

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, MARCH 11, 2010**

Chairman Brayton Campbell called the meeting to order at 7:04 p.m. Commission members present were Tom Supan, Ricardo Doi, Renee Powell, Paul Hendricks, Darion Culbertson and Brad Northcutt. Staff members present were Planning Director Alan Efrussy; Community Development Manager, Ray Dunlap; and Town Secretary, Michelle Lewis Sirianni.

- 1. Consider and take action regarding the minutes of the February 25, 2010 Planning and Zoning Commission meeting.**

Commissioner Doi stated that he called in grammatical corrections prior to today's meeting.

Commissioner Powell made a motion to approve the minutes of the February 25, 2010 meeting. Commissioner Doi seconded that motion and the motion was unanimously approved.

- 2. Discussion regarding the construction of community garden and beach volleyball court within The Village At Fairview.**

Mr. Dunlap introduced this item stating that the current approved Concept Plan is currently marked for office buildings, but Town Council granted a temporary use for an asphalt parking lot. Mr. Dunlap stated that the Herring representatives stated that the parking lot is no longer needed and the MG Herring group is asking one plot to be turned into a beach volleyball court and the other into a community garden. Mr. Dunlap stated that this is just a discussion item only.

Gar Herring, President of MG Herring, stated that the area being proposed was site planned as office space. Mr. Herring stated that the concern is that the office project will not happen for some time due to financing. Mr. Herring stated in the meantime, they would like to create general activity amenities to increase traffic and activity. Mr. Herring stated that the proposed use will be temporary, so it needs to be affordable. Mr. Herring stated that they have researched other community gardens and beach volleyball activities to learn how they function. Mr. Herring stated that open grass is nice, but there's no attraction. There is a lot of restaurant activity near the garden site, which they believe will attract people. Mr. Herring stated that on the beach side, there will be regulation volleyball courts along with a children's play area with sand boxes and covered structures. He added that they are also looking at games: i.e. horseshoes, tetherball, etc., for

the parents as well as a small dog park. Mr. Herring stated that it will be a 1/3 of the size as on the City of Allen's side, but they felt it would provide the residents living there with animals with a place to take their animals.

Commissioner Culbertson asked if there would be outdoor facilities (bathrooms) nearby and additional parking added. Mr. Herring responded that they are not adding any additional outdoor facilities, but there are the nearby ones near the fountain that will be accessible and there's already sufficient parking with the surrounding businesses.

Kevin Cummings, Architectural Manager for the MG Herring Company, stated that the landscaping will not be as intense as the rest of the center. Mr. Cummings stated that they are looking to add some grass, a picket fence and some palm trees, but keeping everything around the fountain. Mr. Efrussy asked if the landscaping for this project was already included on the previously approved Village At Fairview plan or on a separate plan. Mr. Cummings responded that it is on a separate plan.

Mr. Herring stated that the areas will become self-maintained with a manager and website. Commissioner Culbertson stated that he likes the idea and asked how strict are the rules and who adopts the plots in regards to the community garden. Mr. Herring responded that they found that the proposed uses appeals to a vast group from young to old and that anyone interested will sign an agreement. Mr. Cummings added that they are self governed and typically they will police it themselves. Chairman Campbell asked if there is a fee to acquire a plot. Mr. Herring responded that they will pay something, maybe around \$10 a year.

Mr. Herring stated that regarding the garden, they are looking to use decomposed granite, but there will be a compost bin behind the storage bin and there will also be work tables. Mr. Herring added that there are a total of 76 plots (4x20) and 7 to 8 (20x20) and everything is irrigated.

Commissioner Supan asked if they believe that they will be competing with Whole Foods and do they want to put in lights to accommodate the volleyball courts. Mr. Herring responded that they do not believe that they will compete with Whole Foods and that the idea is to bring people together and a lot of times they create a social network. Mr. Herring stated that the lights will be the same as near the Cinema. Commissioner Supan asked what if leagues want to play at night. Mr. Cummings replied that they will be consistent with the parking lot and that there will be two flood lights on each court. Mr. Dunlap asked if the light fixtures will be full cut off with the Dark Skies Ordinance. Mr. Cummings stated the ones on the courts will not be; otherwise they will not be suitable for night play. Commissioner Doi asked if they will be submitting a photometric plan. Mr. Cummings replied that they will include a photometric plan.

Commissioner Northcutt asked if they have considered that in North Texas with the heat in the summer, sand temperatures could reach 100 degrees and how viable it would be in the summer to keep this area cool. Mr. Cummings responded that nighttime games will be very popular and most courts in the area do not have lights. Commissioner Doi asked if as long as there are lights, will there be leagues playing. Mr. Cummings confirmed that there will be leagues. Commissioner Supan asked if there is a liability issue. Mr. Herring responded that they did consider this and it's the same as any other business.

Commissioner Supan asked if the courts will be available to rent. Commissioner Northcutt asked if a process to reserve the courts has been considered. Mr. Herring responded that they probably will go through a marketing director or online website, but the details have not been worked out for either at this time.

Chairman Campbell asked what if these become a huge success and then financing comes through for the office sites, will they plan to move the volleyball and garden areas to other locations. Mr. Herring replied that it can have consequences and they might want to move these activities if possible, but they will still be temporary.

Commissioner Hendricks asked if there will be policing of the area. Mr. Herring responded that there is security on hand that patrols the area. Commissioner Powell asked if there was a concern with the bathrooms with teens, adults, etc. Mr. Herring responded that this tends to always be an issue, but will have security and cameras as a deterrent. Commissioner Powell stated her concern is inappropriate attire that the adults (teens/preteens) will be wearing and being around younger children within the same area and how they plan to address this issue.

Commissioner Doi asked if they will be providing maintenance. Mr. Herring responded that maintenance will be provided and comes along with having these projects.

Mr. Efrussy stated that both of these proposed uses require approval through the Special Use Permit (SUP) process, which includes either approval or non-approval of projects. Mr. Efrussy commented that if this project is approved, the development rights regarding the office buildings remain intact.

3. Adjourn.

Chairman Campbell adjourned the meeting at 7:59 p.m

Respectfully submitted,

Michelle Lewis Sirianni

Michelle Lewis Sirianni
Town Secretary

ATTEST:

Brayton Campbell
Brayton Campbell, Chairman
Planning and Zoning Commission

