two access points and would require a 40' dedication of right-of-way for Stacy Road. Mr. Schmidt stated the development would not have a detrimental traffic impact and there are no drainage concerns at this stage in the planning process.

Mr. Schmidt stated the applicant is proposing construct a concrete trail that would connect the existing Stacy Road trail to the existing Beaver Run Park. The applicant is also proposing to escrow twenty percent of the construction costs to the town for the future extension of the Stacy Road perimeter trail. Mr. Schmidt stated the applicant will provide for park furnishings within the 29.21 acres of public open space, and the applicant will provide for a small parking area at the trail head.

Mr. Schmidt presented proposed development standards, including: permitted uses, maximum density, area requirements, architectural standards, street standards, landscape standards, open space standards, trail standards and maintenance standards.

Mr. Schmidt stated 131 property owners had been notified. Town staff received five (5) statements of support and fifteen (15) statements of opposition from property owners within the required notification range. Town staff received two (2) statements of opposition and two (2) statements of support conditioned upon the elimination of the parking and access drive off the Thompson Springs access drive, from outside of the required notification range. Mr. Schmidt stated town staff recommends approval of the amendment to the Future Land Use Plan.

Vice Chairman Rushing opened the public hearing.

Ricardo Doi of Dowdey, Anderson & Associates, Inc., located at 5225 Village Creek Drive, Plano, Texas, made comments regarding the proposed trail and dedicated open space.

Rob Paul of Toll Brothers, Inc., located at 2257 Southwest Grapevine Parkway, Grapevine, Texas, gave an overview of the Toll Brothers.

The Commission had a discussion with Mr. Paul regarding project timeline, acceleration and deceleration lanes, and the costs associated with dedication of open space and proposed improvements.

Mr. Paul stated the anticipated timeline is to break ground in the spring of 2015 and complete the project in 2019. He stated the cost of the raw land dedicated to open space is \$1.6 million.

Gary Carter, 1000 Timber Lane, stated his concerns regarding the proposed parking area.

Anton Mattli, 111 Weston Drive, stated his support conditional upon the location of the parking entrance and density being addressed according to the original intent of the property's zoning.

Fred Poirier, 318 Wrangler Drive, stated his support. He also stated safety concerns regarding speed on the back side of Stacy Road.

John Gil, a resident of Heritage Ranch, stated his support and noted safety concerns regarding Stacy Road.

Jerry Pate, 1250 Alto Vista, stated his concerns regarding density and support for the proposed park area.

Ernest Pages, 202 Newchester Drive, stated his support for the proposed open space and park area. He stated his concerns regarding the proposed parking area near the trail head.

Nick Mueth, 1755 Stacy Road, stated his concerns regarding density in relation to the sound and visual burdens placed on surrounding property owners without a buffer.

Vice Chairman Rushing closed the public hearing.

The Commission had a discussion regarding setbacks.

Commissioner Friend made a motion to approve the amendment to the Future Land Use Plan in order to designate the subject property as Open Space Preservation land use. Commissioner Faulkner seconded the motion, and the motion was unanimously approved.

4. **Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. for a zoning change for an 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently zoned Two-Acre Ranch Estate (RE-2), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-12).**

Mr. Schmidt stated staff recommends approval of the zoning change conditioned upon removal of the access drive leading from the Thompson Springs access drive and the associated parking.

Vice Chairman Rushing opened the public hearing. No comments were made.

Vice Chairman Rushing closed the public hearing.

There was no discussion from the Commission.

Commissioner Flood made a motion to approve the zoning change request as depicted in the preliminary plan with removal of the access drive and parking. Commissioner VanNatta seconded the motion.

The Commission had a discussion regarding the number of proposed lots and the design of the entrance.

The motion was unanimously approved.

5. **Conduct a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for an amendment to the Future Land Use Plan component of the Comprehensive Plan for six tracts of land comprised of 72.959± acres and generally located east of Country Club Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently designated as Residential Estate Country and Floodplain and the requested designation is for the Open Space Preservation and Floodplain land uses. (PA2014-02).**

Mr. Schmidt gave a presentation that applied to planning cases PA2014-02 and ZA2014-15. Mr. Schmidt stated staff recommends no action be taken on this application due to inadequate time for staff to review the application.

Mr. Schmidt stated the applicant is requesting an amendment to the Future Land Use Plan and to change the zoning for the subject property. The preliminary plan provides for 40 single-family detached residential lots and 17.35 acres of open space, which would be a common area maintained by a Homeowners Association. Mr. Schmidt stated there is concern regarding drainage conditions due to a significant amount of floodplain on the subject property. Mr. Schmidt stated the proposed density conflicts with adjacent properties.

Mr. Schmidt stated 68 property owners were notified, including the school district. Town staff received five (5) statements of opposition and no statements of support. Mr. Schmidt stated town staff recommends no action be taken at this time in order to allow for additional staff review and public input.

Vice Chairman Rushing opened the public hearing.

Bryon Reid of M. Christopher and Company, located at 550 North Highway 5, stated community input was solicited, and they had significantly improved the flood proposition for Sloan Creek. He stated 17.35 acres of open space has been planned for and over 2,000 linear feet of hike and bike trails have been proposed.

Trent Ballew, 531 Kentucky Lane, stated his opposition of the request due to density and floodplain concerns.

Patrick Rees, 1161 Farmstead, asked the Commission to keep the emergency access on Farmstead in mind.

Mike Weaver, 481 Home Place, asked the Commission to only use Farmstead for emergency access.

Chad Jones, 521 Kentucky Lane, stated his concerns regarding flooding and density.

Gary Carter, 1000 Timber Lane, stated he owns property on Kentucky Lane and is opposed to the request unless drainage issues are addressed.

Steve Hammons, 471 Kentucky Lane, asked the Commission to keep current residents in mind and to consider consistency in zoning decisions.

Jerry Pate, 1250 Alto Vista, stated his concerns regarding the floodplain, proposed density and access in and out of the subject property on the east end.

Nancy Gienger, 1230 Camino Real, stated her concerns regarding flooding and the public path behind her property.

Richard Hickman, 1220 Camino Real, stated his concerns regarding flooding.

Vice Chairman Rushing closed the public hearing.

Mr. Schmidt stated the public comments made during the public hearing aligned with staff concerns.

The Commission had a discussion regarding flooding concerns and the need to see a flood study.

Commissioner Flood made a motion to take no action. Commissioner Faulkner seconded the motion, and the motion was unanimously approved.

6. **Conduct a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for a zoning change for six tracts of land comprised of 72.959± acres and generally located east of Country Club Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently zoned Agriculture (AG), Two-Acre Ranch Estate (RE-2), and the Open Space and Flood Hazard (FH) zones. The requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-15).**

Mr. Schmidt stated town staff recommends that the commission take no action on the request.

Vice Chairman Rushing opened the public hearing.

Mike Weaver, 481 Home Place, stated his concerns regarding lot size. He stated he would like to see the property developed even if the zoning has to change.

Commissioner Faulkner made a motion to take no action. Commissioner Flood seconded the motion, and the motion was unanimously approved.

7. **Receive a report from staff on the status of recent planning cases.**

No reports were made.

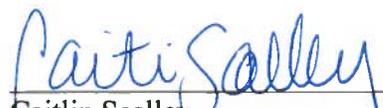
8. **Discuss schedule for upcoming planning and zoning commission meetings and training events.**

Mr. Schmidt stated there is a need to hold an additional meeting in September, and that date would be determined at a later time.

9. **Adjourn.**

Vice Chairman Rushing adjourned the commission from the meeting at 9:12 p.m.

Respectfully submitted,


Caitlin Scalley
Interim Town Secretary




Jim Rushing, Vice Chairman
Planning and Zoning Commission

**SPECIAL JOINT TOWN COUNCIL/
PLANNING AND ZONING COMMISSION
MEETING MINUTES
September 3, 2014**

The Town Council and Planning and Zoning Commission met in special session on Wednesday, September 3, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Pro Tem Henry Lessner, Council Members Ron Samuels, John Adler, Frank O'Reilly, Paul Hendricks and Renee Powell; Planning and Zoning Chairman Brad Northcutt, Commissioners Mike VanNatta, Jim Rushing, Pat Friend, Matt Faulkner and Debbie Flood; Town Manager, Julie Couch; Police Chief, Granver Tolliver; and Town Secretary/Public Relations Coordinator, Caitlin Scalley. Mayor Darion Culbertson and Commissioner Heather Hager were absent.

