

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, AUGUST 9, 2012**

Chairman Campbell called the meeting to order at 7:00 p.m. Commission members present were Pat Friend, Ricardo Doi, Paul Hendricks, Renee Powell, Brad Northcutt, and Debbie Flood. Staff members present were Planning Director, Alan Efrussy; Senior Planner, Ken Schmidt; Community Development Manager, Ray Dunlap; Town Engineer, James Chancellor; Management Intern, Tara Braas, and Town Secretary, Michelle Lewis Sirianni.

1. Consider and take action regarding the minutes of the July 12, 2012 Planning and Zoning Commission meeting.

Commissioner Powell had two grammatical corrections and Commissioner Friend stated that he did not make the motion for item three since it was his first meeting. Commissioner Hendricks stated that he believes he made the motion to that item.

Commissioner Friend made a motion to approve the minutes of the July 12, 2012 meeting as amended. Commissioner Hendricks seconded that motion and the motion was unanimously approved.

2. Conduct a public hearing and take action regarding a Concept Plan for a portion of the Crossroads at Fairview, a multi-phased commercial development generally located east of US 75, north of the Cortona Apartment complex, south of Ridgeview Rd, and west of the Village of Fairview subdivision; the subject property is 6.264 acres and is within Subzone J (Southern Ceremonial Parkway Zone) of the Commercial Planned Development District (CPDD).

Mr. Schmidt introduced this item stating that the proposed plan is comprised of 6.264 acres located within Zone J of the Commercial Planned Development District (CPDD). This subject property is not platted and has no floodplain or other environmentally sensitive areas on the property. Mr. Schmidt commented that the applicant has requested to develop this project in phases, so as they progress the commission will see the plan again with the amendments. Mr. Schmidt stated that this phase contains a coffee shop with a drive-thru and one building. The staff is satisfied with the plan since it meets all requirements, but the staff continues to work with the developer as the project progresses. Mr. Schmidt stated town staff recommends approval of the Concept Plan as submitted.

Michael Bowen, applicant and developer, stated that the idea of the Crossroads of Fairview is to take advantage of the view and open green spaces that surround this area with the idea that they can also have small community events that will bring people nearby into the area. Mr. Bowen stated that the focal point will be the building that includes a coffee shop as the anchor store that will be independently run by his family (sister). Mr. Bowen commented that they plan on doing additional landscaping to compliment the area. He also stated that he understands the town's requirement for public art regarding this project.

Commissioner Doi stated that he likes the plan. He asked regarding the topography of the land, if the landscaping could have a rolling terrain feel and look to it. Mr. Bowen responded as they develop the area in phases, he plans on making it pedestrian friendly and with a cross-access between walkways.

Commissioner Hendricks stated that he also likes the plan and if any market survey was done. Mr. Bowen replied that they have been advertising the area and the interest they have received has been increasing. He also believes it will sustain itself and be developed out without any trouble.

Commissioner Northcutt expressed concern with the traffic pattern regarding the coffee shop drive-thru placement. Commissioner Doi shared concern from a safety perspective.

Chairman Campbell opened the public hearing.

A citizen spoke asked about the general traffic flow around the coffee shop for the development and how the storm water drainage will work on the property. Mr. Chancellor addressed the drainage concerns by stating that the developer will have to do a detention area and that would address any run-off. Mr. Chancellor addressed the traffic concern by stating that since Fairview Parkway is a low speed road, he is okay with the spacing, but that they can always modify the traffic pattern at a later date if they would have any issues. Chairman Campbell requested the town staff to continue to work with the developer to work out traffic concerns, especially the drive-thru at the coffee shop.

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

Commissioner Doi requested that a condition be placed into the motion regarding the cross-access regarding the right turn lane on Fairview Parkway.

Commissioner Doi made a motion to approve the Concept Plan for The Crossroads at Fairview with the condition that the developer makes improvements to the deceleration lane and drive-thru design and that there shall be a cross-access between undeveloped portions to the north. Commissioner Northcutt seconded that motion, and the motion was unanimously approved.

3. **Conduct a public meeting and take action regarding a Preliminary Plat comprised of two properties generally located east of US 75, north of the Ranchette Estates Subdivision, west of State Highway 5, and south of Frisco Road. The subject properties are in the Commercial Planned Development District (CPDD), Zone D - Residential Adjacency Zone, and are comprised of 20.168 and 10.729± acres, respectively. The proposed Preliminary Plat is comprised of three lots that are 15.162, 9.235, and 6.5 acres in size.**

Mr. Schmidt stated that the applicant has withdrawn this preliminary plat.

The commission took no action.

