

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, DECEMBER 9, 2010**

Chairman Campbell called the meeting to order at 7:08 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; Assistant to the Town Manager, Matt Donnell; Community Development Manager, Ray Dunlap; Budget and Management Analyst, Adam Wilbourn; and Town Secretary, Michelle Lewis Sirianni.

1. Consider and take action regarding minutes of the November 11, 2010 Planning and Zoning Commission meeting.

Commissioner Powell and Doi stated that they called in their corrections prior to the meeting.

Commissioner Powell made a motion to approve the minutes of the November 11, 2010 Planning and Zoning Commission meeting as amended. Commissioner Northcutt seconded that motion and the motion was unanimously approved.

2. Conduct a public hearing and take action regarding a request for zoning change to amend the Blue Grass Farms Planned Center Zoning District (PC). The purpose of the amendment is to combine two residential lots into one lot, reducing density, and retaining the residential requirements.

Mr. Donnell introduced this item stating that in order to combine lots 17 and 18, as reflected on the final plat for the subdivision, the plat must be amended to illustrate such changes and create a new legal description for the use of the county appraisal district, land owner and title company, so the purchaser can move forward with the land acquisition and the building of one residential home. However, before the plat can be amended, the PC zoning district must be amended first, by the submittal of a zoning change request.

Mr. Donnell stated that staff recommends approval of the proposed zoning change request combining two lots, but still retain the single family residential Planned Center (PC) zoning district on the property.

Commissioner Doi asked if there were any easements. Mr. Donnell responded that there are no new easements.

Chairman Campbell opened the public hearing. No comments were made and the public hearing was closed.

Chairman Campbell opened discussion to commission members. No additional comments were made.

Commissioner Culbertson made a motion to approve the request for zoning change to amend the Blue Grass Farms Planned Center Zoning District (PC). The purpose of the amendment is to combine two residential lots into one lot, reducing density, and retaining the residential requirements. Commissioner Doi seconded that motion and the motion was unanimously approved.

3. Conduct a public hearing and take action regarding the Concept Plan for Fairview Downs Residential Subdivision located east of Ridgeview Dr. north of Fairview Parkway, west of Emerson Court, and south of Ranchette Estates within the Commercial Planned Development District (CPDD), subzone I.

Mr. Donnell stated that this public hearing was left open from the last meeting and the project was discussed several times along with the developers. Developers were also able to have a meeting with the adjacent subdivision residents. Mr. Donnell stated that a few changes were made since the last plan was submitted to try to accommodate the requests of the residents and commission. Mr. Donnell stated that the developer has since addressed the concerns regarding adjacent lot sizes and buffering, the two lots at the end (north side) of the cul-de-sac road have been relocated to different areas, and the island dividing the cul-de-sac road entrance has been removed to allow for more room for the lots and buffering on the east side of the development beside existing adjacent homes. Mr. Donnell stated that staff recommends approval of the submitted Concept Plan.

Steve Salaman, stated that they met with several of the homeowners after the last planning and zoning meeting and made some new modifications regarding the plan. Mr. Salaman stated they addressed the concerns regarding adjacent lots and buffering. Mr. Salaman stated that they also relocated the two lots at the end of the cul-de-sac, and the island dividing the cul-de-sac has been removed to allow for more room for the lots buffering on the east side of the development. Mr. Salaman stated that they will continue to preserve the green space and trees and have reduced the density from 42 lots to 33 lots.

Commissioner Northcutt asked if the length of the cul-de-sac meets fire department criteria, if the façade of the homes will be the same style as the Villages of Fairview, and would like to see the garages placed in the rear of the homes so that it would give the homes a longer front façade. Mr. Donnell commented that the Fire Marshall is okay with the plan because the width of the proposed road is 31', and homes beyond the 600' mark will be required to have a fire suppression sprinkler system built in to them.

Commissioner Doi asked if the developer has committed for the building to be a certain percentage of stone and if the lots would be large enough to have pools. Mr. Donnell responded that the requirement is 90% and can be a combination of brick and stone. Mr. Salaman stated that pools seemed doubtful due to most back yards being 110' deep. Mr. Doi referenced that swimming pools in the backyard of homes adjacent to the tree preserve area would likely require tree removal. Mr. Donnell stated that these trees will be protected by the Town's tree preservation code.

Chairman Campbell opened the public hearing. Patrick Hover, 386 Fairlanding, asked if a road would connect to Latham and if this was necessary or could resident's use 75 or Fairview Parkway. Mr. Donnell responded that the fire code requires two points of ingress/egress for new subdivisions, and the proposed road in the proposed development will connect to Latham, as Latham Drive was designed for a connection point, just as Fairview Parkway was built and designed with a connecting street in that location with the expectation of Latham connecting to Fairview Parkway.

Shepard Bull, 372 Fairlanding, stated that the Village of Fairview subdivision has very narrow streets and two cars cannot even pass each other; it's also low lit and with the many small children that play, it seems dangerous to connect the road.

Brad Clear, 5577 Emerson Court, stated that his concern is the loss of trees and the 11 lost cutting into the tree line. Mr. Clear stated that a development as such doesn't seem marketable at this time and does not like the density argument by the developer.

Bassyl Holland, 384 Fairlanding, asked the builder what the property would look like since he was told prior to purchasing his home that there would be a buffer and trees. Mr. Holland stated that he believes this will affect their property values of their homes and concerned this development will lower them.

Mary Bowen Rice, 381 Spring Meadow, stated that she moved here from Florida and liked the country atmosphere. Ms. Rice stated that her concern is that there are small children that play in this neighborhood and no schools and that the town is losing its motto.

Gary Socorro, 251 Latham, stated that he is also concerned with their property

values as well as the small children that play near Latham where they are proposing to connect the road.

John Brightwell, 5583 Emerson Court, stated that he is in favor of this development. Mr. Brightwell stated that he expected that there would eventually be something in this subject area and saw the dead end at Latham and knew eventually it would be connected. Mr. Brightwell stated that he'd rather see single-family residences than town homes or apartments.

Margit Lamarch, 399 Fairlanding, stated that her concern is the traffic that the development may bring.

Molly Peterson, 5593 Emerson Court, asked if there has to be homes or can the developer put something else in this subject area or even provide a buffer. Mrs. Peterson stated she is also concerned about property values decreasing.

Denise Jaglinski, 5567 Emerson Court, asked what the plans were with Highway 5 and Fairview Parkway and if Highway 5 is considered a main thoroughfare in the town. Mr. Jaglinski stated that he also knew Latham would eventually be a through road and is also concerned with the property values, but would prefer to see single-family homes in this subject area. Mr. Donnell responded that Highway 5 in the town's Master Thoroughfare Plan is a two land divided road and Fairview Parkway is a four land divided road that is designed to divert traffic off of Highway 5, and through the commercial district.

Commissioner Campbell stated that the town is conforming to the guidelines and it seems that the developer is trying to accommodate everyone, but it's the responsibility as a homebuyer to check to see what is going to be around them.

Eric Peterson, 5593 Emerson Court, asked if the developer could limit five of the homes to single story versus two, so that they wouldn't overlook into their homes, especially to the ones that back up to his house. Mr. Peterson also questioned what happens when the houses don't sell; can the developer change their plan.

Becky Sewell, 400 Parkvillage, stated that Mr. Bowen has changed his plans to try to accommodate the residents and has gone over and beyond what some developers would have done and has the right as the owner to submit his plan. Ms. Sewell stated that she is in favor of the proposed plan.

John Roper, 5581 Emerson Court, asked if the main entrance was off of Fairview Parkway. Mr. Salaman responded that it is the main entrance and may discourage residents from using Fairlanding.

Commissioner Campbell closed the public hearing and opened discussion to commission members.

Commissioner Hendricks stated his concern is the traffic and suggested that signs be placed on Latham as an exit only to encourage traffic to not use this route. Commissioner Culbertson agreed that traffic was his concern as well.

Commissioner Powell stated that she would never use this neighborhood as a cut-thru due to the narrow streets. Commissioner Powell stated that she believes that the residents would use the main entrance to enter and exit versus going through the Villages of Fairview subdivision.

Commissioner Culbertson stated that he is sympathetic with the homeowners, but based on the zoning of this property and options for it, he believes the developer is making the best use for the subject area and has presented a better plan than previous concept plans and has put forth many efforts in working with the neighborhood, which is commendable.

Commissioner Northcutt stated that he likes the open space and buffers being provided by the developer and believes this is the best plan he's seen and is a high quality project that would encourage the use of the Village At Fairview shopping center.

Commissioner Supan stated that he understands the emotional value from the residents, but he believes the landowner is conforming and using the best possible use according to the zoning of this property, while considering adjacent neighbors too.

Commissioner Doi asked if the fire chief has considered not using Latham as a second connection or is it a requirement to the cul-de-sac. Mr. Donnell responded that the fire chief has requested this road go through, as it has been designed and built for, hence the reason for the dead end; and the reason for the ordinance and this public safety request aside from the requirement, is that of a public safety concern, and this will provide the two means of ingress/egress, as required by ordinance.

Commissioner Doi stated that the development conforms to the zoning code and that the CPDD was designed to have higher density than some other areas of the Town mainly to the east of Highway 5.

Commissioner Northcutt made a motion to approve the Concept Plan for Fairview Downs Residential Subdivision located east of Ridgeview Dr. north of Fairview Parkway, west of Emerson Court, and south of Ranchette Estates within the Commercial Planned Development District (CPDD), subzone I. Commissioner Culbertson seconded that motion with the following conditions:

- Lots 14-19 shall be sprinkled
- Document #4 on Concept Plan shall be corrected from front yard setbacks on lots 17-20 to lots 20-24.

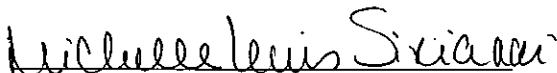
- Notate that a traffic analysis be submitted at the Site Plan level.
- Address at the Site Plan level wooden garage doors versus the raised aluminum.

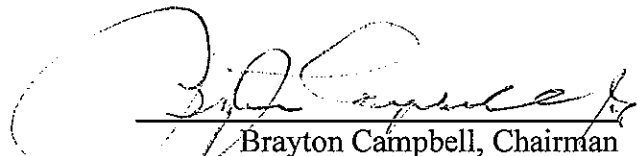
This motion with conditions is unanimously approved.

4. Adjourn.

Chairman Campbell adjourned the meeting at 8:44 p.m.

Respectfully submitted,


Michelle Lewis Sirianni
Town Secretary


Brayton Campbell, Chairman
Planning and Zoning Commission