Chairman Northcutt called the Planning and Zoning Commission to order at 7:00 p.m. and declared a quorum was present.

Mayor Pro Tem Lessner called the Town Council to order at 7:00 p.m. and declared a quorum was present.

PROPOSED UPDATES TO COMMERCIAL PLANNED DEVELOPMENT DISTRICT:

Discuss the proposed update to the town's plans, regulations, and guidelines for the Commercial Planned Development District and the outcomes of the Community Open House held on August 27, 2014, and take any necessary action.

Mr. Schmidt gave an overview regarding the July 17, 2014 Joint Town Council and Planning and Zoning Commission meeting at Puster Elementary School and the August 27, 2014 Community Open House at Sloan Creek Intermediate School. Mr. Schmidt asked for feedback from the council and commission regarding suggestions for the September 11, 2014 Joint Town Council and Planning and Zoning Commission meeting. The council and commission had a discussion regarding how best to communicate the core issues related to the proposed updates to the Commercial Planned Development District (CPDD), and agreed to certain changes in the proposed building heights in the Urban Transition Zone and agreed to consider any possible changes to the outdoor lighting code within the CPDD at a later date.

Councilmember Powell arrived at 7:25 p.m.

The council and commission had a discussion regarding resident comments made at the Community Open House and how to address those questions. Commissioner Friend stated the emphasis should be on the need to expand the tax base and on the long-range plan. Councilmember Samuels stated that the Council and town staff needed to clearly explain the current vested rights of property owners in comparison to the proposed updates.

The council and commission had a discussion regarding the rezoning of Bluebird Lane, density possibilities of Urban Transition Zone and boundary lines for Lovejoy ISD and McKinney ISD.

Chairman Northcutt adjourned the Planning and Zoning Commission at 8:11 p.m.

Mayor Pro Tem Lessner adjourned the Town Council at 8:11 p.m.


HENRY LESSNER, MAYOR PRO TEM

ATTEST:


Caitlin Scalley, Town Secretary/Public Relations Coordinator



**TOWN COUNCIL/
PLANNING AND ZONING COMMISSION
SPECIAL JOINT
MEETING MINUTES
September 11, 2014**

The Town Council and Planning and Zoning Commission met in special session on Thursday, September 11, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson, Council Members John Adler, Ron Samuels, Frank O'Reilly, Paul Hendricks, Renee Powell, and Henry Lessner; Planning and Zoning Chairman Brad Northcutt, Commission Members Pat Friend, Heather Hager, Mike VanNatta, Jim Rushing, Matt Faulkner, and Debbie Flood; Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-In-Training, Danielle Gregory; Police Chief, Granver Tolliver; Town Attorney, Clark McCoy; and Town Secretary/Public Relations Coordinator, Caitlin Scalley.

Mayor Culbertson called the joint meeting to order at 7:00 p.m. and declared a quorum of the Town Council was present.

Chairman Northcutt declared a quorum of the Planning and Zoning Commission was present.

COMPREHENSIVE PLAN ORDINANCE AMENDMENT: Continue a joint public hearing, consider, and take any necessary action on an ordinance amending the town's Comprehensive Plan, specifically, to adopt the Commercial District Area Plan and to make map and text amendments to impacted Comprehensive Plan Sub-Sections.

Mr. Schmidt gave an overview of the steps taken to update the Commercial Planned Development District (CPDD), including work sessions, public meetings and community open houses. Mr. Schmidt stated staff had modified the proposed framework plan as requested by the council and commission at the September 3, 2014 joint Town Council and Planning and Zoning Commission meeting. Modifications included establishing a building height overlay for designated properties within the CPDD with the option to request a major warrant.

There was no discussion among the commission or the council. Mayor Culbertson stated seven (7) work sessions and two (2) community open houses were held in order to update the CPDD and to communicate those updates to residents. He stated the purpose of this update is to define the town's vision and capture the highest quality development.

Mayor Culbertson reopened the public hearings from the July 17, 2014 joint Town Council and Planning and Zoning Commission meeting held at Puster Elementary School. These public hearings were held as one joint public hearing. No comments were made.

Mayor Culbertson closed the public hearing.

There was no discussion among the commission.

Commissioner Friend made a motion to approve an ordinance amending the town's Comprehensive Plan in order to adopt a Commercial District Area Plan and to make map and text amendments to impacted Comprehensive Plan Sub-Sections. Commissioner Faulkner seconded the motion, and the motion was unanimously approved.

The commission had a discussion regarding formal communications for future projects within the CPDD. Mr. Schmidt stated staff would continue to give reports to the commission and use the town's communications outlets for updating residents.

Commissioner Flood made a motion to approve an ordinance amending the town's Zoning Ordinance in order to adopt a Framework Plan. Commissioner Rushing seconded the motion, and the motion was unanimously approved.

There was no discussion among the council.

Councilmember Powell made a motion to approve an ordinance amending the town's Comprehensive Plan in order to adopt a Commercial District Area Plan and to make map and text amendments to impacted Comprehensive Plan Sub-Sections. Councilmember Samuels seconded the motion, and the motion was unanimously approved.

Councilmember Hendricks made a motion to approve an ordinance amending the town's Zoning Ordinance in order to adopt a Framework Plan. Councilmember Adler seconded the motion, and the motion was unanimously approved.

CPDD ZONING ORDINANCE AMENDMENT: Continue a joint public hearing, consider, and take any necessary action on an ordinance amending the town's Zoning Ordinance, specifically, Division 14: Commercial Planned Development District (CPDD), in order to adopt a Framework Plan which shall replace in whole, the existing CPDD Land Use Map and establish four new sub-district classifications to be known as the Urban Village Sub-District, Urban Transition Sub-District, Neighborhood General Sub-District, and the Neighborhood Edge Sub-District, and to amend the CPDD code in order to provide for amended procedural requirements and permitted land uses, and amended standards and guidelines for site design, building form, building design, street design, parking, outdoor lighting, signage, landscaping, and fencing; preserving the special entertainment overlay district.

This public hearing was held in conjunction with the Comprehensive Plan amendment public hearing. As stated above, the council approved this item.

ZONING CHANGE SOUTHEAST CORNER OF BLUEBIRD LANE AND HIGHWAY 5: Continue a joint public hearing, consider, and take any necessary action on an ordinance rezoning and adopting a Framework Plan for a 0.95± acre tract situated in the John A. Taylor Survey – Abs. No. 909, which is currently zoned One-Acre Ranch Estate (RE-1) and is generally located at the southeast corner of State Highway 5 (SH 5) and Bluebird Lane, to the Commercial

Planned Development District (CPDD), specifically, to apply the Urban Transition Sub-District standards and guidelines to the subject property. (ZA2014-14)

Mr. Schmidt stated the Town of Fairview is the applicant for this zoning change request. Mr. Schmidt gave a presentation regarding the zoning change request for the subject property, generally located at the southeast corner of State Highway 5 and Bluebird Lane. The property is currently zoned One-Acre Ranch Estate (RE-1) and is categorized as Residential Suburban on the Future Land Use Plan. The town has requested to rezone the property to the CPDD zone and apply the Urban Transition Sub-District and Overlay "D" to the subject property. Mr. Schmidt stated this would permit only single-family residential uses to be constructed.

Mr. Schmidt stated 52 property owners were notified. Town staff received two (2) statements of support and one (1) statement of opposition. Mr. Schmidt the town recommends approval of the request.

There was no discussion among the commission or the council.

Mayor Culbertson reopened the public hearing from the July 17, 2014 joint Town Council and Planning and Zoning Commission meeting held at Puster Elementary School. No comments were made.

Mayor Culbertson closed the public hearing.

There was no discussion among the commission.

