

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
MEETING & WORKSESSION
THURSDAY, MAY 12, 2011**

Chairman Brayton Campbell called the meeting to order at 7:00 p.m. Commission members present were Renee Powell, Paul Hendricks, and Darion Culbertson. Staff members present were Planning Director Alan Efrussy; Town Engineer, James Chancellor; Budget and Management Analyst, Adam Wilbourn; and Town Secretary, Michelle Lewis Sirianni. Commissioners Tom Supan, Ricardo Doi, and Brad Northcutt were absent.

1. Consider and take action regarding the minutes of the April 14, 2011 Planning and Zoning Commission meeting.

Commissioner Powell stated that she called in corrections prior to the meeting.

Commissioner Powell made a motion to approve the minutes of the April 14, 2011 commission meeting as amended. Commissioner Culbertson seconded that motion and the motion was unanimously approved.

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

Mr. Efrussy stated that due to the applicant's consultants requiring additional time to submit their plans, town staff recommends that this item be passed over, but not to a date certain.

Commissioner Hendricks made a motion to pass over the Site Plan for Fairview Downs Residential Subdivision. Commissioner Culbertson seconded that motion and the motion was unanimously approved.

3. Conduct a public hearing and take action regarding a residential replat of the Woods of Ascot Heath subdivision, to change one lot to three lots, generally located south of the City of McKinney, north of Country Club Road (FM 1378) and east of the Fairview Meadows subdivision, and west of the Ascot Heath subdivision.

Mr. Efrussy introduced this item stating that this request is being made by the property owner. Mr. Efrussy stated the purpose of this replat is to change one lot into three lots. Mr. Efrussy stated that this replat meets the subdivision requirements in Fairview.

Chairman Campbell opened the public hearing. Scott Morris stated that he is representing the property owner and that there are no future plans to sell the property and that essentially this replat is bringing back the original lot configuration.

Mr. Rapp, 960 Circle in the Woods, stated that he is the property owner of Lot 7 and would like to ask the commissioners for a continuance. Mr. Rapp stated that his concern is the impact that a driveway will have in regard to water runoff and drainage. Mr. Rapp would like the applicant to submit a Site Plan of where the driveway will be.

Commissioner Hendricks asked staff if there is a problem with building on the proposed lots. Commissioner Culbertson stated that he understands the concerns and also asked if there were potential building problems on these lots. Mr. Chancellor responded that by looking at the contours and topographical features on the map, half of the lot drains to the flood plain and the other to the cul-de-sac. Mr. Chancellor stated that on lot 8R the water will drain to the creek. Mr. Chancellor stated that there are some engineering challenges, but is not concerned until the building permit stage.

Chairman Campbell asked Mr. Chancellor if the replat then will have no direct effect at this time on drainage concerns. Mr. Chancellor responded that from an engineer's standpoint, drainage can be worked out even if there are challenges, and there are ways to build the driveway property and more than likely on this lot, it would drain to the creek. Mr. Efrussy added that they are dividing up the property with the replat and that the other issues will be addressed at the building permit stage. Chairman Campbell added that he understands the concerns of the other property owner, but the replat is only to divide the property and the town will recognize and address concerns/issues at the proper time.

Commissioner Culbertson made a motion to approve a replat of the Woods of Ascot Heath subdivision, to change one lot to three lots, generally located south of the City of McKinney, north of Country Club Road (FM 1378) and east of the Fairview Meadows subdivision, and west of the Ascot Heath subdivision. Commissioner Powell seconded that motion and the motion was unanimously approved.

- 4. Conduct a public hearing and take action regarding the zoning of property that is annexed but unzoned, comprised of 84.0± acres, of which 71.2± acres are proposed to be zoned Open Space and Flood Hazard Zone (FH) and 12.8± acres are proposed to be zoned Two-Acre Ranch Estate Zone (RE-2), generally located east of Country Club Road (FM 1378), west of County Road 317, north of Meandro Ria Lane, and south of County Road 326.**

Mr. Wilbourn introduced this item stating that the following zoning is part of the ongoing program to zone all areas within Fairview. Mr. Wilbourn stated that this subject property consists of 84.0± acres, of which 71.2± acres are within the flood plain and the remaining 12.8± acres are to be zoned to the Two-Acre Ranch Estate Zone (RE-2). Mr. Wilbourn stated that there are also two trails proposed on this subject property; one is an equestrian trail, which meets park requirements and the other a hike/bike trail. Mr. Wilbourn stated that town staff recommends approval because it is consistent with the Future Land Use Plan within the town's Comprehensive Plan.

