MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
MONDAY, NOVEMBER 26, 2012

Chairman Campbell called the meeting to order at 7:02 p.m. Commission members present were Pat Friend, Renee Powell, Brad Northcutt, and Paul Hendricks. Staff members present were Planning Director, Alan Efrussy; Senior Planner, Ken Schmidt; Town Engineer, James Chancellor; Graduate Engineer, Danielle Gregory; and Town Secretary, Michelle Lewis Sirianni. Commissioners Ricardo Doi and Debbie Flood were absent.

1. **Elect a Vice-Chairperson.**

   Commissioner's elected Paul Hendricks to serve as Vice-Chairperson.

2. **Consider and take action regarding the minutes of the October 11, 2012 Planning and Zoning Commission meeting.**

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

   Commissioner Friend made a motion to approve the minutes of the October 11, 2012 meeting as amended. Commissioner Northcutt seconded that motion and the motion was unanimously approved.

3. **Conduct a public hearing and take action regarding the Site Plan for the first phase 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 Zone J (Southern Ceremonial Parkway Zone) of the commercial Planned Development District (CPDD).**

   AT THE REQUEST OF THE APPLICANT, THIS ITEM WILL BE TABLED UNTIL THE DECEMBER MEETING.

4. **Conduct a public meeting and take action regarding a Preliminary Plat for a property that is generally located west of Fitzhugh Mill Road, south of Summit Court, east of the Heritage Ranch subdivision, and north of and adjacent to Stacy Road. The subject property is 5.22 acres, zoned Two-Acre Ranch Estate (RE-2), and the proposed Preliminary Plat will subdivide the property into two, 2.61 acre single-family lots.**

   Mr. Schmidt stated that the subject property is 5.22 acres in size and is currently annexed and zoned to the Two-Acre Ranch Estate Zone (RE-2). The subject property is not platted. Mr. Schmidt stated the property is unique in that it is a double flagged lot. The lot was originally part of a 43.23 acre tract that has been subdivided numerous times. The surrounding lots are mostly five acres in size with each having common easements for emergency access. Mr. Schmidt added that there was also a utility easement granted to the Milligan Water Supply Corporation, which overlaps an existing and future access easement on the subject property. The applicant and owner of the subject property, Mr. Mordecai is proposing to subdivide the subject property in order to create two 2.60 acre lots that fully conform to the RE-2 Zoning District. Mr. Schmidt stated that due to the complexity of the subject property, town staff has been working with the applicant for many months regarding the emergency access, right-of-way, and utility easements. However, the staff is comfortable recommending approval of the plat due to the future benefits and improvements that will be established. Mr. Schmidt stated that staff recommends approval conditioned upon the modification of the proposed easements and establishment of a developer's agreement between the town and the property owner.

Clara Carlisle, project architect, stated that she looks forward to moving forward with the project and the developer's agreement.

Commissioner Friend asked what surrounding properties were zoned. Mr. Schmidt responded that they were zoned Two-Acre Ranch Estate (RE-2).

Commissioners discussed right-of-way and access concerns and how if any that would affect current property owners.

Chairman Campbell asked if the staff has spoken to Milligan Water regarding these issues and what their response has been. Mr. Schmidt stated that town staff has not approached Milligan yet; it is on hold until an upcoming development comes forward. The new development would accelerate Fairview's water line.

Chairman Campbell asked if the commission members had any further comments/ and or questions. No comments were made.

Commissioner Powell made a motion to approve the Preliminary Plat for the Dos Casas subdivision conditioned upon the modification of the proposed easements and establishment of a developer's agreement between the town and the property owner. Commissioner Northcutt seconded that motion and the motion was unanimously approved.

5. **Consider and take action on a Final Plat for a property that is generally located west of Fitzhugh Mill Road, south of Summit Court, east of the Heritage Ranch subdivision, and north of and adjacent to Stacy Road. The subject property is 5.22 acres, zoned Two-Acre Ranch Estate (RE-2), and the proposed Preliminary Plat will subdivide the property into two, 2.61 acre single-family lots.**

   Mr. Schmidt stated that the same issues apply as previously discussed. At the November Park and Recreation Board Meeting, the commission recommended cash in lieu of land due to the access issues and size of the property in the amount of $1,795.41, which would be due prior to recording the Final Plat. Mr. Schmidt stated that town staff recommends approval conditioned upon further staff review, the modification of the proposed easements and establishment of a developer's agreement.

   Clara Carlisle, project architect, requested that versus paying the park conveyance fee, could they ask for a variance from paying this fee due to the fact that they are giving the town the first right-of-way acquisition, which the town would normally obtain. Chairman Campbell stated that they may make this variance request at the council level.

   Commissioner Friend made a motion to approve the Final Plat conditioned upon the modification of the proposed easements and establishment of a developer's agreement. The motion was seconded by Commissioner Powell, with all in favor.

6. **The Planning and Zoning Commission acting as the Tree Board under Ordinance No. 2009-5-5C will receive a report and recommendation(s) from the town landscape administrator and take any necessary action.**

   Mr. Chancellor, who serves as the town's landscape administrator, stated that the council recently passed the recommendation by the Tree Board in updating the tree list within the tree preservation ordinance. Mr. Chancellor stated that if the board has any other changes or recommendations to the ordinance, they may make those changes to the Town Council for their review. Mr. Chancellor gave a brief update on tree removal and replacement based on residential lots as well as how the existing homestead exemption works.

   Commissioner Hendricks asked in regards to the trees that are on street corners, if the existing trees are grandfathered and can remain there. Mr. Chancellor responded that unless it becomes a safety issue and/or sight visibility issue where they would require trimming, then they will remain there.

Commissioner Northcutt asked if there was a fee for permitting the removal of trees. Mr. Chancellor stated that per the town's code of ordinance, it is $175.00 or whichever cost is greater.

Chairman Campbell requested to bring back this item to the next meeting due to Commissioner's Doi's absence and his request to talk about this item.

Commissioner Northcutt requested a reminder within the newsletter about do's and don'ts with trees.

7. **Adjourn.**

Chairman Campbell adjourned the meeting at 7:54 p.m.

TOWN OF FAIRVIEW

Respectfully submitted,

Michelle Lewis Sirianni

Michelle Lewis Sirianni
Town Secretary

Brayton Campbell, Chairman
Planning and Zoning Commission