

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, JANUARY 8, 2015**

The Planning and Zoning Commission met in regular session on Thursday, January 8, 2015 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Chairman Brad Northcutt, Pat Friend, Mike VanNatta, Debbie Flood, Ricardo Doi and Leslie Knight. Staff members present were Planning Manager, Ken Schmidt; and Town Secretary/Public Relations Coordinator, Caitlin Scalley. Commissioner Heather Hager was absent.

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

- 1. Discuss and consider appointing a Vice Chairman of the Planning and Zoning Commission, and take any necessary action.**

Chairman Northcutt gave an overview of the Vice Chairman's responsibilities. The commission took a vote to appoint a Vice Chairman by writing one commissioner's name on a piece of paper. Ms. Scalley read the votes aloud. The commission voted to appoint Commissioner Friend as the Vice Chairman with four (4) votes. Commissioners Doi and Flood each received one (1) vote.

- 2. Consider and take action regarding the minutes of the December 11, 2014 Planning and Zoning Commission meeting.**

Commissioner Doi requested language be added to the minutes to reflect his abstention from the vote for the November 13, 2014 Planning and Zoning Commission minutes.

Commissioner Friend made a motion to approve the revised December 11, 2014 minutes. Commissioner Doi seconded the motion, and the motion was unanimously approved.

- 3. Conduct a public hearing, consider, and take any necessary action on a request by Mr. David Keith, for approval of a Conditional Use Permit (CUP) in order to allow for the construction of an accessory building on a property that is zoned One-Acre Ranch Estate (RE-1) and is specifically located at 638 Merlot Court, being Lot 16 of the Vineyards at Fairview Addition to the Town of Fairview. (ZA2014-22)**

Mr. Schmidt gave a presentation regarding a request for Conditional Use Permit (CUP) in order to allow for the construction of a gazebo on the subject property. Mr. Schmidt stated the subject property is zoned One-Acre Ranch Estate, and the

property owner is permitted by right to have up to two accessory buildings with a combined building footprint not to exceed 900 square foot. Mr. Schmidt stated the applicant has an existing 750 square foot shed and is requesting to install a 950 square foot gazebo. Mr. Schmidt stated the applicant is requesting a CUP in order to exceed the maximum accessory building area by 800 square foot. He stated the proposed structure conforms to all other accessory building requirements and is consistent with the residential character of the subdivision. Mr. Schmidt presented the proposed site plan and new structure renderings.

Mr. Schmidt stated twenty-nine (29) property owners were notified in accordance with town and state law. Town staff received four (4) statements of support and no statements of opposition. Mr. Schmidt stated town staff recommends approval of the application as submitted.

Chairman Northcutt opened the public hearing.

David Keith, the property owner, stated the fence presented in the new structure rendering already exists for safety reasons around the pool, and the existing structure is a garage.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding the existing accessory building. Mr. Keith stated he obtained a permit for the existing garage. The commission had a discussion regarding similar applications.

Chairman Northcutt requested the commission have a discussion with staff regarding updating the maximum accessory building requirement due to the volume of applications.

Commissioner VanNatta made a motion to approve the CUP in order to allow for an accessory building on the subject property. Commissioner Friend seconded the motion, and the motion was unanimously approved.

4. Conduct a public hearing, consider, and take any necessary action on a request by Mr. Sam Price to rezone a 17.529± acre segment of Lot 1, Block A of the Ward Addition to the Town of Fairview, from the Agricultural (AG) zoning district to the One-Acre Ranch Estate (RE-1) zoning district. (ZA2014-23)

Mr. Schmidt gave a presentation regarding a request to rezone the subject property from Agricultural (AG) to One-Acre Ranch Estate (RE-1). Mr. Schmidt stated the subject property is a portion of the property included in planning case ZA2014-18 that was denied by the Town Council at the December 2, 2014 Town Council meeting. Mr. Schmidt stated the proposed zoning is consistent with or less intense than surrounding existing and projected development. He stated the proposed zoning designation conforms to the town's Future Land Use Plan.

Mr. Schmidt stated the site currently has one point of access to Stoddard Road and would likely need a second point of access through the Williams property. He stated the requested density would have a marginal impact on Stoddard Road. Mr. Schmidt stated the requested density would have a marginal impact on the town's utility infrastructure, and the future development of the site would be served by an existing waterline and future water infrastructure on an adjacent property.

Mr. Schmidt stated nineteen (19) property owners were notified in accordance with town and state law. Town staff received one (1) statement of support and no statements of opposition. Mr. Schmidt stated town staff recommends approval of the application as submitted.

Chairman Northcutt opened the public hearing.

Doug Mousel, on behalf of the property owners, stated the subject property is surrounded by RE-1 zoning, and the request conforms to the Future Land Use Plan.

Chairman closed the public hearing.

The commission had a discussion regarding existing sewer service on an adjacent property. The commission had a discussion regarding access to the subject property.

Commissioner Friend made a motion to approve the request to rezone the subject property from AG to RE-1. Commissioner Flood seconded the motion, and the motion was approved with five (5) in support and one (1) in opposition. Commissioner Knight voted in opposition of the motion.

5. Conduct a work session to discuss the implementation process for the revised CPDD code.

Chairman Northcutt stated a work session pertaining to the implementation and interpretation of the recently revised Commercial Planned Development District (CPDD) code is needed as the commission reviewed its first application at the December 11, 2014 Planning and Zoning Commission meeting. Mr. Schmidt stated the prepared presentation is code focused, but the commission should feel free to ask any questions pertaining to the process involved in revising the code.

Mr. Schmidt gave a presentation outlining the critical elements of the revised code. He stated the intent statements within the revised code are not just goals. He stated the revised code allows opportunities for administrative approval for plans that conform to the code and for minor warrants. Mr. Schmidt stated requests for major warrants will require review by the commission and council. Mr. Schmidt provided examples of residential neighborhoods and mixed-use districts in surrounding communities.

Commissioner VanNatta left the room at 8:34 p.m. and returned at 8:36 p.m.

The commission had a discussion regarding appropriate interactions between the commission and developers. The commission had a discussion regarding the desire to have a joint meeting with the Town Council in order to better understand the Town Council's vision.

No action was taken.

6. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 9:46 p.m.

Respectfully submitted,


Caitlin Scalley
Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission

