

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, JULY 10, 2014**

The Planning and Zoning Commission met in regular session on Thursday, July 10, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Pat Friend, Heather Hager, Jim Rushing, Brad Northcutt, Matt Faulkner and Debbie Flood. Staff members present were Planning Manager, Ken Schmidt; Engineer-in-Training, Danielle Gregory; and Interim Town Secretary, Caitlin Scalley.

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 June 12, 2014 Planning and Zoning Commission meeting.

Chairman Northcutt stated he emailed a change prior to the meeting. Mr. Schmidt stated the change would be made prior to the next meeting.

Commissioner Friend made a motion to approve the minutes for the June 12, 2014 commission meeting. Commissioner Flood seconded that motion, and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. for an amendment to the Future Land Use Plan component of the Comprehensive Plan for an 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently designated as Residential Estate Country and the requested designation is for the Open Space Preservation land use. (PA2014-01).

Mr. Schmidt stated the applicant requested to postpone review of the application and a date has not been established. Mr. Schmidt recommended that the commission conduct the public hearing and take no action on the application. Mr. Schmidt stated staff will re-advertise the public hearing and property owners within 500 feet will receive public notice.

Chairman Northcutt opened the public hearing.

Chairman Northcutt closed the public hearing, after no comments were made by the public. No action was taken.

3. **Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. for a zoning change for an 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently zoned Two-Acre Ranch Estates (RE-2), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-12).**

Mr. Schmidt stated the applicant requested to postpone review of the application and a date has not been established. Mr. Schmidt recommended that the commission conduct the public hearing and take no action on the application. Mr. Schmidt stated staff will re-advertisement the public hearing and property owners within 500 feet will receive public notice.

Chairman Northcutt opened the public hearing.

Nick Mueth, 1755 Stacy Road, asked if the plan was available for review. Mr. Schmidt stated he would email the plan.

Chairman Northcutt closed the public hearing.

The commission had no discussion. No action was taken.

4. **Conduct a public hearing, consider, and take any necessary action on a request by Martin Raymond Custom Homes for a zoning change for a 31.055± acre tract of land situated in the Samuel Sloan Survey, Abstract No. 791, and generally located north of Hart Road and 500' west of Beechwood Lane. The subject property is currently zoned Three-Acre-Ranch Estate (RE-3), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-13).**

Mr. Schmidt stated the applicant has requested a zoning change for Planned Center (PC) zoning and has submitted a preliminary plan comprised of 20 single-family detached residential lots with a gross density of one dwelling unit per 1.5 acres and an average lot size of 1.13 acres, along with 3.96 acres of open space. Mr. Schmidt stated that town staff has provided development regulations to be incorporated in the proposed PC zoning ordinance. Mr. Schmidt stated the proposed land use fully conforms to the Residential Estate Transition land use provided in the Future Land Use Plan.

Mr. Schmidt stated the preliminary plan provides two points of access on Country Club Road and Hart Road. The applicant is providing a gridded street and common area and open space generally adjacent to the north and west sides of the property. Mr. Schmidt state the applicant is proposing to preserve and enhance the existing pond in the northwest corner of the property and to provide a landscape buffer adjacent to Country Club Road. The applicant is proposing to provide trails along Country Club Road and Hart Road to increase pedestrian mobility.

Mr. Schmidt stated there are appropriate existing utilities adjacent to the site, and the proposed development would utilize septic systems. Mr. Schmidt stated the traffic impact is forecasted to include 191 daily trips based on 20 dwelling units and will not have a detrimental impact on FM1378 or Hart Road. Mr. Schmidt stated preliminary drainage plans would be provided with any potential development plan application submittal.

Mr. Schmidt presented the proposed development standards.

Mr. Schmidt stated 20 statements of opposition had been received from within the 500 foot notification range and 28 statements of opposition from outside of the 500 foot notification range. No statements of support had been received.

Mr. Schmidt stated town staff recommends approval for the zoning change request with the approval conditions as stipulated in the proposed development standards.

Chairman Northcutt opened the public hearing and invited the applicant to speak.

The applicant Martin Raymond, owner of Martin Raymond Custom Homes, resides at 4561 Old Pond Drive, Plano, Texas 75024. Mr. Raymond acknowledged residents' density, traffic and design concerns related to the development of the property. Mr. Raymond stated efforts had been made to address privacy and drainage issues previously raised by Michael Pezzulli by adding a berm, trees and a 50 foot easement. Mr. Raymond stated lot density was necessary to afford to provide amenities.

Michael Pezzulli, 880 Country Club Road, stated he is opposed to the request and cited his concern about drainage issues potentially leading to flooding of his property. Mr. Pezzulli stated concerns of privacy issues in relation to the berm being proposed in the plan and potential pond pollution on his property.

Wynn Allen, 1021 Hart Road, stated she is opposed to the request due to traffic concerns and the square grid design of the property.

Leslie Knight, 841 Beechwood Lane, stated she is opposed to the request and stated the development does not match the vision of the community.

Clay Hastings, 880 Beechwood Lane, asked that the master plan for the town be applied to all developments and town recommendations.

Elise Robinson, 821 Beechwood Lane, stated she is opposed to the request due to higher density, increased water demands and Hart Road traffic.

Kelly Jordan stated she is opposed to the request.

Tom Greenwald, 871 Beechwood Lane, stated he is opposed to the request due to traffic concerns regarding Country Club Road and the proposed path to Puster Elementary.

Ross Tarkington, 960 Hart Rd, stated his support for the request.

Barbara Isaacs, 811 Beechwood Lane, stated she is opposed to the request due to concerns with the design of the plan.

Chairman Northcutt closed the public hearing.

Chairman Northcutt opened discussion to commission members. Chairman Northcutt invited the applicant to respond to concerns brought to the commission's attention during the public hearing. The commission had dialogue in regard to the requested plan's density being in compliance with the town's land use plan. The commission had dialogue regarding the concerns related to the layout and design of the development.

Upon a motion made by Commissioner Friend and a second by Commissioner Rushing, the commission voted four (4) for and two (2) opposed to deny approval of the zoning request change from RE-3 to PC. The motion carried.

5. Receive a report from staff on the status of recent planning cases.

Mr. Schmidt stated there were notification issues regarding planning items that went forward to Town Council for July. Mr. Schmidt stated the Final Plat for the Luebbe property was approved and was the only planning case to be brought before Town Council.

6. Discuss schedule for upcoming planning and zoning commission meetings and training events.

Mr. Schmidt stated there were no updates regarding the Tree Board. Mr. Schmidt stated there are training funds available for commissioners to attend the Texas American Planning Association Conference in Frisco in October.

7. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 8:47 p.m.

Respectfully submitted,


Caitlin Scalley
Interim Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission



