

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, APRIL 23, 2009**

Chairman Bill Wells called the meeting to order at 7:10 p.m. Commission members present were Renee Powell, Paul Hendricks, Sylvia Hastedt, Brayton Campbell and Tom Supan. Staff members present were Planning Director Alan Efrussy; Assistant to the Town Manager, Matt Donnell; Management Intern Shane Pettit and Town Secretary Michelle Lewis Sirianni. Commissioner Darion Culbertson was absent.

- 1. Consider and take action regarding the minutes of the April 9, 2009 Planning and Zoning Commission meeting.**

Commissioner Campbell made a grammatical correction on page three of the minutes.

Commissioner Powell made a motion to approve the minutes of the April 9, 2009 meeting. Commissioner Campbell seconded that motion and the motion was unanimously approved.

- 2. Conduct a public hearing and take action regarding a Revised Concept Plan for The Village At Fairview, located north of Stacy Road, east of US 75, west of State Highway 5, and south of Ridgeview Drive, within the Commercial Planned Development District (CPDD), Zone K.**

Mr. Efrussy introduced this item stating that the main reason(s) for the revisions to the Concept Plan include reducing the size of the West Parking Deck from 501 spaces to 228 spaces, minor adjustments to the building footprints and slight modifications to the sizes and shapes of the retail buildings; however, the overall design, layout and character of the project remain the same. Mr. Efrussy stated that the Concept Plan meets the town requirements and the town staff is recommending approval.

Matt Gallo, Development Manager for the MG Herring Group, stated that minor modifications are being reflected on the plan. Mr. Gallo stated that Mr. Efrussy highlighted most of them including the slight changes to the building sizes and reducing the size of the parking deck.

Chairman Wells opened discussion to the public. No comments were made.

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to the commission members. Mr. Hendricks asked if the size of the parking garage was smaller due to the reduction of spaces. Mr. Gallo responded that the parking garage is smaller.

Commissioner Powell asked about the connection of Indian Springs Road. Gar Herring, VP MG Herring, responded that it will have a natural connection and stop signs that will progress with the traffic flow.

Commissioner Hendricks made a motion to approve the Revised Concept Plan for The Village At Fairview, located north of Stacy Road, east of US 75, west of State Highway 5, and south of Ridgeview Drive, within the Commercial Planned Development District (CPDD), Zone K. Commissioner Campbell seconded that motion and the motion was unanimously approved.

3. Conduct a public hearing and take action regarding a Revised Site Plan for The Village At Fairview, located north of Stacy Road, east of US 75, west of State Highway 5, and south of Ridgeview Drive, within the Commercial Planned Development District (CPDD), Zone K.

Mr. Efrussy introduced this item stating that a Concept Plan must be approved before the Site Plan in the CPDD. Mr. Efrussy stated that the site plan offers more detail than a Concept Plan. Mr. Efrussy stated that the Site Plan includes reducing the size of the West Parking Deck from 501 to 228 spaces; slight modifications to the sizes and shape of retail buildings; and a request to utilize temporary asphalt paving in the locations of buildings 700 and 800. Mr. Efrussy stated that the Site Plan meets requirements and the staff recommends approval as submitted.

Matt Gallo, Development Manager for the MG Herring Group, stated that a Site Plan is more specific than the Concept Plan and stated the temporary asphalt is to help with the parking until all the buildings are constructed.

Chairman Wells opened discussion to the public. No comments were made.

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to the commission members. Commissioner Hendricks asked if there was a time limit on the temporary asphalt and what happens after the time limit expires. Mr. Efrussy responded that there is a six year time limit and within that time limit, the applicants may come forward and request to change the plan to develop that space.

Chairman Wells asked if nothing comes forward at the end of those six years what would happen. David Stouts, of the MG Herring Group, responded that they will have to tear it out or ask for an extension. Mr. Stouts commented that the asphalt will be painted and striped and will also include landscaping.

Commissioner Powell made a motion to approve the Revised Site Plan for The Village At Fairview, located north of Stacy Road, east of US 75, west of State Highway 5, and south of Ridgeview Drive, within the Commercial Planned Development District (CPDD), Zone K. The motion was seconded by Commissioner Hastedt and the motion was unanimously approved.

4. **Conduct a public hearing and take action regarding a Concept Plan for the southeast development of the Village At Fairview, that includes a town hall and related parking, in addition to future conceptual retail/office/restaurant buildings, and related parking; generally located west of State Highway 5, north of Stacy Road, east of the planned Waterfront Way, and south of the planned Indian Springs Road.**

Mr. Donnell introduced this item stating that the Concept Plan includes a town hall building with related parking and buildings. Mr. Donnell stated that the plan does meet town requirements and town staff recommends approval.

Matt Gallo stated that the town hall building is approximately 20,000 square feet that sits on five acres. Mr. Gallo stated that the surrounding space is not being actively marketed and will stay a field for a significant duration of time.

Chairman Wells opened discussion to the public. No comments were made.

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to the commission members.

Chairman Wells commented that he has been attending the town council meetings and the footprint of the building is the same that town council has seen and the building has been substantially approved, but the council is still discussing the windows on the exterior of the building. It was also noted that the building is four stories with basement parking for the police.

Commissioner Campbell made a motion to approve the Concept Plan for the southeast development of the Village At Fairview, that includes a town hall and related parking, in addition to future conceptual retail/office/restaurant buildings, and related parking; generally located west of State Highway 5, north of Stacy Road, east of the planned Waterfront Way, and south of the planned Indian Springs Road. Commissioner Powell seconded that motion and the motion was unanimously approved.

5. **Conduct a public hearing and taking action regarding a Site Plan for the southeast development of The Village At Fairview, that includes a town hall and related parking, generally located west of State Highway 5, north of Stacy Road, east of the planned Waterfront Way, and south of the planned Indian Springs Road.**

Mr. Donnell introduced this item stating that the approval of the Site Plan will allow the town to move forward on the project. Mr. Donnell stated that the Site Plan meets all requirements and recommends approval with the exception of the elevation, landscape and lighting plans, which will be submitted at a later date, and the reason being that the town staff and town council are still working to finalize the design for the town hall structure.

Chairman Wells opened discussion to the public. No comments were made.

Chairman Wells opened discussion to the commission members. Commissioner Campbell asked if there would be grass on the undeveloped areas. Mr. Gallo responded that the empty areas will be graded and grassed until future development was brought forward.

Commissioner Campbell made a motion to approve the Site Plan for the southeast development of The Village At Fairview that included a town hall and related parking, generally located west of State Highway 5, north of Stacy Road, east of the planned Waterfront Way, and south of the planned Indian Springs Road. Commissioner Hendricks seconded that motion and the motion was unanimously approved.

- 6. Conduct a public hearing and take action regarding a re-plat for the southeast development of The Village At Fairview, that includes a town hall and related parking, generally located west of State Highway 5, north of Stacy Road, east of the planned Waterfront Way, and south of the planned Indian Springs Road.**

Mr. Chancellor introduced this item stating that the purpose of the replat is to create a five acre tract for the new town hall and remaining acreage will be used for future development. Mr. Chancellor stated that the town staff has reviewed this replat and finds that it meets the Subdivision requirements.

Chairman Wells opened discussion to the public. No comments were made.

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to commission members. No comments were made.

Commissioner Powell made a motion to approve the re-plat for the southeast development of The Village At Fairview that includes a town hall and related parking, generally located west of State Highway 5, north of Stacy Road, east of planned Waterfront Way, and south of the planned Indian Springs Road. Commissioner Hastedt seconded that motion and the motion was unanimously approved.

- 7. Conduct a public hearing and take action regarding the zoning of property that is annexed and unzoned, commonly known as the Pezzulli property, consisting of 1.98 acres, generally located south of and adjacent to Country Club Road (FM 1378), east of Stoddard Road, west of Beachwood Lane, and north of Hart Road, to the One-Acre Ranch Estate Zone.**

**ABSTRACT A0791 SLOAN, SAMUEL, BLOCK 1, TRACT 194, ACRES 0.1100;
ABSTRACT A0791 SLOAN, SAMUEL, BLOCK 1, TRACT 15, ACRES 0.6200;
ABSTRACT A0791 SLOAN, SAMUEL, BLOCK 1, TRACT 208, ACRES 1.2500.**

Mr. Efrussy introduced this item stating that this subject property consists of 1.98 acres and town staff is recommending the RE-1 Zone based on the fact that (1) the nearest 1.5 zone is relatively far away and would not be consistent with nearby zoning and (2)

zoning the property to RE-1 will be a continuation/extension of the existing RE-1 zone from its current area. Mr. Efrussy stated that Mr. Pezzulli supports this recommendation.