Commissioner Culbertson asked if a park is proposed along with the trails. Mr. Wilbourn replied that there is no park.

Commissioner Hendricks asked if the property owners have been notified. Mr. Wilbourn responded that staff notified everyone within 500 feet as well as the subject property owner, and has not received any positive nor negative responses.

Chairman Campbell asked if there are any houses on this property. Mr. Chancellor responded that there are a few structures.

Chairman Campbell opened the public hearing. Paul Tanner, 1381 Red Oak Trail, stated that he is the property owner and did not receive notification until last night. Mr. Tanner stated that he hasn't had a chance to look at this proposal and the impact it may have if any. Mr. Tanner stated that there is a bank of trees all the way around the property and a few houses on one acre tracts that surround the property on the south side. Mr. Tanner stated he'd like to request that the commissioners pass over this item until he has a chance to look at the impact it may have on his property.

Randy Otto, developer, stated that there was no sign posted for the zoning change on the property and mentioned that he did speak with Mr. Efrussy prior to the meeting regarding his concerns. Mr. Otto stated that in his opinion, it should be zoned Agricultural (AG) since there are cattle, etc., that run on this property.

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

Commissioner Powell commented that she had no problem waiting to allow the property owner to discuss further with staff. Commissioner Culbertson agreed

with that and also suggesting tabling to a date certain. Commissioner Hendricks asked if the notifications were correct. Mr. Efrussy responded that the town uses Collin County records for their information and also uses the Town Hall News as a notification. Mr. Efrussy responded that all the notifications were correct.

Commissioner Culbertson asked if anything other than the RE-2 zoning district has been considered for the 12.8± acres. Mr. Efrussy responded that other zoning districts were considered. Mr. Efrussy stated that according to the Comprehensive Plan, areas larger than two acres could be zoned to the RE-3 zoning district. However, the surrounding zoning was taken into consideration and that was what the commission asked to take into consideration when staff was recommending zoning. The Comprehensive Plan, Mr. Efrussy said, recommends Residential Estate Country for this subject property, and that designation would recommend at least an RE-2 zoning district. Commissioner Powell asked if the AG zoning was considered. Mr. Efrussy responded that it was considered and may be more intensive, but could possibly work. Commissioner Culbertson commented that there is some definite uniqueness to this property. Mr. Efrussy responded his major concern, is that it is not zoned, and that the staff's primary consideration is to zone the property as soon as feasible to avoid the development of incompatible land uses.

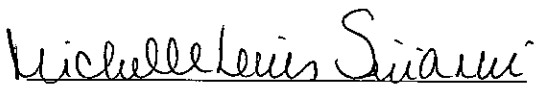
Chairman Campbell stated that the consensus of the commission is to give the property owner more time.

Commissioner Powell made a motion to table the zoning of property that is annexed but unzoned, comprised of 84.0± acres, of which 71.2± acres are proposed to be zoned Open Space and Flood Hazard Zone (FH) and 12.8± acres are proposed to be zoned Two-Acre Ranch Estate Zone (RE-2) to the date certain June 9, 2011. Commissioner Hendricks seconded that motion with all in favor.

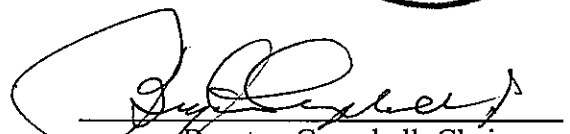
5. Adjourn.

Chairman Campbell adjourned the meeting at 8:05 p.m.

Respectfully submitted,


Michelle Lewis Sirianni
Town Secretary




Brayton Campbell, Chairman
Planning and Zoning Commission