

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, AUGUST 13, 2009**

Chairman Brayton Campbell called the meeting to order at 7:06 p.m. Commission members present were Tom Supan, Renee Powell, Paul Hendricks, Sylvia Hastedt and Brad Northcutt. Staff members present were Planning Director Alan Efrussy; Town Manager, John Godwin; Assistant to the Town Manager, Matt Donnell; Management Intern Emily Eckstein; Community Development Manager, Ray Dunlap and Town Secretary, Michelle Lewis Sirianni. Commissioner Ricardo Doi was absent.

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

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

- 2. Conduct a public hearing and take action a Conditional Use Permit (CUP) for a proposed accessory building on proposed Lot 18A, located at 623 Merlot Court, within the Vineyards of Fairview Subdivision.**

Mr. Donnell introduced this item stating that the property owners combined the two lots they own so that they can build an accessory building. Mr. Donnell stated that the accessory building will be used for additional parking, storage, and lawn equipment. Mr. Donnell stated that the town staff finds the proposed building will have minimal impact on neighboring properties, is compliant with town requirements and therefore, recommends approval.

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

Chairman Campbell closed the public hearing.

Chairman Campbell opened discussion to commission members. Commissioner Northcutt asked if the accessory building would be complimentary to the primary residence. Mr. Little responded that it will look just like the house. Chairman Campbell asked if the neighbors were aware of their plans. Mr. and Mrs. Little responded that their neighbors were aware.

Commissioner Hendricks made a motion to approve the Conditional Use Permit (CUP) for a proposed accessory building on proposed Lot 18A, located at 623 Merlot Court, within the Vineyards of Fairview Subdivision. Commissioner Hastedt seconded that motion and the motion was unanimously approved.

3. Conduct a public hearing and take action regarding an amendment to the Commercial Planned Development District (CPDD), increasing the masonry requirements on all structures within this zoning district.

Mr. Godwin introduced this item stating that the main purpose was to ensure quality development with a common standard. Mr. Godwin stated that this is an amendment to the Planned Development (PD) ordinance. Mr. Godwin clarified a few points by stating that the 90% is for the first four stories only, three stories of the building are allowed without specific permission, the town does not allow ten story buildings, that it does make a difference what you build things out of and the image of a lick'em and stick'em concept is not appealing and EIFS will not be allowed. Mr. Godwin stated that it just doesn't have durability.

Mr. Godwin stated that at the last meeting there seemed to be some confusion on the word 'sustainability'. Mr. Godwin stated that the word is meant to imply 'durable', something that won't fall apart, get mold, etc. Mr. Godwin stated that there are high standards for all developers and the town is protecting quality development. Mr. Godwin added that where a Site Plan is already approved, they will not be affected. Mr. Godwin stated that the town and the MG Herring Group completed a memo of understanding to ensure everyone is in agreement. Mr. Godwin stated the town's primary concern is the 860± acres that will not be developed by the MG Herring Group. The town cannot assume all developers will be cordial and workable and they need to think ahead to future properties. Mr. Godwin stated that there is no huge hurry, but the standards are worthwhile and the town is essentially catching up with other surrounding cities.

Chairman Campbell opened the public hearing. Matt Gallo, Development Manager for MG Herring Group, stated that they met with town staff and received a better understanding of what would and would not be affected. Mr. Gallo stated that they are very proud of the project and the buildings out there do comply with the current proposal and specifically used the PD zoning for flexibility to create the Village At Fairview. Mr. Gallo stated that as future projects are brought forward, they would like to request a workshop to discuss the future components with the town.

Chairman Campbell closed the public hearing.

Chairman Campbell opened discussion to commission members. Commissioner Supan asked if the current buildings within the project are in compliance. Mr. Gallo responded that a combination of materials are being used and that they approached the design with the town and went through the architectural review committee and received their approval, but very few materials meet the new proposed requirements. Mr. Godwin commented that a PD and/or PC district is designed to be able to negotiate. Mr. Godwin stated the idea is to start with a high standard. Mr. Godwin commented that he understands that it is more expensive to build with all masonry, but the town is building the new town hall with the 90% requirement.

Commissioner Powell thanked Mr. Godwin for providing the additional information.

Chairman Campbell stated that if structures are built below standards that over time he questioned if they would be structurally sound. Chairman Campbell questioned if stucco was as strong as brick or stone. Mr. Godwin responded that he doesn't believe they are

the same. David Stouts, MG Herring, stated that some buildings within the project did use stucco and some building wouldn't look the same if a different material was used. Mr. Stouts stated that in his opinion stucco is just as strong as brick or stone. Mr. Stouts stated his concern would be the similarities it would bring amongst the buildings.