Chairman Wells opened discussion to the public. No comments were made.

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to the commission members. Chairman Wells asked if this recommended zoning would be compatible to the balance of Mr. Pezzulli's other property. Mr. Efrussy stated that Mr. Pezzulli's adjacent property is zoned to the RE-1 zoning district and the zoning of this subject property to RE-1 would therefore provide zoning consistency.

Commissioner Hendricks made a motion to approve the zoning of the property that is annexed and unzoned, commonly known as the Pezzulli property, consisting of 1.98 acres, generally located south of and adjacent to Country Club Road (FM 1378), east of Stoddard Road, west of Beachwood Lane, and north of Hart Road, to the One-Acre Ranch Estate Zone.

8. Conduct a public hearing and take action regarding a Conditional Use Permit (CUP) for the development of a proposed accessory building, to be located at 100 Seattle Slew.

Mr. Donnell introduced this item stating that the applicant is proposing to construct a horse barn in the exact location where a previous barn was located. Mr. Donnell stated that Mr. Phillips' property is zoned RE-2 and is approximately 3.63 acres in size and contains two existing accessory buildings and the proposed third building is 400 square feet in size. Mr. Donnell stated that the proposed area will have little negative impact due to the existing landscaping. Mr. Donnell added that the neighbors are in support of this recommendation and further, the town staff recommends approval.

Randy Phillips, 100 Seattle Slew, property owner, stated that they are building the barn where they had their previous barn. Mr. Phillips stated that they are using an existing slab and also chose to keep it there since it would have less visibility to their neighbors.

Chairman Wells opened discussion to the public. No comments were made.

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to the commission members. Chairman Wells asked if there was an encroachment on their building. Mr. Phillips stated that it has to do with the septic system line.

Commissioner Powell made a motion to approve the Conditional Use Permit (CUP) for the development of a proposed accessory building with the size and location as submitted. Commissioner Hastedt seconded that motion and the motion was unanimously approved.

9. Conduct a public hearing and take action regarding a Conditional Use Permit (CUP) for the development of a proposed building, to be located at 636 Merlot Court.

Mr. Donnell introduced this item stating that subject property is zoned to the RE-1 zoning district and is two acres in size. Mr. Donnell stated that there are two existing accessory buildings on the property: a detached garage (500 sq. ft.) and a pool house (900 sq. ft.). Mr. Donnell stated that the proposed accessory building is approximately 240 square feet and will be used as additional storage and an existing landscape buffer will screen the building for less visibility. Mr. Donnell stated that the neighbors support this recommendation and the town staff recommends approval.

Glenn Messner, 636 Merlot, property owner, stated that he has brought in over 80 trees to his property for privacy and retaining a country environment. Mr. Messner stated that the building will be used for extra storage for tools, etc.

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

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to the commission members. Chairman Wells asked what the maximum square footage was for an accessory building on two acres. Mr. Donnell responded that 1800 is the maximum and with his two existing buildings plus the new proposed building that Mr. Messner is below the maximum square footage.

Commissioner Campbell asked if the accessory building was a manufactured building or a building that will be newly constructed. Mr. Messner responded that he is a home builder and that he will be constructing his accessory building.

Commissioner Hendricks made a motion to approve a Conditional Use Permit (CUP) for the development of a proposed building, to be located at 636 Merlot Court. Commissioner Hastedt seconded that motion and the motion was unanimously approved.

10. Adjourn.

Chairman Wells adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Michelle Lewis Sirianni
Michelle Lewis Sirianni
Town Secretary

ATTEST:

Billy Wells
Billy Wells, Chairman
Planning and Zoning Commission

