

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, DECEMBER 12, 2013**

The Planning and Zoning Commission met in regular session on Thursday, December 12, 2013 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Pat Friend, Renee Powell, Brad Northcutt, and Jim Rushing. Staff members present were Planning Manager, Ken Schmidt; and Town Secretary, Michelle Lewis Sirianni. Commissioners Heather Hager, Matt Faulkner, and Debbie Flood were absent.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present.

1. Consider and take action regarding the minutes of the November 14, 2013 Planning and Zoning Commission meeting.

Commissioner Powell stated that she called in a few corrections prior to the meeting. Commissioner Friend stated that town is misspelled on page four.

Commissioner Friend made a motion to approve the minutes as amended for the November 14, 2013 commission meeting. Commissioner Rushing seconded that motion and the motion was unanimously approved.

2. Statement of rules.

Chairman Northcutt passed over the reading of reading of the public hearing guidelines due to not having any audience members.

3. Conduct a public hearing, consider, and take any necessary action on a request for approval of a Concept Plan for a proposed office and retail development on a 6.013± acre tract of land situated in the John Taylor Survey – Abstract 909, that is zoned Commercial Planned Development District (CPDD), Zone N, and is generally located east of the State Highway 5 and Fairlanding Avenue intersection.

Mr. Schmidt stated that the applicant for this Concept Plan has requested to withdraw their application so that they can take part in the update process for the CPDD Master Plan. The applicant will be meeting with the town's planning consultants this week to discuss the property.

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

Chairman Northcutt opened discussion to commission members. No comments were made.

Commissioner Powell made a motion to approve a request to withdraw a Concept Plan for a proposed office and retail development. Commissioner Friend seconded that motion and the motion was unanimously approved.

- 4. Continue a public hearing, consider, and take any necessary action on a request to amend the land use designation and zoning for Lot 4 of the Country Club Estates subdivision, a 2.85± acre lot which is currently zoned Two-Acre Ranch Estate (RE-2) and categorized as Residential Estate Country (REC) on the Future Land Use Plan, and generally located at the southeast corner of Country Club Road (FM 1378) and Red Oak Trail; to the Residential Estate (RE) land use designation and the One-Acre Ranch Estate (RE-1) Zoning District, generally, in order to add an additional single-family residential lot.**

Mr. Schmidt stated that at the October meeting the commission acted to postpone the review of this application to January 2014 and requests the commission continue the public hearing until that meeting. The applicant is pursuing rezoning and in order to enable the property to be replatted to be subdivided, the applicant is seeking a variance from surrounding property owners from the deed restrictions.

Chairman Northcutt stated the public hearing remains opened.

Commissioner Rushing made a motion to continue the public hearing to date certain of January 9, 2014. Commissioner Powell seconded that motion and the motion was unanimously approved.

- 5. Discuss, consider, and take any necessary action on a request for approval of a Final Plat for a 9.994± acre tract of land situated in the Calvin Boles Survey – Abstract No. 28 that is generally located south of County Road 317 and 100' east of Wilson Creek.**

Mr. Schmidt stated that the subject property is located in the town's Extra-Territorial Jurisdiction (ETJ). The property owner is Mr. Rob Haines. The purpose of this plat is to subdivide the property. The property was not platted at the point of sale and this is merely fulfilling a real estate transaction and not to further develop the land. The town has the authority to enforce its subdivision regulations, but cannot enforce land use regulations as this property has not been annexed by the town. Mr. Schmidt stated that the town engineer has not requested any right-of-way dedications at this time, but the Town Manager would like to explore this further working with the applicant; therefore, recommends approving conditioned upon the town working with the applicant and surveyor to acquire right-of-way.

Commissioner Friend asked what the purpose of the plat is. Mr. Schmidt responded to divide the property into one two acre and one eight acre parcel. This is a real estate transaction only.

Commissioner Friend made a motion to approve the Final Plat for the Haines Addition conditioned upon the further exploration of right-of-way dedication. Commissioner Powell seconded that motion and the motion was unanimously approved.

- 6. Receive a report from staff on the status of recent planning cases.**

Mr. Schmidt stated the Concept Plan regarding the office buildings was approved by council and the rezoning case from RE-3 to RE-1 was denied without prejudice.

- 7. Adjourn.**

Chairman Northcutt adjourned the meeting at 7:17 p.m.

Respectfully submitted,

Michelle Lewis Sirianni

Michelle Lewis Sirianni
Town Secretary

Brad Northcutt

Brad Northcutt Chairman
Planning and Zoning Commission