Commissioner Powell made a motion to approve the amendment to the Commercial Planned Development District (CPDD), increasing the masonry requirements on all structures within this zoning district. Commissioner Supan seconded that motion and the motion was unanimously approved.

4. **Discussion regarding the zoning of property that is unannexed and unzoned, scheduled to be annexed as part of the Three-Year Annexation Plan in October, 2009. This subject property is known as the Mussett property comprising approximately 7.907± acres and is generally located east of the Heritage Ranch Subdivision, north of Stacy Road, south of Summit Court, and west of County Road 317 and is recommended for an Equestrian-Oriented Planned Center (PC) Zoning District.**

Mr. Efrussy introduced this item stating that this is a discussion as part of the tabled public hearing on July 9, 2009 and that the Future Land Use Plan within the Comprehensive Plan indicates that this property is Residential Estate Country, which recommends single-family residential lots at a minimum of two (2) acres in size. Mr. Efrussy stated that the Mussett's have requested an equestrian oriented use since Mrs. Mussett has maintained an equestrian business on this property for twelve years. Mr. Efrussy stated that the Mussett's submitted a proposed site plan indicating existing and proposed structures on their site. Mr. Efrussy stated that even though the Comprehensive Plan indicates this as Residential Estate Country, town staff believes this equestrian-oriented use better advances the goals and objectives of the Comprehensive Plan more than would a RE-2 zone, which is the zoning district that would implement the Residential Estate Country land use Planned Center (PC) district. Mr. Efrussy stated he would like to receive feedback this evening from the commission and then initiate the public hearing process for said district.

Commissioner Powell asked that if the site plan is approved, would the property owners need to come back to the commission to do a fence and/or a covered arena. Mr. Efrussy responded that they would not have to come back to the commission and that they would apply for a building permit and follow those requirements.

Commissioner Northcutt asked if they currently board horses and would they at any point need to add an additional building to store hay. Mrs. Mussett stated that they do board horses and they currently have enough space for their hay. Mrs. Mussett stated that when necessary they have moved their trailers and placed their hay there for storage and don't foresee needing an additional building for hay storage.

Commissioner Powell asked if the horse to acre ratio is applicable. Mr. Efrussy responded that it does not apply with the PC district since it is custom crafted. Commissioner Hastedt asked how many horses are on the property. Mrs. Mussett responded that there are typically 6-8 horses on the property. Mr. Efrussy commented

that there is enough acreage to accommodate the horses. Mrs. Mussett added that they do have one recovery pasture as well.

Chairman Campbell asked with the 15 acres that surround the property, if the Mussett's have any future ideas or plans. Commissioner Hastedt asked the Mussett's if they train and teach lessons. Mrs. Mussett responded that she does teach lessons and as long as they have been there, they have had no complaints from neighbors thus far.

Commissioner Hendricks asked if there were any environmental concerns or run off concerns with the adjacent properties. Mr. Efrussy responded that there are no environmental or run off concerns. Mrs. Mussett commented that they compost everything.

Commissioner Hendricks asked if the PC district will state a maximum number of animals. Commissioner Hastedt recommends and encourages staff to start with a higher number allowed based on the equestrian oriented uses and as long as the care for the horses and property is taken care of, then there should be great leeway.

Chairman Campbell closed the discussion and also closed the public hearing.

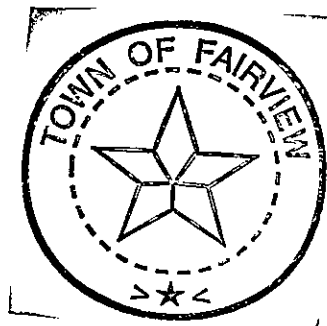
Commissioner Hastedt made a motion to discard town staffs original recommendation to the RE-2 zoning district and request staff to initiate the public hearing process as a Planned Center District for an equestrian oriented use. Commissioner Northcutt seconded that motion and the motion was unanimously approved.

5. Adjourn

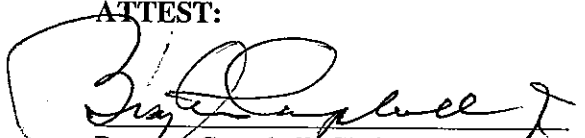
Chairman Campbell adjourned the meeting at 8:10 p.m

Respectfully submitted,


Michelle Lewis Sirianni
Town Secretary



ATTEST:


Brayton Campbell, Chairman
Planning and Zoning Commission