Commissioner Friend made a motion to approve an ordinance rezoning and adopting a Framework Plan in order to apply the Urban Transition Sub-District standards and guidelines to the subject property. Commissioner VanNatta seconded the motion, and the motion was unanimously approved.

There was no discussion among the council.

Councilmember Lessner made a motion to approve an ordinance rezoning and adopting a Framework Plan in order to apply the Urban Transition Sub-District standards and guidelines to the subject property. Councilmember O'Reilly seconded the motion, and the motion was unanimously approved.

Mayor Culbertson thanked the Petefish family and other property owners for their support throughout the process. He also thanked members of town staff, Planning and Zoning Commission and Town Council for their time and effort.

Chairman Northcutt adjourned the Planning and Zoning Commission at 7:25 p.m.

Mayor Culbertson welcomed Alex, a Boy Scout, who was in attendance as part of earning a merit badge.

FEE SCHEDULE ORDINANCE AMENDMENT: Consider and take any necessary action on an ordinance amending the town's Fee Schedule, specifically, Appendix A, Article A3.000 (Miscellaneous Fees), in order to amend the fee schedule for planning and development application review within the Commercial Planned Development District (CPDD).

Mr. Schmidt stated the proposed fees are necessary in order to implement the Urban Design Officer review process. Mr. Schmidt stated there are four (4) development application types these fees would apply to: 1) Regulating Plan Review 2) Regulating Plan Amendment 3) Development Plan Review and 4) Development Plan Amendment within the CPDD. The Urban Design Officer fee is a variable fee. Mr. Schmidt stated two fees were added for Development Plan Review and Development Plan Amendment within the Planned Center district. These fees will be received by the town from the applicant at the conclusion of the application review process. Mr. Schmidt stated staff will present the council with a proposed service agreement with Townscape for Urban Design Officer services at the next meeting.

The council had a discussion regarding notification fees, major warrant fees and pass-through costs.

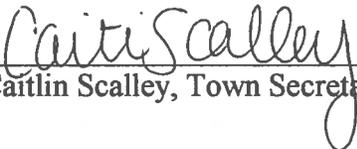
Councilmember O'Reilly made a motion to approve an ordinance amending the town's Fee Schedule in order to amend the fee schedule for planning and development application review within the CPDD. Councilmember Powell seconded the motion, and the motion was unanimously approved.

Mayor Culbertson adjourned the joint meeting at 7:37 p.m.



 DARION CULBERTSON, MAYOR

ATTEST:



 Caitlin Scalley, Town Secretary



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, SEPTEMBER 18, 2014**

The Planning and Zoning Commission met in regular session on Thursday, September 18, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Chairman Brad Northcutt, Vice Chairman Jim Rushing, Pat Friend and Mike VanNatta. Staff members present were Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-in-Training, Danielle Gregory; and Town Secretary/Public Relations Coordinator, Caitlin Scalley. Commission members Heather Hager, Matt Faulkner and Debbie Flood were absent.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the August 14, 2014 Planning and Zoning Commission meeting.

Commissioner Friend made a motion to approve the minutes for the August 14, 2014 commission meeting. Commissioner VanNatta seconded the motion, and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request by Mr. David Field of Edward Jones Investments to amend Ordinance No. 2013-8-6A, the Planned Center Zoning District for 430 S. State Highway 5, a 0.5-acre property specifically defined as Lot 1, LA Caldwell's Dreamland Addition - 1st Installment, generally in order to amend the definition for office uses permitted on the site and to update the development plan and standards for the PC district. (ZA2014-19).

Mr. Northcutt suggested the public hearings for planning cases ZA2014-19 and R2014-01, items 3C and 3D on the agenda, be conducted prior to the public hearings for PA2014-02 and ZA2014-15, items 3A and 3B on the agenda. The commission agreed.

Mr. Schmidt gave a presentation regarding a zoning change request to amend the permitted uses of the subject property and to update the development plan and standards. The current permitted uses include boutique retail and business office. Mr. Schmidt stated the applicant is proposing to use the existing structure on the property to provide office space for an Edward Jones Investments office. Mr. Schmidt stated the applicant is requesting to amend the definition for the business office use, to provide for five require pull-in parking spaces instead of six, to accommodate the required fire hydrant on the south side of Bluebird Lane instead of the north side and for flexibility to deviate from the currently prescribed landscape plan.

Mr. Schmidt stated 46 property owners had been notified. Town staff received two (2) statements of support and no statements of opposition. Mr. Schmidt stated town staff recommends approval conditioned upon removal of boutique retail as a permitted use. Mr. Schmidt stated staff supports the request to limit the parking lot size.

The potential property owner, David Fields, resides at 551 Saint Gabriel Way, McKinney, Texas. Mr. Fields stated staff would consist of himself and his business administration officer with the potential to create an additional position in the future.

Chairman Northcutt opened the public hearing.

Leland Payne, 398 Parkvillage Avenue, asked about potential signage regulation. Mr. Schmidt stated signage would not be regulated under this zoning request, rather by existing town sign regulations.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding potential zoning creep, flexibility in the landscape plan and proposed hours of operation.

Commissioner Rushing made a motion to approve the zoning change request conditioned upon the removal of the boutique retail use. Commissioner Friend seconded the motion, and the motion was unanimously approved.

- 3. Conduct a public hearing, consider, and take any necessary action on a request by Brochette, Davis, and Drake, Inc. to replat a 4.185± acre tract of land that is zoned Commercial Planned Development District (CPDD), Zone K, and is generally located east of US 75 and north of Stacy Road, being Lot 9C, Block A, of the Village at Fairview Addition. (R2014-01).**

Mr. Schmidt gave a presentation regarding a replat request to subdivide the subject property into two lots, Lots 9D and 9E, and add a fire lane easement in order to accommodate the development of a bank on the proposed Lot 9E.

Mr. Schmidt stated adjacent property owners had been notified in accordance with town and state requirements. Town staff received no statements of support or opposition. Mr. Schmidt stated town staff recommends approval of the request to replat Lot 9C, Block A, Village at Fairview Addition.

Chairman Northcutt opened the public hearing. No comments were made.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding the Whole Foods Market parking lot.

Commissioner Friend made a motion to approve the request to replat Lot 9C, Block A, of the Village at Fairview Addition. Commissioner Rushing seconded the motion, and the motion was unanimously approved.

4. **Conduct a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for an amendment to the Future Land Use Plan component of the Comprehensive Plan for six tracts of land comprised of 72.959± acres and generally located east of Country Club Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently designated as Residential Estate Country and Floodplain and the requested designation is for the Open Space Preservation and Floodplain land uses. (PA2014-02).**

Mr. Schmidt suggested the public hearings for planning cases PA2014-02 and ZA2014-15, items 3A and 3B on the agenda, be held concurrently and each item be voted on separately. The commission agreed.

Mr. Schmidt gave a presentation pertaining to planning cases PA2014-02 and ZA2014-15. He stated the plan provides slightly larger lots on the east side of the property and lots were shifted causing one lot to be placed in the previously proposed open space area. These changes were made in response to comments made from the previous Planning and Zoning Commission meeting on August 14, 2014.

Mr. Schmidt gave an overview of the floodplain recovery process. He stated the town discourages development in the floodplain, but that development is permitted with the Town Engineer's approval. Mr. Schmidt stated the applicant is requesting to recover 9.06 acres of floodplain. The applicant is also proposing 17 acres of open space and a public hike and bike trail.

Mr. Schmidt stated 68 property owners were notified. Town staff received two (2) statements of support and ten (10) statements of opposition. Mr. Schmidt stated town staff does not have a recommendation pertaining to the request.

Chairman Northcutt opened the public hearing.

Trent Ballew, 531 Kentucky Lane, stated his concerns regarding proposed lot size as six (6) of the proposed lots are within 50 feet of his property. He stated concerns regarding the proposed removal of the grove of trees located at the center of the subject property, uniformity issues with adjacent properties and drainage issues.

Brian Reid, on behalf of M. Christopher Homes, addressed Mr. Ballew's concerns. He stated a drainage easement has been included in the plan and the grove was removed to address previous density concerns.

Brian Mauer, 1210 Camino Real, stated his concerns regarding developing and disturbing the floodplain.

Mike Weaver, 481 Home Place, stated his concerns regarding the floodplain and drainage issues. He stated his support and noted that the subject property would develop at some point.

Kerschiel Smith, 470 Country Club Road, stated his concerns regarding density. He stated he wants the property to develop and that the developer has high quality homes.

Justin Jinright, property owner of 571 Kentucky Lane, stated his support of the revised plan as his concerns from the previous Planning and Zoning Commission meeting were addressed by the applicant.

Richard Hickman, 1220 Camino Real, stated his primary concern is flooding. He stated he sent a letter of opposition, but will give his support if the Town Engineer validates the private engineer's study. He asked the developer to help clear out the creek, if possible.

Mel Tolle, 1300 Farmstead, stated his support.

Mr. Schmidt stated an adjacent property owner who sent a statement of opposition, but was unable to attend the meeting, would like to see trail access for Kentucky Lane.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding park board involvement, liability concerns associated with public access through private property, density without accounting for open space, and lot size concerns.

Commissioner Rushing stated the market controls lot size, and he appreciates the varying lot sizes. He stated his concerns regarding flooding.

Commissioner VanNatta asked for clarification regarding floodplain reclamation. Mr. Chancellor stated reclamation was possible in this situation.

Commissioner Friend asked for clarification on the number of potential homes that would require flood insurance. Mr. Chancellor stated that none of the proposed homes would require flood insurance.

Commissioner VanNatta made a motion to approve the request for an amendment to the Future Land Use Plan to change the land use classification from Residential Estate Country to Open Space Preservation. Commissioner Rushing seconded the motion, and the motion passed with three (3) approvals and one (1) opposed. Chairman Northcutt opposed the motion.

- 5. Conduct a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for a zoning change for six tracts of land comprised of 72.959± acres and generally located east of Country Club**

Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently zoned Agriculture (AG), Two-Acre Ranch Estate (RE-2), and the Open Space and Flood Hazard (FH) zones. The requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-15).

Commissioner Friend made a motion to approve the zoning change request from Agriculture, Two-Acre Ranch Estate and Open Space and Flood Hazard to Planned Center. Commissioner Rushing seconded the motion, and the motion passed with three (3) approvals and one (1) opposed. Chairman Northcutt opposed the motion.

6. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt informed the commission that the Town Council voted to continue the public hearings for planning cases PA2014-01 and ZA2014-12 to the October 7, 2014 Town Council meeting. Town Council requested to see more options to accommodate less density.

7. Discuss schedule for upcoming planning and zoning commission meetings and training events.

Mr. Schmidt stated the commission has the opportunity to attend the American Planning Association Texas Chapter Conference in Frisco on October 15-18, 2014. He stated the Town of Fairview received a Planning Excellence award from the Texas Chapter of the American Planning Association.

8. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 9:16 p.m.

Respectfully submitted,



Caitlin Scalley
Town Secretary/Public Relations Coordinator



Brad Northcutt, Chairman
Planning and Zoning Commission



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, OCTOBER 9, 2014**

The Planning and Zoning Commission met in regular session on Thursday, October 9, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Chairman Brad Northcutt, Vice Chairman Jim Rushing, Pat Friend, Heather Hager, Mike VanNatta, Matt Faulkner and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; Engineer-in-Training, Danielle Gregory; and Town Secretary/Public Relations Coordinator, Caitlin Scalley.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the September 18, 2014 Planning and Zoning Commission meeting.

Commissioner Flood made a motion to approve the minutes as submitted for the September 18, 2014 Planning and Zoning Commission meeting. Commissioner Rushing seconded the motion, and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request by Mr. Randy Otto, for approval of a Conditional Use Permit (CUP) in order to allow for the construction of an accessory building on a property that is zoned Two-Acre Ranch Estate (RE-2) and is specifically located at 1351 Red Oak Trail, being Lot 12 of the Country Club Estates Addition to the Town of Fairview. (ZA2014-21)

Mr. Schmidt gave a presentation regarding an application for a Conditional Use Permit in order to reconstruct an accessory building at 1351 Red Oak Trail. Mr. Schmidt stated the applicant is requesting to replace the open bay structure with a fully enclosed structure and to upgrade the façade to be in line with the residential character of surrounding properties. Mr. Schmidt stated the applicant would exceed the square foot maximum accessory building footprint by 1,445 square foot and encroach into the 40 foot accessory building setback. He stated the applicant wishes to position the building similar to the existing building causing it to be slightly in front of the front façade of the primary structure.

Mr. Schmidt stated seven (7) property owners were notified in accordance with town and state law. Town staff received one (1) statement of support and no statements of opposition. Mr. Schmidt stated town staff recommends approval of the application as submitted.

The applicant, Randy Otto, stated improvements are needed to help with security and protection of his possessions. He stated animals are entering his vehicles and

have access to his equipment. Mr. Otto stated he would take the existing building down to the foundation and rebuild it to meet his needs.

Chairman Northcutt opened the public hearing. No comments were made.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding the applicant's intentions pertaining to landscaping surrounding the new structure.

Commissioner Flood made a motion to approve the Conditional Use Permit to allow for construction of an accessory building conditioned upon the applicant communicating his intention to provide landscaping. Commission Faulkner seconded the motion, and the motion was unanimously approved.

3. **Conduct a public hearing, consider, and take any necessary action on a request by Chase Oaks Church for approval of an amendment to Ordinance No. 2013-11-5A. The 10.672± acre subject property is located in the John A. Taylor Survey – ABS No. 909, and is generally located north of Stacy Road and 1,400' west of Meandering Way. The subject property is currently zoned One-Acre Ranch Estate (RE-1) with a Conditional Use Permit (CUP) for a religious institution, and the purpose of this request is to amend the existing CUP, by providing an amended site plan, landscape plan, tree survey, and façade plan. (ZA2014-17)**

Mr. Schmidt gave a presentation regarding a request to amend Ordinance 2013-11-5A to amend the previously approved site plan, landscape plan, tree removal plan and façade plan. The applicant is making the request in an effort to reduce construction costs for the site, to respond to feedback received from adjacent property owners and to reflect changes in the building location and fire access drive.

Mr. Schmidt stated thirty (30) property owners were notified in accordance with town and state law. Town staff received one (1) statement of opposition concerning the landscape buffer and setback of the fire lane. Mr. Schmidt stated town staff recommends approval of the application with the condition that the applicant continue to work on the landscape screening on the northern boundary and attempt to address the location and setback of the fire lane to move it further south on site.

Glen Brechner, on behalf of Chase Oaks Church, stated he supports staff's request to continue to work on the location of the fire lane and landscape buffer to address adjacent property owner's concerns.

Mr. Schmidt stated the most efficient route is to work out the details of this item as it goes to the Town Council rather than during the platting process.

Jim Riley, a civil engineer for the applicant, stated the building structure has been moved east out of the floodplain and that the fire lane can be moved further south.

The commission had a discussion regarding setbacks and reasoning behind the provision of a berm.

Chairman Northcutt opened the public hearing.

Mike Burkhart, 620 Forest Oaks Court, stated he would like a berm that will serve as an immediate screen and not one with forecasted growth. He stated his primary concern is that the plan will go through the process without further public input.

Bob Scott, 640 Forest Oaks Drive, stated his concern that a verbal discussion would not result in action. He stated an acceptable plan is needed prior to approval.

Brian Holmes, 890 Saint James Drive, addressed resident concerns regarding the playground area, the single slab breezeway connecting two buildings and the removal of the amphitheater.

Commissioner Flood asked town staff if it was possible to move the church closer to Stacy Road. Mr. Schmidt stated that the applicant does not desire to reconfigure the location and orientation of the church site.

The commission had a discussion regarding public input and the effect of modifications to the landscape buffer. Mr. Brechner stated he is willing to work towards a solution within an appropriate timeframe.

Commissioner Friend made a motion to approve amending the Conditional Use Permit for the subject property conditioned upon staff approval of a revised buffer plan and revised fire lane location. Commissioner VanNatta seconded the motion, and the motion was unanimously approved.

- 4. Conduct a public hearing, consider, and take any necessary action on a request by Faith Church of Collin County, for approval of a Conditional Use Permit (CUP) on a 2.99± acre tract of land located within the John A. Taylor Survey - ABS No. 909, and that is generally located at the southwest corner of Murray Road and State Highway 5. The subject property is currently zoned One-Acre Ranch Estate (RE-1) and the purpose of the CUP request is to provide for a religious institution on the subject property. (ZA2014-20)**

Mr. Schmidt stated the applicant did not have time to make revisions and that review of the application would be postponed until the next schedule Planning and Zoning Commission meeting.

Chairman Northcutt opened the public hearing.

Chris Fry, 420 Horseshoe Trail, stated his desire for the church to be built with high standards. He stated he supports the layout and attention should be given to the landscaping along Murray Road.

Chairman Northcutt closed the public hearing. No action was taken.

5. **Conduct a public hearing, consider, and take any necessary action on a request by LandPlan Development for an amendment to the Future Land Use Plan component of the Comprehensive Plan for a 76.9± acre tract comprised of the 56.2± acre Williams tract, 17.5± acres comprised of Lot 1B and Lot 1-1, Block A, Ward Addition (Price Tract), and a 3.2± acre segment of Lots 2 and 3, Jackson Estates Addition, and that is generally located west of Stoddard Road and north of Sloan Creek. The subject properties are currently designated as Residential Estate and the requested designation is for the Residential Suburban land use. (PA2014-03)**

Mr. Schmidt gave a presentation pertaining to planning cases PA2014-03 and ZA2014-18. He suggested one public hearing be held concurrently for both planning cases. He stated the applicant, LandPlan Development, is applying on behalf of the current property owners. Mr. Schmidt stated the proposed use is a medium-density residential neighborhood comprised of 139 single-family residential lots, 13.98 acres of private open space and public hike and bike trails. He stated the development would likely be developed in two phases and the applicant's projected build-out is the summer of 2018.

Mr. Schmidt stated there are two points of access on Stoddard Road and the applicant is accommodating a potential right-of-way dedication that may allow the town to extend a roadway across Sloan Creek. Mr. Schmidt stated the proposed development will have a projected traffic impact of 1,330 vehicle trips per day based on projected demographics. The applicant prepared a Traffic Impact Analysis (TIA) that indicated the FM1378/Stoddard Road intersection is currently at a poor level of service and would continue at this level of service with the proposed development. Mr. Schmidt stated both the applicant and town staff supports the need for a traffic signal at this intersection. Mr. Schmidt stated the TIA indicates a traffic signal at the intersection will raise the level of service from an "F" to a "B". The applicant has offered to pay up front all roadway impact fees associated with the first phase of development, an estimated \$190,000 in order to help finance the installation of a traffic signal.

Mr. Schmidt stated 52 property owners were notified. Town staff received twelve (12) statements of opposition from within the notification range, eighteen (18) statements of opposition from outside of the notification range and within Tranquility Farms, and twenty (20) statements of opposition from Fairview Meadows. Town staff received two (2) statements of support. Mr. Schmidt stated town staff does not have a recommendation.

Chairman Northcutt opened the public hearing.

Jim Williams, on behalf of LandPlan Development Corporation, gave an overview of previous projects from the Dallas-Fort Worth area.

Douglas Mousel, on behalf of LandPlan Development Corporation, stated the proposed development will serve as a transition between the high density of the Commercial Planned Development District (CPDD) and the low density of the residential area. He stated the school district differential poses a challenge for the property.

Tom Scallion, 802 Dewberry Lane, stated his concerns regarding density, traffic impact on Stoddard Road, safety issues for the school zone and potential impact on quality of life. He stated his opposition of the request and stated he prefers Land Plan develop the tract.

Michael Peay, 915 Foxglove Trail, stated his opposition to the request and his support of the developer.

Brent Morgan is building a home in Tranquility Farms and currently resides at 1804 Saint Johns Avenue, Allen, Texas. He stated his support of the developer and his concerns regarding traffic impact and density.

Leslie Knight, 841 Beechwood Lane, stated her opposition due to the proposed density, school district impact and traffic impact.

Ginger Gouvion, 911 Foxglove Trail, stated her concern regarding children's safety and access on Stoddard Road causing issues.

Stephanie Hunt, 980 Briardale Court, stated her concerns regarding traffic on Stoddard Road.

Kent Gardner, 909 Tranquility Drive, stated his concerns regarding traffic and the proposed density.

Annette Davis, 806 Dewberry Lane, stated she is impressed with the school districts and stated her traffic concerns.

Lori Lauter, 717 Elmbrook Drive, stated her opposition due to the proposed density and stated her concerns regarding increasing traffic on Stoddard. She stated twenty-eight (28) residents had signed a petition in opposition of the request.

Steve Sims, 850 Timberwood Lane, stated he understands the concerns regarding traffic and density and his support for the developer.

Chris Fry, 420 Horseshoe Trail, stated his support for the request.

Bernadette Mussell, 453 Sloan Creek Parkway, stated her opposition to the proposed density.

Tim Jackson, 9113 Bedford Lane, stated his support.

Dale Powrie, 5144 Pond Bluff, stated his support of the proposal and stated it will make an appropriate transition community.

Wynne Allen, 1021 Hart Road, stated her opposition to the proposed density.

David Wideman, 990 Country Trail, stated his support of the concept.

Chuck Williams, 801 Stoddard Road, stated his support of the request and stated the real issue is traffic.

Bruce Kelly, 800 Country Club, stated his support of the developer and that the school district differential is an issue for the property. He stated the primary issue is traffic, not density.

Ginger Gouvion, 911 Foxglove Trail, stated residents are not responsible for the Williams property selling value.

Sam Price, 941 Stoddard Road, stated his support of the request and stated the landowner should be able to choose how to develop the land.

Lori Lauter, 717 Elmbrook Drive, stated there are plenty of potential residents who would want one acre lots with access to McKinney ISD.

Ross Tarkington, 960 Hart Road, stated his support of the request.

Commissioner Flood left the room at 10:06 p.m. and returned at 10:08 p.m.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding traffic issues, property values due to school district designation and density concerns. The commission had a discussion regarding the proposed traffic signal solution provided by the applicant. Mr. Schmidt stated the traffic signal is subject to state approval.

Commissioner Friend made a motion to table agenda items 3D and 3E, planning cases PA2014-03 and ZA2014-18, in order to allow the applicant to revisit density reduction with town staff. Commissioner Hager seconded the motion. The motion carried with a 4-3 vote, with Commissioners Rushing, Faulkner and Flood voting in opposition of the motion.

- 6. Conduct a public hearing, consider, and take any necessary action on a request by LandPlan Development for a zoning change for a 76.2± acre tract of land comprised of a 55.5± acre segment of the Williams tract, 17.5± acres comprised of Lot 1B and Lot 1-1, Block A, Ward Addition (Price tract), and a 3.2± acre segment of Lots 2 and 3, Jackson Estates Addition (Jackson tract), and that is generally located west of Stoddard Road and north of**

Sloan Creek. The subject properties are currently zoned Agricultural (AG) and One-Acre Ranch Estate (RE-1), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. ZA2014-18)

Planning cases PA2014-03 and ZA2014-18 were combined into one public hearing. The commission voted to table these agenda items with a 4-3 vote. Commissioners Rushing, Faulkner and Flood voted in opposition of the motion.

7. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt stated Town Council had voted to continue the public hearings for planning cases PA2014-01, ZA2014-12, PA2014-02 and ZA2014-15 to the regular Town Council meeting on November 4, 2014.

8. Discuss schedule for upcoming planning and zoning commission meetings and training events.

There was no discussion.

9. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 10:51 p.m.

Respectfully submitted,


Caitlin Scalley
Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission



**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, NOVEMBER 13, 2014**

The Planning and Zoning Commission met in regular session on Thursday, November 13, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Chairman Brad Northcutt, Vice Chairman Jim Rushing, Mike VanNatta, and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-in-Training, Danielle Gregory; Town Attorney, David Overcash and Town Secretary/Public Relations Coordinator, Caitlin Scalley. Commission members Pat Friend, Heather Hager and Matt Faulkner were absent.

Chairman Northcutt called the meeting to order at 7:01 p.m. and declared a quorum was present. Chairman Northcutt acknowledged the passing of Fairview resident Thomas Cline Thompson.

1. Consider and take action regarding the minutes of the October 9, 2014 Planning and Zoning Commission meeting.

Chairman Northcutt stated he had emailed changes to the minutes prior to the meeting. These changes were emailed to the commission prior to the meeting for review. Commissioner Rushing made a motion to approve the revised October 9, 2014 Planning and Zoning Commission meeting minutes. Commissioner Flood seconded the motion, and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request by LandPlan Development for an amendment to the Future Land Use Plan component of the Comprehensive Plan for a 76.9± acre tract comprised of the 56.2± acre Williams tract, 17.5± acres comprised of Lot 1B and Lot 1-1, Block A, Ward Addition (Price Tract), and a 3.2± acre segment of Lots 2 and 3, Jackson Estates Addition, and that is generally located west of Stoddard Road and north of Sloan Creek. The subject properties are currently designated as Residential Estate and the requested designation is for the Residential Suburban land use. (PA2014-03)

Mr. Schmidt summarized his presentation from the October 9, 2014 Planning and Zoning meeting pertaining to planning cases PA2014-03 and ZA2014-18. He stated the applicant has reduced the previously proposed density from 139 lots to 134 lots. He stated the primary public concern from the previous meeting and resident letters is roadway configuration and the potential traffic generated from the development. Mr. Schmidt stated the applicant prepared a Traffic Impact Analysis (TIA) that indicated a traffic signal at the FM1378/Stoddard Road intersection will raise the level of service from an "F" to a "B". Mr. Schmidt stated town staff recognizes the traffic signal is needed regardless of whether the proposed development is approved. He stated the applicant is proposing to

contribute roadway impact fees to install the traffic signal, but there is no guarantee the state will approve installation of the signal. Mr. Schmidt stated other public concerns included the impact on the park and trail system and the impact on adjacent property owners.

Mr. Schmidt stated fifty-two (52) property owners were notified in accordance with town and state law. Town staff received roughly 250 responses, with the majority being in opposition of the application. Mr. Schmidt stated a final count of responses was not available at the time of the meeting due to a large submission of signatures before the meeting.

Chairman Northcutt opened the public hearing.

Jim Williams, on behalf of LandPlan Development Corporation, gave an overview of previous projects from the Dallas-Fort Worth area. He stated the proposed plan allows for lower density within Lovejoy ISD and higher density within McKinney ISD.

Douglas Mousel, on behalf of LandPlan Development Corporation, stated the proposed development will serve as a transition between the high density of the Commercial Planned Development District (CPDD) and the low density of the residential area. He stated the development would be marketed toward professionals and empty-nesters due to the challenges presented by the school district differential.

Joan Scallion, 802 Dewberry Lane, stated her concerns regarding traffic and children's safety in the school zone. She requested the commission uphold the current zoning.

Tom Greenwald, 871 Beechwood Lane, distributed a map of the commissioners' residences. He stated members of the commission would directly benefit from the development due to increased property values. He requested the commission uphold the current zoning.

Jonathon Cocks, 820 Quail Rise, stated his neighborhood doesn't support the density or traffic generated by the proposed plan. He requested the commission consider the increase in traffic when Puster Elementary has an event.

Ginger Gouvion, 911 Foxglove Trail, stated the development is a school issue and subdividing doesn't help the school district. She stated the two exits off Stoddard Road won't serve to transport children if new school is built. She requested more planning take place by staff and the commission.

Wayne Spence, 1041 Country Trail, stated the eastern flow of traffic on the north side of the subject property has not been addressed.

Michael Gouvion, 911 Foxglove Trail, stated his primary concern is children's safety due to the proposed ingress and egress.

Catherine Ponder, 970 Foxglove, stated the commission should keep the subject property one (1) acre or more.

Michael Peay, 915 Foxglove Trail, stated the issue is the proposed density and traffic, not the developer. He stated it is not the commission's responsibility to create policy. He stated his opposition and noted that there are roughly 250 signatures of opposition to the requests.

Chairman Northcutt read a letter from Kimberly and Jason Morgan, 1010 Country Trail, stating they strongly oppose the requests.

Bernadette Mussell, 453 Sloan Creek Parkway, stated she opposes the proposed density.

Mr. Schmidt stated the commission's responsibility is to serve within an advisory role, including advising the Town Council on policy issues.

Keith Lovelace, 441 Horseshoe Trail, stated there is a lack of benefits to current residents in return for approving the proposed plan.

Maria Nevils, 781 Creekwood Drive North, stated she moved to Fairview because it is country and asked the commission to uphold the laws.

Ronen Kahana, 705 Elmbrook, stated his opposition to the plan. He stated the plan does not fit the town and current residents will have to deal with the challenges created by the proposed development.

Greg Boots, 906 Foxglove Trail, stated he didn't hear enough benefits from the developer to warrant changes to the town's mission and values. He stated the proposed plan belongs in a different community.

Rick Burg, 714 Bending Oak Trail, requested the commission uphold the Future Land Use Plan.

Steve Sims, 850 Timberwood Lane, stated Tranquillity Farms would not exist if changes had not been made to the Future Land Use Plan at that time. He stated the developer worked with the town and residents to develop something beneficial to the community and stated the commission should approve the request as submitted.

Chuck Williams, 801 Stoddard Road, stated he supports the plan as presented and that traffic is the only true concern.

Stephanie McFadden, 1091 Elmcreek, stated she is opposed to the proposed density and traffic impact. She requested the commission consider the plan without the traffic signal since it is not guaranteed and enforce one acre zoning.

Ginger Gouvion, 911 Foxglove Trail, stated her concern for children's safety.

Lori Lauter, 717 Elmbrook, stated she is opposed to anything less than one acre and requested the commission uphold the 2008 Future Land Use Plan.

Scott Smith, 720 Stallion, stated the accusations of personal benefit directed at the commission are unfair. He requested the commission look for a compromise that balances the neighborhoods, addresses traffic issues and lowers density.

Bruce Kelly, 800 Country Club, stated the real issue is density and he would prefer to see open developments rather than isolated neighborhoods. He stated his support for the development of the property, but would prefer a decrease in density.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding traffic on Stoddard and the possibility of installing a traffic signal at the intersection of Stoddard and FM1378. The commission had a discussion regarding the proposed density and future implications if the density were to be approved.

Chairman Northcutt asked for a motion to deny the request to amend the Future Land Use Plan for the subject property. A motion was not made to deny the request.

Commissioner Rushing made a motion to approve the request to amend the Future Land Use Plan in order to designate the subject property as the Residential Suburban land use. Commissioner VanNatta seconded the motion, and the motion carried with three (3) in support and one (1) in opposition. Chairman Northcutt opposed the motion.

Commissioner Rushing made a motion to approve the request for a zoning change of the subject property from Agricultural and One-Acre Ranch Estate to the Planned Center Zoning District. Commissioner Flood seconded the motion, and the motion carried with three (3) in support and one (1) in opposition. Chairman Northcutt opposed the motion.

The commission recessed at 9:20 p.m. and reconvened at 9:26 p.m.

- 3. Conduct a public hearing, consider, and take any necessary action on a request by LandPlan Development for a zoning change for a 76.2± acre tract of land comprised of a 55.5± acre segment of the Williams tract, 17.5± acres comprised of Lot 1B and Lot 1-1, Block A, Ward Addition (Price tract), and a 3.2± acre segment of Lots 2 and 3, Jackson Estates Addition (Jackson tract), and that is generally located west of Stoddard Road and north of Sloan Creek. The subject properties are currently zoned Agricultural (AG) and One-Acre Ranch Estate (RE-1), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-18)**

Planning cases PA2014-03 and ZA2014-18 were combined into one public hearing. The commission voted to approve the zoning change request with a 3-1 vote, with Chairman Northcutt voting in opposition of the motion.

4. **Conduct a public hearing, consider, and take any necessary action on a request by Travis Carpenter to amend the development plan for a 1.461± acre tract of land that is zoned Commercial Planned Development District (CPDD) – Neighborhood Edge Sub-district, and is generally located at the northeast corner of Sloan Creek Parkway and Pond Bluff Way, being Lot 7, Block J, of the Sloan Creek Estates – Phase III Addition. (DP2014-01)**

Mr. Schmidt recommended the commission hold one public hearing for planning cases DP2014-01 and R2014-02. He stated the applicant's wife would be representing the applicant.

Mr. Schmidt gave a presentation pertaining to planning cases DP2014-01 and R2014-02. He stated the applicant is requesting to subdivide the existing 1.461 acres lot into two single-family detached residential lots. Mr. Schmidt gave an overview of the review process and current zoning entitlements for the subject property. He stated the proposed development would not require the extension of any municipal roadways or utilities as the subject property was originally planned to be comprised of at least two lots. He stated each lot owner will be required to extend the sidewalk and it will terminate at the town's lift station site.

Mr. Schmidt stated property owners were notified in accordance with town and state law. Town staff received one (1) statement of support and five (5) statements of opposition. Mr. Schmidt stated town staff recommends approval of the Development Plan and Replat application as submitted.

Chairman Northcutt opened the public hearing.

Norma Carpenter, on behalf of the applicant, thanked staff for their efforts during this process. She stated she and her husband would like to subdivide the lot and build their home on the western side of the property and improve the eastern side of the property to attract a future property owner.

Ed Hayes, 445 Sloan Creek Parkway, stated it is time that the property develops. He stated his concern regarding the lot size of the smaller lot.

John Klarquist, 435 Sloan Creek Parkway, stated he supports developing the land, but not the proposed lot size. He stated his concern regarding the lot being positioned next to a lift station.

Bernadette Mussell, 453 Sloan Creek Parkway stated she does not support subdividing the lot.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding lot sizes and creating a buffer for the lift station.

Commissioner Flood made a motion to approve amending the development plan for the subject property. Commissioner Rushing seconded the motion, and the motion failed with two (2) in support and two (2) in opposition. Chairman Northcutt and Commissioner VanNatta voted in opposition of the motion.

Mr. Schmidt stated the failed motion will not trigger a super majority when the item is presented to the Town Council.

Commissioner Flood made a motion to approve the request to replat the subject property. Commission Rushing seconded the motion, and the motion failed with two (2) in support and two (2) in opposition. Chairman Northcutt and Commissioner VanNatta voted in opposition of the motion.

5. **Conduct a public hearing, consider, and take any necessary action on a request by Travis Carpenter to replat a 1.461± acre tract of land that is zoned Commercial Planned Development District (CPDD) – Neighborhood Edge Sub-district, and is generally located at the northeast corner of Sloan Creek Parkway and Pond Bluff Way, being Lot 7, Block J, of the Sloan Creek Estates – Phase III Addition. (R2014-02)**

Planning cases DP2014-01 and R2014-02 were combined into one public hearing. The commission's motion to approve the replat request failed with a 2-2 vote, with Chairman Northcutt and Commissioner VanNatta voting in opposition of the motion.

6. **Conduct a public hearing, consider, and take any necessary action on a request by Faith Church of Collin County, for approval of a Conditional Use Permit (CUP) on a 2.99± acre tract of land located within the John A. Taylor Survey - ABS No. 909, and that is generally located at the southwest corner of Murray Road and State Highway 5. The subject property is currently zoned One-Acre Ranch Estate (RE-1) and the purpose of the CUP request is to provide for a religious institution on the subject property. (ZA2014-20)**

Mr. Schmidt gave a presentation pertaining to a request by Faith Church of Collin County for approval of a Conditional Use Permit. He stated the applicant is proposing to provide for an Anglican church on the subject property and have planned for two (2) phases in order to meet their current needs and their buildout membership of 200 members. He stated the primary activity on the property will include two worship services on Sunday and bible studies, youth meetings and other activities throughout the week.

Mr. Schmidt stated access to the site will be provided from Highway 5 and Murray Road. He stated the traffic impact of the church will be fairly minor based on existing and projected membership. Mr. Schmidt stated the applicant will be

required to accommodate stormwater detention on the site. Mr. Schmidt stated the applicant has provided for 67 parking spaces. He stated the proposed outdoor lighting plan conforms to the town's outdoor lighting requirements. Mr. Schmidt stated the applicant's façade plan provides for a sanctuary building design consistent with the estate residential character of the surrounding area.

Mr. Schmidt stated property owners were notified in accordance with town and state law. Town staff received no statements of support and no statements of opposition. Mr. Schmidt stated the applicant held an open house with residents from Ranchette Estates. He stated town staff recommends approval of the request as submitted.

John Clifford, on behalf of Faith Church of Collin County, stated the church has been around for eighteen (18) years and has been renting spaces for the last seven (7) years. He stated his congregation would like to establish a place of worship and service.

Chairman Northcutt opened the public hearing.

Tommy Lowry, 481 Murray Road, stated he was contacted by the church to discuss the plan and express concerns. He stated his concerns have been addressed by the church, and he appreciates town staff's efforts in working with the church and surrounding residents to find solutions for both parties.

Sherri Richmond, on behalf of Faith Church of Collin County, stated the goal is to keep the property as natural as possible. She stated the lot size fits the congregation's needs.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding the lighting plan, peak hour traffic and the proposed bell tower.

Ms. Richmond stated the bell tower would be used after Sunday service, weddings and special occasions. She stated the bell tower would consist of bells and chimes.

Mr. Schmidt stated restrictions could be placed within the ordinance to limit the bell tower uses to chimes and bells. The applicant agreed to this restriction.

Commissioner VanNatta made a motion to approve the Conditional Use Permit for the subject property. Commissioner Rushing seconded the motion, and the motion was unanimously approved.

7. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt stated the Town Council approved planning cases PA2014-01 and ZA2014-12 at the November 4, 2014 Town Council meeting. He stated the

council chose option 2 which consisted of a street configuration with several cul-de-sacs and larger lots along Stacy Road. Mr. Schmidt stated the council had continued the public hearing for planning cases PA2014-02 and ZA2014-15 to the December 2, 2014 Town Council meeting. Mr. Schmidt stated the council approved planning case ZA2014-17 in order to amend the existing Conditional Use Permit for Chase Oaks Church.

8. The Planning and Zoning Commission acting as the Tree Board under Ordinance No. 2009-5-5C will consider and take action regarding the town's annual Tree City USA Recertification Application.

Ms. Scalley gave an overview regarding the town's annual Tree City USA Recertification Application. She stated the town has met the four (4) standards established by the Arbor Day Foundation in order to receive the Tree City USA designation, and the recertification application is ready to be submitted. She stated Mayor Culbertson proclaimed November 4, 2014 as Arbor Day in the Town of Fairview.

The Tree Board had a discussion regarding tree canopy coverage within the town. Chairman Northcutt stated the Tree Board did not have any recommendations for staff regarding the recertification application, and he stated the application is ready for submission by staff to the Arbor Day Foundation.

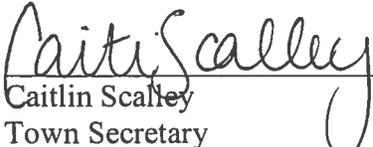
9. The Planning and Zoning Commission acting as the Tree Board under Ordinance No. 2009-5-5C will discuss priorities of work for the upcoming calendar year.

Mr. Schmidt stated he would like to hold a discussion regarding the Tree Board's priorities of work for the upcoming year at a future Planning and Zoning Commission meeting due to commissioners not being present during this meeting. The commission agreed to hold the discussion at a future meeting.

10. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 10:48 p.m.

Respectfully submitted,


Caitlin Scalley
Town Secretary




Brad Northcutt, Chairman
Planning and Zoning Commission

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, DECEMBER 11, 2014**

The Planning and Zoning Commission met in regular session on Thursday, December 11, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Chairman Brad Northcutt, Pat Friend, Heather Hager, Mike VanNatta, Debbie Flood, Ricardo Doi and Leslie Knight. Staff members present were Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-in-Training, Danielle Gregory; and Town Secretary/Public Relations Coordinator, Caitlin Scalley.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present. Chairman Northcutt welcomed newly appointed commissioners Ricardo Doi and Leslie Knight.

1. Consider and take action regarding the minutes of the November 13, 2014 Planning and Zoning Commission meeting.

Chairman Northcutt stated he recommends adding language to the minutes regarding his request to the commission for a motion to deny a request by LandPlan Development to amend the Future Land Use Plan for planning case PA2014-03.

Commissioner VanNatta made a motion to approve the revised November 13, 2014 minutes. Commissioner Flood seconded the motion, and the motion carried with six (6) in support and one (1) abstention. Commissioner Doi abstained.

2. Conduct a public hearing, consider, and take any necessary action on a request by Grenadier Homes for Major Warrants pertaining to building type standards, district transition standards, block length and configuration standards, open space standards, street and parking standards, and architectural standards for a 14.22± acre tract of land that is zoned Commercial Planned Development District (CPDD) – Urban Transition Sub-district, and is generally located at the southeast corner of State Highway 5 and Bluebird Lane. (MW2014-01).

Mr. Schmidt gave a presentation pertaining to a request by Grenadier Homes for Major Warrants for the subject property zoned CPDD – Urban Transition Sub-district. He stated the applicant is applying on behalf of the current property owner Marwan Saker. Mr. Schmidt stated this is the first application to appear before the commission under the updated CPDD code. He stated the commission should only consider items that require Major Warrants during this public hearing, and not components of the application that conform to the code.

Mr. Schmidt gave an overview of the Major Warrants evaluation criteria and existing entitlements for the subject property. He stated the applicant began plans to develop the subject property during the town's early stages of the update to the CPDD code and was advised by town staff to withhold submitting a plan until the update was complete. Mr. Schmidt stated the applicant was advised by town staff to modify their proposal in order to conform to the proposed CPDD code. He stated the applicant has not been receptive to revising the plan to conform to the new code despite having met with town staff and the Urban Design Officer.

Mr. Schmidt stated town staff determined critical elements to the form and function of the plan that need to be addressed by the applicant. These elements include failure to provide for rear entry garages and alleys, failure to meet front entry garage offset requirements for lots where front entry garages are permitted, failure to front the townhomes facing S Highway 5 on a residential street instead of the open space provided for in the plan, and failure to provide for Manor Lots adjacent to the Hawkswood neighborhood. Mr. Schmidt stated town staff would support finding compromises for the remaining Major Warrants if the applicant addressed these critical elements in their plan.

Mr. Schmidt stated seventy-six (76) property owners were notified in accordance with town and state law. Town staff received three (3) statements of opposition and no statements of support. Mr. Schmidt stated the applicant has continued to advance a plan that is flawed and fails to address critical elements that will hinder the property from functioning appropriately. Mr. Schmidt stated town staff recommends denial without prejudice of all Major Warrants for the subject property.

Chairman Northcutt opened the public hearing.

Marwan Saker, the current property owner, stated he would like to develop the property while remaining a good neighbor to Bluebird Lane. He stated the process for developing the property began several years ago, and he was under the impression that the CPDD code would not affect his property due to the small nature of the project.

Anthony Natale, on behalf of Grenadier Homes, stated he interpreted the CPDD code differently from town staff as many of the items presented by Mr. Schmidt are subjective. He gave an overview of the proposed plan and addressed his interpretations of the CPDD code.

Cody Hooper, 491 Bluebird Lane, stated he had a petition with twenty-three (23) signatures in opposition. He read the petition and stated concerns regarding traffic congestion, safety and density.

Elaine Belcher, 5691 Hummingbird Lane, stated her opposition to the request and stated issues related to her neighborhood that was developed by Grenadier Homes.

Steve Ogden, 541 Bluebird Lane, stated his neighborhood enjoys a simple lifestyle and requested the commission be cautious of the proposal in order to avoid significantly changing the character of the neighborhood.

Mary Price, 579 Meandering Way, stated her concerns regarding town staff's recommendation that the applicant provide rear-entry garages and alleys to the single-family detached homes.

Terry Nash, 550 Bluebird Lane, stated his concerns regarding parking and density creeping into the Bluebird neighborhood.

Deb Grace, 5860 Fairview Parkway, stated she loves her home that was developed by Grenadier Homes.

Scarlett Murry, on behalf of Grenadier Homes, stated she has sold more than 200 Grenadier Homes and over half have been paid in cash.

Max Wood, 551 Bluebird Lane, addressed Mr. Saker's previous proposals over the past several years. She stated she wanted to illustrate the time and energy Bluebird residents have spent related to Mr. Saker's property. She requested a 35 foot buffer between Bluebird Lane and the proposed development.

Bill Ameser, 550 Talia Circle, stated his concerns regarding creating alleys along properties on Hawkswood.

John McFadden, 501 Bluebird Lane, stated the majority of the changes around his neighborhood have been good and spoke about the history of the area.

Chairman Northcutt closed the public hearing.

Mr. Schmidt stated an alley would not be required and is not being proposed along Hawkswood. He stated the intent of the CPDD code is controlled and interpreted by the town.

The commission had a discussion regarding alleys. The commission had a discussion regarding concerns related to the large number of Major Warrants being requested. The commission had a discussion with the applicant and town staff regarding potential solutions to the presented critical elements.

Chairman Northcutt asked the applicant for his preference on whether the commission should vote on the request as submitted or table the item to allow additional time to find solutions. Mr. Natale stated he would be willing to look at alternatives with town staff.

Commissioner Friend made a motion to deny the request for Major Warrants for the subject property without prejudice. Commissioner Hager seconded the motion. Commissioner Doi and Commissioner Flood stated their desire to table the request in order to allow the applicant an opportunity to address the commission's concerns. The motion carried with four (4) in support and three (3)

in opposition. Chairman Northcutt, Commissioner Doi and Commissioner Flood voted in opposition of the motion.

- 3. Consider, discuss, and take any necessary action on a request by TxMorrow Construction to approve a Final Plat for a proposed multi-family residential development on a 24.40± acre tract of land that is situated in the Joseph Dixon Survey, Abstract No. 275, zoned Commercial Planned Development (CPDD) District, Urban Village Sub-District, and is generally located west of SH 5 and north of Meandering Way. (FP2014-04).**

Mr. Schmidt gave an overview of the Final Plat application for the subject property. He stated the applicant was permitted to commence site work prior to plat application in order to begin work on site grading and utility installation. Mr. Schmidt stated the plat application was not presented to the commission at that time because there were issues related to construction techniques that would negatively impact the town's ability to accept the full proposed public land dedication.

Mr. Schmidt stated the applicant is providing for two points of access on S Highway 5. He stated town staff intends to apply for a traffic signal warrant for the S Highway 5 and Meandering Way intersection upon occupation of the proposed development. Mr. Schmidt stated the applicant is proposing to dedicate 10.8 acres of open space, including the provision of a public hike and bike trail and open space furnishings. He stated the Parks and Recreation Board recommended approval of the proposal as submitted. Mr. Schmidt stated the outdoor lighting plan provides for sufficient lighting at the development entryways and conforms to the town's outdoor lighting requirements. Mr. Schmidt stated the landscape planting plan provides for sufficient buffering from adjacent properties.

Mr. Schmidt stated the application conforms to the town's subdivision regulations, as well as the approved Site Plan. He stated town staff recommends approval of the Final Plat application as submitted.

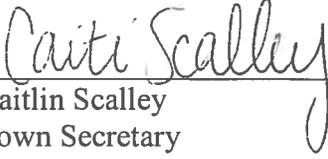
The commission had a discussion with Mr. Chancellor regarding utilities and drainage.

Commissioner Doi made a motion to approve the Final Plat for a proposed multi-family residential development on the subject property. Commissioner Friend seconded the motion, and the motion was unanimously approved.

- 4. Adjourn.**

Chairman Northcutt adjourned the commission from the meeting at 10:07 p.m.

Respectfully submitted,


Caitlin Scalley
Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission

