

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, AUGUST 14, 2014**

The Planning and Zoning Commission met in regular session on Thursday, August 14, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Vice Chairman Jim Rushing, Pat Friend, Mike VanNatta, Matt Faulkner and Debbie Flood. Staff members present were Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-in-Training, Danielle Gregory; and Interim Town Secretary, Caitlin Scalley. Chairman Brad Northcutt and Commission member Heather Hager were absent.

Vice Chairman Rushing 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 July 10, 2014 Planning and Zoning Commission meeting.

Commissioner Flood made a motion to approve the minutes for the July 10, 2014 commission meeting. Commissioner Friend seconded the motion, and the motion was unanimously approved.

2. Conduct a public hearing, consider, and take any necessary action on a request by Lovejoy Independent School District (LISD) to amend Ordinance #2011-6-7B, the Planned Center District for the LISD Administration Building and Elementary School, specifically to provide for two additional temporary buildings on the subject property. (ZA2014-16).

Mr. Schmidt stated the applicant is requesting a zoning amendment in order to provide for two additional portable buildings that will be used to accommodate additional office space for the LISD administrative function. The location of the portable buildings is compatible with adjacent properties. Town staff has received one (1) statement of support and no statements of opposition. Mr. Schmidt stated town staff recommends approval of the request.

Vice Chairman Rushing opened the public hearing. No comments were made.

Vice Chairman Rushing closed the public hearing.

Dennis Womack, 259 Country Club Road, is an LISD representative. He stated the portable buildings will be used for additional office space.

The commission had a discussion regarding the number of exits for each building.

Commissioner Faulkner made a motion to approve the request to amend Ordinance #2011-6-7B to provide for two additional temporary buildings. Commissioner Friend seconded the motion, and the motion was unanimously approved.

3. **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 gave a presentation that applied to planning cases PA2014-01 and ZA2014-12. Mr. Schmidt stated the applicant, Toll Brothers, is requesting to amend the land use designation and change the zoning for the subject property. The proposed plan provides for 62 single family residential lots with an average lot size of 1.13 acres and 29.21 acres of publicly accessible open space.

Mr. Schmidt stated the proposed plan provides for two access points and would require a 40' dedication of right-of-way for Stacy Road. Mr. Schmidt stated the development would not have a detrimental traffic impact and there are no drainage concerns at this stage in the planning process.

Mr. Schmidt stated the applicant is proposing construct a concrete trail that would connect the existing Stacy Road trail to the existing Beaver Run Park. The applicant is also proposing to escrow twenty percent of the construction costs to the town for the future extension of the Stacy Road perimeter trail. Mr. Schmidt stated the applicant will provide for park furnishings within the 29.21 acres of public open space, and the applicant will provide for a small parking area at the trail head.

Mr. Schmidt presented proposed development standards, including: permitted uses, maximum density, area requirements, architectural standards, street standards, landscape standards, open space standards, trail standards and maintenance standards.

Mr. Schmidt stated 131 property owners had been notified. Town staff received five (5) statements of support and fifteen (15) statements of opposition from property owners within the required notification range. Town staff received two (2) statements of opposition and two (2) statements of support conditioned upon the elimination of the parking and access drive off the Thompson Springs access drive, from outside of the required notification range. Mr. Schmidt stated town staff recommends approval of the amendment to the Future Land Use Plan.

Vice Chairman Rushing opened the public hearing.

Ricardo Doi of Dowdey, Anderson & Associates, Inc., located at 5225 Village Creek Drive, Plano, Texas, made comments regarding the proposed trail and dedicated open space.

Rob Paul of Toll Brothers, Inc., located at 2257 Southwest Grapevine Parkway, Grapevine, Texas, gave an overview of the Toll Brothers.

The Commission had a discussion with Mr. Paul regarding project timeline, acceleration and deceleration lanes, and the costs associated with dedication of open space and proposed improvements.

Mr. Paul stated the anticipated timeline is to break ground in the spring of 2015 and complete the project in 2019. He stated the cost of the raw land dedicated to open space is \$1.6 million.

Gary Carter, 1000 Timber Lane, stated his concerns regarding the proposed parking area.

Anton Mattli, 111 Weston Drive, stated his support conditional upon the location of the parking entrance and density being addressed according to the original intent of the property's zoning.

Fred Poirier, 318 Wrangler Drive, stated his support. He also stated safety concerns regarding speed on the back side of Stacy Road.

John Gil, a resident of Heritage Ranch, stated his support and noted safety concerns regarding Stacy Road.

Jerry Pate, 1250 Alto Vista, stated his concerns regarding density and support for the proposed park area.

Ernest Pages, 202 Newchester Drive, stated his support for the proposed open space and park area. He stated his concerns regarding the proposed parking area near the trail head.

Nick Mueth, 1755 Stacy Road, stated his concerns regarding density in relation to the sound and visual burdens placed on surrounding property owners without a buffer.

Vice Chairman Rushing closed the public hearing.

The Commission had a discussion regarding setbacks.

Commissioner Friend made a motion to approve the amendment to the Future Land Use Plan in order to designate the subject property as Open Space Preservation land use. Commissioner Faulkner seconded the motion, and the motion was unanimously approved.

4. **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 Estate (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 staff recommends approval of the zoning change conditioned upon removal of the access drive leading from the Thompson Springs access drive and the associated parking.

Vice Chairman Rushing opened the public hearing. No comments were made.

Vice Chairman Rushing closed the public hearing.

There was no discussion from the Commission.

Commissioner Flood made a motion to approve the zoning change request as depicted in the preliminary plan with removal of the access drive and parking. Commissioner VanNatta seconded the motion.

The Commission had a discussion regarding the number of proposed lots and the design of the entrance.

The motion was unanimously approved.

5. **Conduct a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for an amendment to the Future Land Use Plan component of the Comprehensive Plan for six tracts of land comprised of 72.959± acres and generally located east of Country Club Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently designated as Residential Estate Country and Floodplain and the requested designation is for the Open Space Preservation and Floodplain land uses. (PA2014-02).**

Mr. Schmidt gave a presentation that applied to planning cases PA2014-02 and ZA2014-15. Mr. Schmidt stated staff recommends no action be taken on this application due to inadequate time for staff to review the application.

Mr. Schmidt stated the applicant is requesting an amendment to the Future Land Use Plan and to change the zoning for the subject property. The preliminary plan provides for 40 single-family detached residential lots and 17.35 acres of open space, which would be a common area maintained by a Homeowners Association. Mr. Schmidt stated there is concern regarding drainage conditions due to a significant amount of floodplain on the subject property. Mr. Schmidt stated the proposed density conflicts with adjacent properties.

Mr. Schmidt stated 68 property owners were notified, including the school district. Town staff received five (5) statements of opposition and no statements of support. Mr. Schmidt stated town staff recommends no action be taken at this time in order to allow for additional staff review and public input.

Vice Chairman Rushing opened the public hearing.

Bryon Reid of M. Christopher and Company, located at 550 North Highway 5, stated community input was solicited, and they had significantly improved the flood proposition for Sloan Creek. He stated 17.35 acres of open space has been planned for and over 2,000 linear feet of hike and bike trails have been proposed.

Trent Ballew, 531 Kentucky Lane, stated his opposition of the request due to density and floodplain concerns.

Patrick Rees, 1161 Farmstead, asked the Commission to keep the emergency access on Farmstead in mind.

Mike Weaver, 481 Home Place, asked the Commission to only use Farmstead for emergency access.

Chad Jones, 521 Kentucky Lane, stated his concerns regarding flooding and density.

Gary Carter, 1000 Timber Lane, stated he owns property on Kentucky Lane and is opposed to the request unless drainage issues are addressed.

Steve Hammons, 471 Kentucky Lane, asked the Commission to keep current residents in mind and to consider consistency in zoning decisions.

Jerry Pate, 1250 Alto Vista, stated his concerns regarding the floodplain, proposed density and access in and out of the subject property on the east end.

Nancy Gienger, 1230 Camino Real, stated her concerns regarding flooding and the public path behind her property.

Richard Hickman, 1220 Camino Real, stated his concerns regarding flooding.

Vice Chairman Rushing closed the public hearing.

Mr. Schmidt stated the public comments made during the public hearing aligned with staff concerns.

The Commission had a discussion regarding flooding concerns and the need to see a flood study.

Commissioner Flood made a motion to take no action. Commissioner Faulkner seconded the motion, and the motion was unanimously approved.

6. **Conduct a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for a zoning change for six tracts of land comprised of 72.959± acres and generally located east of Country Club Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently zoned Agriculture (AG), Two-Acre Ranch Estate (RE-2), and the Open Space and Flood Hazard (FH) zones. The requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. (ZA2014-15).**

Mr. Schmidt stated town staff recommends that the commission take no action on the request.

Vice Chairman Rushing opened the public hearing.

Mike Weaver, 481 Home Place, stated his concerns regarding lot size. He stated he would like to see the property developed even if the zoning has to change.

Commissioner Faulkner made a motion to take no action. Commissioner Flood seconded the motion, and the motion was unanimously approved.

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

No reports were made.

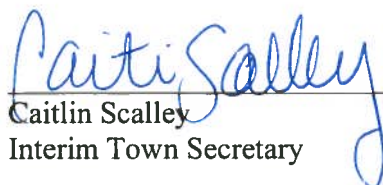
8. **Discuss schedule for upcoming planning and zoning commission meetings and training events.**

Mr. Schmidt stated there is a need to hold an additional meeting in September, and that date would be determined at a later time.

9. **Adjourn.**

Vice Chairman Rushing adjourned the commission from the meeting at 9:12 p.m.

Respectfully submitted,


Caitlin Scalley
Interim Town Secretary




Jim Rushing, Vice Chairman
Planning and Zoning Commission