

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, DECEMBER 11, 2014**

The Planning and Zoning Commission met in regular session on Thursday, December 11, 2014 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Chairman Brad Northcutt, Pat Friend, Heather Hager, Mike VanNatta, Debbie Flood, Ricardo Doi and Leslie Knight. Staff members present were Town Manager, Julie Couch; Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-in-Training, Danielle Gregory; and Town Secretary/Public Relations Coordinator, Caitlin Scalley.

Chairman Northcutt called the meeting to order at 7:00 p.m. and declared a quorum was present. Chairman Northcutt welcomed newly appointed commissioners Ricardo Doi and Leslie Knight.

1. Consider and take action regarding the minutes of the November 13, 2014 Planning and Zoning Commission meeting.

Chairman Northcutt stated he recommends adding language to the minutes regarding his request to the commission for a motion to deny a request by LandPlan Development to amend the Future Land Use Plan for planning case PA2014-03.

Commissioner VanNatta made a motion to approve the revised November 13, 2014 minutes. Commissioner Flood seconded the motion, and the motion carried with six (6) in support and one (1) abstention. Commissioner Doi abstained.

2. Conduct a public hearing, consider, and take any necessary action on a request by Grenadier Homes for Major Warrants pertaining to building type standards, district transition standards, block length and configuration standards, open space standards, street and parking standards, and architectural standards for a 14.22± acre tract of land that is zoned Commercial Planned Development District (CPDD) – Urban Transition Sub-district, and is generally located at the southeast corner of State Highway 5 and Bluebird Lane. (MW2014-01).

Mr. Schmidt gave a presentation pertaining to a request by Grenadier Homes for Major Warrants for the subject property zoned CPDD – Urban Transition Sub-district. He stated the applicant is applying on behalf of the current property owner Marwan Saker. Mr. Schmidt stated this is the first application to appear before the commission under the updated CPDD code. He stated the commission should only consider items that require Major Warrants during this public hearing, and not components of the application that conform to the code.

Mr. Schmidt gave an overview of the Major Warrants evaluation criteria and existing entitlements for the subject property. He stated the applicant began plans to develop the subject property during the town's early stages of the update to the CPDD code and was advised by town staff to withhold submitting a plan until the update was complete. Mr. Schmidt stated the applicant was advised by town staff to modify their proposal in order to conform to the proposed CPDD code. He stated the applicant has not been receptive to revising the plan to conform to the new code despite having met with town staff and the Urban Design Officer.

Mr. Schmidt stated town staff determined critical elements to the form and function of the plan that need to be addressed by the applicant. These elements include failure to provide for rear entry garages and alleys, failure to meet front entry garage offset requirements for lots where front entry garages are permitted, failure to front the townhomes facing S Highway 5 on a residential street instead of the open space provided for in the plan, and failure to provide for Manor Lots adjacent to the Hawkswood neighborhood. Mr. Schmidt stated town staff would support finding compromises for the remaining Major Warrants if the applicant addressed these critical elements in their plan.

Mr. Schmidt stated seventy-six (76) property owners were notified in accordance with town and state law. Town staff received three (3) statements of opposition and no statements of support. Mr. Schmidt stated the applicant has continued to advance a plan that is flawed and fails to address critical elements that will hinder the property from functioning appropriately. Mr. Schmidt stated town staff recommends denial without prejudice of all Major Warrants for the subject property.

Chairman Northcutt opened the public hearing.

Marwan Saker, the current property owner, stated he would like to develop the property while remaining a good neighbor to Bluebird Lane. He stated the process for developing the property began several years ago, and he was under the impression that the CPDD code would not affect his property due to the small nature of the project.

Anthony Natale, on behalf of Grenadier Homes, stated he interpreted the CPDD code differently from town staff as many of the items presented by Mr. Schmidt are subjective. He gave an overview of the proposed plan and addressed his interpretations of the CPDD code.

Cody Hooper, 491 Bluebird Lane, stated he had a petition with twenty-three (23) signatures in opposition. He read the petition and stated concerns regarding traffic congestion, safety and density.

Elaine Belcher, 5691 Hummingbird Lane, stated her opposition to the request and stated issues related to her neighborhood that was developed by Grenadier Homes.

Steve Ogden, 541 Bluebird Lane, stated his neighborhood enjoys a simple lifestyle and requested the commission be cautious of the proposal in order to avoid significantly changing the character of the neighborhood.

Mary Price, 579 Meandering Way, stated her concerns regarding town staff's recommendation that the applicant provide rear-entry garages and alleys to the single-family detached homes.

Terry Nash, 550 Bluebird Lane, stated his concerns regarding parking and density creeping into the Bluebird neighborhood.

Deb Grace, 5860 Fairview Parkway, stated she loves her home that was developed by Grenadier Homes.

Scarlett Murry, on behalf of Grenadier Homes, stated she has sold more than 200 Grenadier Homes and over half have been paid in cash.

Max Wood, 551 Bluebird Lane, addressed Mr. Saker's previous proposals over the past several years. She stated she wanted to illustrate the time and energy Bluebird residents have spent related to Mr. Saker's property. She requested a 35 foot buffer between Bluebird Lane and the proposed development.

Bill Ameser, 550 Talia Circle, stated his concerns regarding creating alleys along properties on Hawkswood.

John McFadden, 501 Bluebird Lane, stated the majority of the changes around his neighborhood have been good and spoke about the history of the area.

Chairman Northcutt closed the public hearing.

Mr. Schmidt stated an alley would not be required and is not being proposed along Hawkswood. He stated the intent of the CPDD code is controlled and interpreted by the town.

The commission had a discussion regarding alleys. The commission had a discussion regarding concerns related to the large number of Major Warrants being requested. The commission had a discussion with the applicant and town staff regarding potential solutions to the presented critical elements.

Chairman Northcutt asked the applicant for his preference on whether the commission should vote on the request as submitted or table the item to allow additional time to find solutions. Mr. Natale stated he would be willing to look at alternatives with town staff.

Commissioner Friend made a motion to deny the request for Major Warrants for the subject property without prejudice. Commissioner Hager seconded the motion. Commissioner Doi and Commissioner Flood stated their desire to table the request in order to allow the applicant an opportunity to address the commission's concerns. The motion carried with four (4) in support and three (3)

in opposition. Chairman Northcutt, Commissioner Doi and Commissioner Flood voted in opposition of the motion.

- 3. Consider, discuss, and take any necessary action on a request by TxMorrow Construction to approve a Final Plat for a proposed multi-family residential development on a 24.40± acre tract of land that is situated in the Joseph Dixon Survey, Abstract No. 275, zoned Commercial Planned Development (CPDD) District, Urban Village Sub-District, and is generally located west of SH 5 and north of Meandering Way. (FP2014-04).**

Mr. Schmidt gave an overview of the Final Plat application for the subject property. He stated the applicant was permitted to commence site work prior to plat application in order to begin work on site grading and utility installation. Mr. Schmidt stated the plat application was not presented to the commission at that time because there were issues related to construction techniques that would negatively impact the town's ability to accept the full proposed public land dedication.

Mr. Schmidt stated the applicant is providing for two points of access on S Highway 5. He stated town staff intends to apply for a traffic signal warrant for the S Highway 5 and Meandering Way intersection upon occupation of the proposed development. Mr. Schmidt stated the applicant is proposing to dedicate 10.8 acres of open space, including the provision of a public hike and bike trail and open space furnishings. He stated the Parks and Recreation Board recommended approval of the proposal as submitted. Mr. Schmidt stated the outdoor lighting plan provides for sufficient lighting at the development entryways and conforms to the town's outdoor lighting requirements. Mr. Schmidt stated the landscape planting plan provides for sufficient buffering from adjacent properties.

Mr. Schmidt stated the application conforms to the town's subdivision regulations, as well as the approved Site Plan. He stated town staff recommends approval of the Final Plat application as submitted.

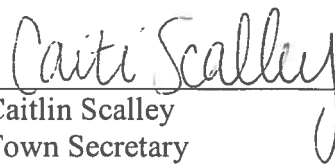
The commission had a discussion with Mr. Chancellor regarding utilities and drainage.

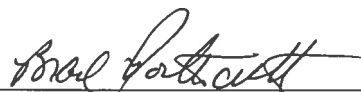
Commissioner Doi made a motion to approve the Final Plat for a proposed multi-family residential development on the subject property. Commissioner Friend seconded the motion, and the motion was unanimously approved.

- 4. Adjourn.**

Chairman Northcutt adjourned the commission from the meeting at 10:07 p.m.

Respectfully submitted,


Caitlin Scalley
Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission

