



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, MARCH 3, 2015
6:30 P.M.
AGENDA**

1. Call to order.
2. Town Council recesses into executive session.

The Town Council will meet in closed session regarding the following items and/or any item posted on the agenda notice for this meeting as necessary under the following exceptions to the Open Meetings Act under Texas Government Code:

Section 551.071 – to consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code including the CPDD; town property and construction issues; Comprehensive Plan; anticipated litigation regarding public facilities.

Section 551.072 Real property - land acquisition for town facilities.

Section 551.074 Personnel - including all non-advisory boards and commissions, including appointments to committees and boards.

Section 551.087 – to discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the Town of Fairview has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Fairview and with which the Town is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). Proposed commercial/retail developments.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

3. Town Council reconvenes into regular session and may consider and take action as appropriate on any executive session item. (*approximately 7:30*)

4. Pledge of allegiance.

5. Invocation by Pastor Chad Womack.

6. Appointments

- a. Presentation from Weaver and Tidwell regarding the annual independent audit for the fiscal year ending September 30, 2014, and take any necessary action.

7. Consent agenda

- a. Approve minutes of the January 27, 2015 special council meeting and the February 3, 2015 regular council meeting.
- b. Approve an Amending Plat, Lots 7 and 8, Block A of the Tranquility Farms Addition to the Town of Fairview.
- c. Approve the release of retainage for the 2013 Residential Street Paving Improvements.
- d. Authorize the Town Manager to enter into a Water Tower Use License Agreement with Rhino Communications, Inc. for the water tower located at 1200 Stacy Road.
- e. Approve a request by Chase Oaks Church for approval of a Final Plat for a religious institution on a 10.68± acre property that is generally located north of Stacy Road and 1,400' west of Meandering Way. (**FP2014-05**).
- f. Table a request to execute a facilities agreement with DD Fairview II LLC regarding the construction of public open space improvements for a proposed multi-family residential development that is generally located west of SH 5 and north of Meandering Way to the next scheduled Town Council meeting.
- g. Table 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 zoned Commercial Planned Development (CPDD) District, Urban Village Sub-District, and is generally located west of SH 5 and north of Meandering Way to the next scheduled Town Council meeting. (**FP2014-04**).

All items listed under the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items. If discussion is desired, an item may be removed from the consent agenda and considered separately.

8. Public Hearings

- a. Conduct a public hearing, consider, and take any necessary action on a request by Mr. Pete Soliz, 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 61 Man O War Lane, being Lot 60 of the Fairview Farms #4 Addition to the Town of Fairview. **(ZA2015-01)**.
- b. Conduct a public hearing, consider, and take any necessary action on a request by Saleem Rajani for a Replat of Lots 52 and 53, Block A of the River Oaks II Addition in order to create one additional residential lot from the land area of the two existing residential lots. The subject properties are zoned One-Acre Ranch Estate (RE-1) and are generally located north of Oakglen Circle. **(R2015-02)**.
- c. 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 residential uses. **(ZA2015-02)**.
- d. Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. to approve a Development Plan for Parkside at Fairview, a proposed residential neighborhood comprised of sixty residential lots, four common area lots, and one public open space dedication. The subject property is currently zoned Planned Center (PC) and is generally located south of Stacy Road and 1,300' west of Orr Road. **(DP2014-05)**.
- e. Conduct a public hearing, consider, and take any necessary action on a request by Fairview Hospitality LLC for Major Warrants pertaining to block face configuration standards, building type standards, and architectural standards for a 1.5284± acre segment of Lot 5, Block A of the Village at Fairview Addition that is zoned Commercial Planned Development District (CPDD) – Urban Village Sub-district, and is generally located at the southeast corner of Convention Drive and Murray Farm Road. **(MW2014-02)**.
- f. Conduct a public hearing, consider, and take any necessary action on a request by Fairview Hospitality LLC for a Replat of Lot 5, Block A of the Village at Fairview Addition in order to create a 1.5284± acre lot for the development of a hotel use. The subject property is zoned Commercial Planned Development District (CPDD) – Urban Village Sub-district, and is generally located at the southeast corner of Convention Drive and Murray Farm Road. **(R2015-01)**.
- g. Conduct a public hearing, consider, and take any necessary action on a request by Grenadier Homes for Major Warrants pertaining to building type 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. **(MW2014-03).**

9. Action/Discussion Items

- a. Consider, discuss and take any necessary action on a request by Hickman Consulting Engineers, Inc. for approval of a Preliminary Plat for the Three Oaks Addition, a proposed residential neighborhood comprised of eleven single-family residential lots and one common area lot on a 16.484± acre tract of land situated in the town's ETJ and that is generally located north of Country Club Road and west of Rowley Mile. **(PP2015-01).**
- b. Consider and discuss awarding bid on the Fairview Parkway Detention Pond Landscaping Improvements, and take any necessary action.

10. Citizen's Input

At this time, any person with business before the council not scheduled on the agenda may speak. Each person will have up to five minutes. No formal discussion or action may be taken on these items at this meeting.

11. Receive reports from Staff, including any updates on project tracking reports, and department activities.

- a. Monthly Financial Report – Period ending January 31, 2015

12. Receive reports from staff or the Town Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda."*

13. Adjourn.

I, Caitlin Scalley, Town Secretary, hereby certify that notice of the above named meeting was posted on the bulletin board of the Town Hall of the Town of Fairview, Texas, a place readily

accessible to the public at all times, on the 27th day of February, 2015 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Caitlin Scalley, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheel chair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, or readers, are requested to contact the Town Secretary's office at 972-562-0522, ext 4234 or by fax at 972-886-4203.