4. **Conduct a public hearing and take action regarding a request to re-zone five properties that are to become part of a proposed five lot subdivision. This proposed subdivision is composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is two acres in size, and four, One-Acre Ranch Estate (RE-1) lots, two of which are one acre in size, one lot that is 2.05 acres in size, and one lot that is 0.55 acres in size. The proposed subdivision is generally located west of and adjacent to Country Club Road (FM 1378), south of and adjacent to Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision.**

Mr. Schmidt introduced this item stating that the subject properties are currently annexed and zoned, but unplatted. There is no flood plain or environmentally sensitive areas on this property. The applicant Mr. Rudy Rivas, Chief Executive Officer of M. Christopher Homes, is requesting a zoning change on behalf of the property owners in order to provide a development that is more capable of

meeting the needs of the town and his future clients. Mr. Rivas is currently building the Willow Point Estates Subdivision. Mr. Schmidt stated that the Future Land Use Plan within the Comprehensive Plan indicates that the subject properties are Residential Estate, which allows for large country lots between 1-1.99 acres in size. Mr. Schmidt stated the current zoning provides for one, One- and One-half-Acre lot that is 1.643 acres in size, and four, One-Acre lots, three of which are one acre in size and one that is 1.205 acres in size. Mr. Schmidt stated that Mr. Rivas is proposing to preserve the existing vegetation along with the homeowners agreeing to remove existing structures that are currently on the subject properties. Mr. Schmidt stated town staff recommends approval conditioned upon the removal of these existing structures.

Rudy Rivas, applicant and developer, 630 Oakmont, stated that he plans on maintaining the trees and a manicured look within his proposed development.

Chairman Campbell opened the public hearing. Mark Nelson, 1160 Hart Road, commented on the current driveway off Hart Road and indicated that setting the house further back from where the drive currently is would be better. Mr. Rivas agreed and stated that he would design the house as far to the west as possible.

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

Commissioner Doi asked how wide Hart Road is. Mr. Chancellor responded that it is 20 ft wide and was designed to maintain the rural look of the area. Commissioner Doi commented that they may need to encourage school traffic to use Stoddard Road instead.

Commissioner Hendricks asked if the staff had received any feedback. Mr. Schmidt replied that only one phone call was received asking for information only.

Commissioner Doi suggested a preservation easement for the trees. Commissioner Northcutt agreed. Mr. Rivas stated that the customers want the trees and they will not plan on taking them out unless they have to.

Commissioner Powell asked if the FM 1378 easement will affect this development. Mr. Chancellor responded that it has been removed from the town's Master Thoroughfare Plan and it will not be affected.

Commissioner Friend made a motion to approve the re-zoning of five properties that are composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size conditioned upon the removal of existing structures currently on the properties. Commissioner Powell seconded that motion and the motion was unanimously approved.

- 5. Conduct a public meeting and take action regarding a Preliminary Plat for five properties generally located west of and adjacent to Country Club Road (FM 1378), south of and adjacent to Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is two acres in size, and four, One-Acre Ranch Estate (RE-1) lots, two of which are one acre in size, one lot that is 2.05 acres in size, and one lot that is 0.55 acres in size. The proposed Preliminary Plat is composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size.**

Mr. Schmidt introduced this item stating that Mr. Rivas, the applicant, is applying on behalf of the Nelson and Johnson families, which are the current property owners. The proposed Preliminary Plat conforms to the Future Land Use Plan of the town's Comprehensive Plan and the Specific Zone Requirements of the RE-1.5 and RE-1 zoning districts. Mr. Schmidt stated that staff has reviewed the plat and asked the developer to install an additional fire hydrant on Hart Road in order to ensure that there is a fire hydrant within 300 feet of the building setback lines of each proposed lot. Staff also required the developer to provide a thirty foot drainage easement on Lot 5 to prevent potential drainage issues, and to include a landscaping and buffering plan that will supplement the heavily wooded subdivision boundary. Mr. Schmidt commented that no additional public right-of-way is needed. Mr. Schmidt stated that town staff recommends approval as submitted conditioned upon staff approval of additional improvements to the subdivision's landscaping plan.

Mr. Rivas questioned why the landscaping plan as submitted was not sufficient and asked the commission to consider approving as submitted without the additional landscaping.

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

Chairman Campbell opened discussion to commission members. Commissioner Northcutt asked if requesting the additional landscaping on a preliminary plat was required. Mr. Schmidt responded that it is permissible to ask at this stage.

Commissioner Doi made a motion to approve the Preliminary Plat for five properties that is composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size with the following conditions: the 30' easement be shown on the plat prior to the final plat application; that any trees placed west of the easement, if not allowed in the drainage easement, that they identify where canopy trees can be placed; and upon staff review and approval of the landscape plan. Commissioner Northcutt seconded that motion and the motion was unanimously approved.

