

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, SEPTEMBER 10, 2009**

Chairman Brayton Campbell called the meeting to order at 7:09 p.m. Commission members present were Ricardo Doi, Renee Powell, Paul Hendricks and Brad Northcutt. Staff members present were Planning Director Alan Efrussy; Assistant to the Town Manager, Matt Donnell; Community Development Manager, Ray Dunlap and Town Secretary, Michelle Lewis Sirianni. Commissioners Tom Supan and Sylvia Hastedt were absent.

- 1. Consider and take action regarding the minutes of the August 13, 2009 Planning and Zoning Commission meeting.**

Commissioner Hendricks made a motion to approve the minutes of the August 13, 2009 commission meeting. Commissioner Powell seconded that motion and the motion was unanimously approved.

- 2. Consider and take action regarding the minutes of the August 27, 2009 Planning and Zoning Commission meeting.**

Commissioner Powell made a motion to approve the minutes of the August 27, 2009 commission meeting. Commissioner Hendricks seconded that motion and the motion was unanimously approved.

- 3. Conduct a public hearing and take action regarding a Revised Concept Plan for property comprising 30.897 acres within the Commercial Planned Development District (CPDD), Zone D, and generally located west of and adjacent to State Highway 5, and west of Meandering Way, north of Windmill Lane, and southwest of the Sloan Creek Estates subdivision. The proposed land uses include apartments and townhomes.**

Commissioner Campbell stated that Mr. Johnston, the representative for this project notified staff today that due to traveling difficulties, he was unable to attend the meeting. Commissioner Campbell stated that since the staff and the commission were unaware of this until today and did not have time to notify residents, he will open the public hearing to allow residents to comment and be recorded.

Commissioner Campbell opened the public hearing. Mike Vannata, 5141 Stream Crest Way, asked if the townhomes or the apartments were closer to Highway 5 and what their height restrictions are. Mr. Donnell stated that the town homes are two story and the apartments may go as high as three stories, but there is a transitional zone and buffering and the apartments come down to the lower elevation. Mr. Vannata asked if the only access was off of Highway 5 and how many units will be within the project. Mr. Donnell

responded that the only access is off of Highway 5 and would have a total of 333 units. Mr. Donnell stated that this is a reduction in the density and dwelling units from the Concept Plan that is currently approved and will increase the open space within this area.

Judy Habel, 5149 Pond Crest Trl, expressed her traffic concern that it may create with only having one entrance into and out of the development. Mr. Donnell responded that they are two entrances into the development and at the Site Plan level; a traffic study will be done and will help determine if any additional lanes etc. are needed and/or warranted.

Kathleen Rivera, 409 Rosemont, expressed her concern for the safety of the residents and if the town's police and fire department were prepared to handle increased activity due to the new development. Mr. Efrussy responded that the town's police and fire department are aware and ready for the new development and that the police chief and assistant fire chief /fire marshal review proposed developments as part of the town staff review, before said projects are submitted to the Planning and Zoning Commission. Chairman Campbell commented that Ms. Rivera could inquire with those departments for specific data. Commissioner Northcutt agreed and noted that the fire chief recently gave an update at a council meeting and the data/statistics are available.

Diana Mussett, 1761 Stacy Road, stated that in her opinion there is more quality in Fairview.

Commissioner Northcutt added that this proposed Concept Plan reduces the density and increases the open space versus the currently approved Concept Plan, and therefore, thinks this plan is better. Commissioner Hendricks thanked the residents for their comments.

Chairman Campbell left the public hearing open.

Commissioner Doi made a motion to table this project and leave the public hearing open until the commission meeting of September 24, 2009 for the Revised Concept Plan for property comprising 30.897 acres within the Commercial Planned Development District (CPDD), Zone D, and generally located west of and adjacent to State Highway 5, and west of Meandering Way, north of Windmill Lane, and southwest of the Sloan Creek Estates subdivision. The proposed land uses include apartments and townhomes. Commissioner Powell seconded that motion and that motion was unanimously approved.

- 4. Conduct a public hearing and take action 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. The 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.
ABSTRACT A0028 BOLES, CALVIN ,TRACT 222, 7.9070ACRES.**

Mr. Efrussy introduced this item stating that the staff's original recommendation for this property was to zone it RE-2 or RE-3 that would have been consistent with the Future Land Use Plan, but with the Mussett's maintaining a viable equestrian business on the

property for twelve years, town staff is now recommending an Equestrian Oriented Planned Center (PC) Zoning. Mr. Efrussy stated that the town staff recommends approval of the Site Plan as submitted which is a requirement for a PC zoning district.

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

Chairman Campbell closed the public hearing.

Chairman Campbell opened discussion to commission members. Commissioner Hendricks asked what would be the maximum number of horses allowed on the property since in the residential zones it is one grazing animal per acre. Mrs. Mussett responded that ten would be her maximum number since that's how many stalls she has for boarding, but would probably never have that many for boarding, but could have more than ten on a daily basis. Commissioner Hendricks stated that he'd like to see a maximum number limit set. Mrs. Mussett agreed and stated that she would never have more than ten to fifteen to be boarded. Mrs. Mussett commented that she does have days where certain chiropractors and acupunctures come in for services and some horses are there just for that day and don't stay overnight, but if a horse is there for training purposes, they do not stay longer than thirty days.

The consensus of the commission members was to state that the maximum number of equine animals shall be 10, except when additional horses are on the property for day training, boarding, or transit horses, said additional equine animals over the maximum number of 15 shall not remain on the property for more than 30 consecutive days.

Commissioner Powell made a motion to recommend approval for the zoning of property that is unannexed and unzoned, scheduled to be annexed as part of the Three-Year Annexation Plan in October, 2009. The 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 and the site plan as submitted shall have the notation of the consensus stated above. Commissioner Doi seconded that motion and the motion was unanimously approved.

5. Adjourn.

Chairman Campbell adjourned the meeting at 8:01 p.m

Respectfully submitted,

Michelle Lewis Sirianni

Michelle Lewis Sirianni
Town Secretary

ATTEST:

Brayton Campbell

Brayton Campbell, Chairman
Planning and Zoning Commission

