

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, MAY 14, 2009**

Chairman Bill Wells called the meeting to order at 7:03 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; Management Intern Emily Eckstein; Town Engineer James Chancellor and Town Secretary Michelle Lewis Sirianni. Commissioner Darion Culbertson was absent.

- 1. Consider and take action regarding the minutes of the April 23, 2009 Planning and Zoning Commission meeting.**

Commissioner Campbell called in a grammatical correction prior to the meeting.

Commissioner Powell made a motion to approve the minutes of the April 23, 2009 meeting. Commissioner Campbell seconded that motion and the motion was unanimously approved.

- 2. Conduct a public hearing and take action regarding a re-plat for certain portions of the Villas in the Park subdivision regarding the dedication of park area to the Town of Fairview; obtaining of right-of-way; and modifications of residential lot lines. This subdivision is generally located northeast of the Village At Fairview development, west of and adjacent to State Highway 5, and south of Fairlanding Avenue.**

Mr. Chancellor introduced this item stating the developer, due to market conditions, wishes to convert 24 of the 2 story townhouse units to 19 single story units. This change requires a change on the plat to reflect the new lot lines. Mr. Chancellor stated the developer has agreed to include park land that will be dedicated to the town. The right-of-way around the park land is also a part of this re-plat.

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 what is the average square footage of the two story townhouses versus the one story townhouses. Anthony Natale who is the developer, stated that the two story townhome was 1235-1500 square feet and the one story is 1400-1600 square feet. Mr. Natale stated that the one story is a little bigger and has a larger lot versus the two story being constructed on a smaller lot. Mr. Natale added that they have had more requests and people looking for the one stories versus the two.

Commissioner Powell asked if the property to the north included garden homes and how many phases were being developed. Mr. Efrussy responded that there are two phases and they are at the end of the first phase.

Chairman Wells asked how many units were approved versus amended. Mr. Natale responded that there were 12 off Hwy 5 that has been reduced to eight and 24 to 19 for the amended units.

Commissioner Hendricks made a motion to approve a re-plat for certain portions of the Villas in the Park subdivision regarding the dedication of park area to the Town of Fairview; obtaining of right-of-way; and modifications of residential lot lines. This subdivision is generally located northeast of the Village At Fairview development, west of and adjacent to State Highway 5, and south of Fairlanding Avenue. Commissioner Powell seconded that motion and the motion was unanimously approved.

3. Conduct a public hearing and take action regarding a Conditional Use Permit (CUP) for the development of a proposed accessory building, for storage purposes (192 square feet), to be located at 40 Secretariat Lane.

Mr. Donnell introduced this item stating that this subject property is a little over three acres and currently has three existing accessory buildings. The proposed size of this accessory building is approximately 192 square feet. Mr. Donnell stated that town staff finds this proposed building will have minimal impact and therefore recommends approval.

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

Chairman Wells closed the public hearing.

Chairman Wells opened discussion to commission members.

Commissioner Hendricks asked what the third accessory building is. Mr. Donnell responded that the applicant currently has a gazebo, patio covered addition and a garage. Commissioner Powell asked if the garage was attached or detached. Mr. Donnell responded that the resident has one attached and one detached garage.

Commissioner Campbell asked that by adding the proposed accessory building, how much it exceeds the allowable maximum square footage. Mr. Donnell responded that he doesn't have an exact number, but it doesn't exceed by much since the proposed building is a small building compared to what's currently there.

Commissioner Powell made a motion to approve a Conditional Use Permit (CUP) for the development of a proposed accessory building, for storage purposes (192 square feet), to be located at 40 Secretariat Lane. Commissioner Hastedt seconded that motion and the motion was unanimously approved.

4. **Discussion regarding access for an approved Concept Plan for a mixed-use development comprising 13.27± acres located at the southeast corner of State Highway 5 and Bluebird Lane within the Commercial Planned Development District (CPDD), Zone G.**

Chairman Wells stated that the applicant is not present and will pass over this item, based on the request of this applicant.

5. **Discussion of a proposed Assisted Living Facility on property located at 780 Stoddard Road, zoned One-Acre Ranch Estate Zone (RE-1).**

Mr. Donnell introduced this item stating that this subject property is currently zoned RE-1 and the proposed concept would require a re-zoning to allow for this type of residential dwelling to operate. Mr. Donnell stated that the applicant, Todd Downing, would like to discuss the process of re-zoning and the proposed idea of having an assisted living facility at this location.

Todd Downing stated that he would like to get feedback on the possibility of building an assisted living facility following The Green House concept and model. Mr. Downing stated that this concept creates a residential like environment with caregivers and nurses for the individuals who live there.

Commissioner Powell asked how large the facility is and how many employees will work there, if there is 24/7 care provided. Maggie Monzingo responded that there will be 24/7 care and there would be two to three employees there at all times. Commissioner Hastedt asked if only residents live there and not the employees. Ms. Monzingo confirmed that only the residents will live at the facility.

Commissioner Powell asked if the parking for the employees would be behind this facility. Mr. Downing replied that there would be parking behind this assisted living facility and it would have to have sufficient spaces to accommodate the holidays, but they haven't determined what that number of spaces would be at this time. Commissioner Campbell asked if DART would be extended out to this area. Mr. Chancellor responded that DART does have the right-of-way and it could be a potential problem. Mr. Downing commented that he envisions a c-shaped access off Country Club and Stoddard Road and would like the facility to resemble a French country cottage.

Chairman Wells stated that he likes the concept, but he believes it's located in the wrong place due to the surrounding land uses in the area. Chairman Wells stated that he doesn't foresee this piece being re-zoned near the existing residential lots and questioned what would be the difference in putting it in another neighborhood. Mr. Downing commented that he believes in keeping this proposed use in a residential character to be more homelike and minimize its clinical aspect.

Commissioner Campbell asked the applicant if he has talked to surrounding neighbors. Mr. Downing responded that he has not talked to the neighbors and wanted to approach and get feedback from the commission first.

Commissioner Hendricks asked what the surrounding zoning was around this subject area. Mr. Donnell stated that there are residential lots to the south, east of SH 5 is a barn

that is zoned Agriculture, and the remaining properties are zoned RE-1. Mr. Donnell stated that if re-zoned, the applicant could request a Planned Center (PC) zone, which is custom crafted and can be for residential or commercial land uses. Commissioner Hendricks added that his only concern would be that it could set a precedent. Commissioner Hastedt asked how much control the town would have if zoned to the PC zoning district. Mr. Efrussy responded that the town staff, planning and zoning commission and town council would be able to make recommendations as conditions of approval, with the council approving said conditions which would have to be abided by the applicant.

Commissioner Campbell stated that he likes the concept, but his biggest concern would be the surrounding neighbors and believes it is important that everyone surrounding it would like the concept.

6. Adjourn.

Chairman Wells adjourned the meeting at 8:07 p.m.

Respectfully submitted,

Michelle Lewis Sirianni

Michelle Lewis Sirianni
Town Secretary

ATTEST:

B. Wells

Billy Wells, Chairman
Planning and Zoning Commission