- 6. Consider and take action regarding a Final Plat for five properties generally located west of and adjacent to Country Club Road (FM 1378), south of and adjacent to Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is two acres in size, and four, One-Acre Ranch Estate (RE-1) lots, two of which are one acre in size, one lot that is 2.05 acres in size, and one lot that is 0.55 acres in size. The proposed Preliminary Plat and Final Plat are both composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size.**

Mr. Schmidt introduced this item stating that at the recent Park Board Meeting, the board recommended accepting cash in lieu of land for park development in the amount of \$7,859.00. Mr. Schmidt stated that the town staff has reviewed the landscape plan and recommends continued discussion regarding additional plantings in order to enhance the streetscapes along Hart Road and FM 1378, and to provide adequate buffering for the future residents of this subdivision. Town staff recommends approval as submitted with this condition of additional improvements to the landscaping.

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

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

Commissioner Northcutt made a motion to approve the Final Plat for five properties that is composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size with the following conditions: the 30' easement be shown on the plat prior to the final plat application; that any trees placed west of the easement, if not allowed in the drainage easement, that they identify where canopy trees can be placed; and upon additional staff review and approval of the landscape plan. Commissioner Hendricks seconded that motion and the motion was unanimously approved.

- 7. Conduct a public hearing and take action regarding a request to re-zone five properties that are to become part of a proposed five lot subdivision. This proposed subdivision is composed of two, One-and-One-half-Acre Ranch Estate (RE-1.5) lots that are 1.530 and 1.504 acres in size, and three, One-Acre Ranch Estate (RE-1) lots, one of which is 1.153 acres in size, one lot that is 1.10 acres in size, and one lot that is 1.083 acres in size. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 2.23 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, one of which is 2.87 acres in size, one lot that is one acre in size, one lot that is 0.5 acres in size, and one lot that is 0.28 acres in size. The proposed subdivision is generally located west of and adjacent to Country Club Road (FM 1378), south of Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chase Subdivision.**

Mr. Schmidt introduced this item stating that these subject properties are annexed, but not platted, and there is no floodplain or other environmentally sensitive areas on the property. The applicant, Mr. Rivas, is applying on behalf of the Watkins', who are the property owners. Mr. Schmidt stated that the zoning request conforms to the town's Comprehensive Plan and the Specific Zone Requirements of the RE-1.5 and RE-1 zoning districts. Town staff recommends approval as submitted conditioned upon the removal of existing structures on the subject properties.

Mr. Rivas stated that this request will provide a development that is more capable of meeting the needs of the town and future clients as well having larger lots thereby decreasing density.

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

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

Commissioner Powell made a motion to approve the zoning change request conditioned upon the removal of existing structures of the subject properties. Commissioner Flood seconded that motion and the motion was unanimously approved.

8. **Conduct a public meeting and take action regarding a Preliminary Plat for five properties generally located west of and adjacent to Country Club Road (FM 1378), south of Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 2.23 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, one of which is 2.87 acres in size, one lot that is one acre in size, one lot that is 0.5 acres in size, and one lot that is 0.28 acres in size. The proposed Preliminary Plat is composed of two, One-and-One-half-Acre Ranch Estate (RE-1.5) lots that are 1.530 and 1.504 acres in size, and three, One-Acre Ranch Estate (RE-1) lots, one of which is 1.153 acres in size, one lot that is 1.10 acres in size, and one lot that is 1.083 acres in size.**

Mr. Schmidt introduced this item stating that Mr. Rivas is applying on behalf of the current property owners, the Watkins'. Mr. Schmidt stated that due to the right-of-way and utility requirements for this proposed subdivision, the applicant will not be requesting simultaneous review of the Preliminary and Final Plats. The town staff has required the developer to acquire a utility easement from Lot 6 in the adjacent Willow Point Estates Subdivision in order to link the water system, as well as require the developer to install two fire hydrants along the new public right-of-way for this subdivision. Mr. Schmidt stated that staff is requesting continued discussion regarding additional planting in order to enhance the streetscape along FM 1378 and to provide additional buffering. The plat meets all of the town's requirements; therefore, the staff recommends approval of the Preliminary Plat conditioned upon staff approval of additional improvements to the subdivision's landscaping plan.

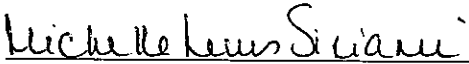
Commissioners discussed landscaping on the access road, which may or may not be affected by the North Texas Municipal Water District (NTMWD), as well as options for privacy that included using berms.

Commissioner Friend made a motion to approve a Preliminary Plat for Phase II of the Fairview Ranch Estates subdivision as submitted conditioned upon staff approval of additional improvements to the landscape plan, removal of existing structures, an easement between lot one and lot two, and that canopy trees are accepted by the NTMWD within the 30' easement, otherwise will be placed west of the easement. Commissioner Hendricks seconded that motion and the motion was unanimously approved.

9. Adjourn.

Chairman Campbell adjourned the meeting at 9:09 p.m.

Respectfully submitted,


Michelle Lewis Sirianni
Town Secretary




Brayton Campbell, Chairman
Planning and Zoning Commission