

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, FEBRUARY 26, 2015**

The Planning and Zoning Commission met in special session on Thursday, February 26, 2015 at 7:00 p.m. at 372 Town Place, Fairview, Texas. Commission members present were Chairman Brad Northcutt, Vice Chairman Pat Friend, Debbie Flood, Heather Hager, Ricardo Doi and Leslie Knight. Staff members present were Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-In-Training, Danielle Gregory; and Town Secretary/Public Relations Coordinator, Caitlin Scalley. Commissioner Mike VanNatta was absent.

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

- 1. Continue 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 residential uses. (ZA2015-02)**

Mr. Schmidt stated the commission voted to continue the public hearing from the February 12, 2015 Planning and Zoning Commission meeting in order to allow the applicant to respond to commission and resident feedback regarding access to the proposed neighborhood, establishing a trail and lot configuration.

Mr. Schmidt gave a presentation regarding a request to rezone the subject property and presented the applicant's revised preliminary plan. Mr. Schmidt stated the applicant has revised access to the proposed neighborhood allowing for public access from FM1378 and emergency access from Farmstead and from the property to the south. He stated the applicant is proposing an easement for an unimproved nature trail. Mr. Schmidt stated the applicant did not eliminate any lots, but has reconfigured the lots to respond to commission feedback.

Mr. Schmidt stated the applicant is not proposing an RE-2 conforming neighborhood. He stated the applicant will likely proceed with rezoning and platting the southern segment of the property if the proposal fails, resulting in Farmstead becoming public access.

Bryon Reid, on behalf of M. Christopher, stated the plan has been reconfigured and reduced beyond the plan that was presented to the Town Council. He stated the proposed neighborhood addresses the needs of the town, the developer and surrounding neighbors.

Chairman Northcutt reviewed the rules and procedures for public hearings. Chairman Northcutt reopened the public hearing from February 12, 2015.

Pat Rees, 1161 Farmstead, stated he supports the plan for Farmstead to remain emergency access.

Mike Weaver, 481 Home Place, stated his support for Farmstead remaining emergency access and stated he didn't see any issue regarding the floodplain.

Kersch Smith, 470 Country Club Road, stated his support of the request and stated children frequent Farmstead.

Christine Rees, 1161 Farmstead, stated the developer has accommodated resident concern regarding Farmstead and stated her support of the request.

Richard Hickman, 1220 Camino Real, stated his primary concern is flooding for residents along Sloan Creek. He stated the developer has addressed the public and commission's concerns.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding floodplain reclamation, points of access and individual proposed lots. The commission had a discussion regarding the town attorney's determination that the application is significantly different from the application denied in 2014.

Mr. Chancellor stated he supports floodplain reclamation in this instance.

Commissioner Doi made a motion to approve the zoning change request for the subject properties. Vice Chairman Friend seconded the motion, and the motion failed with a 3-3 vote. Chairman Northcutt and Commissioners Knight and Hager voted in opposition of the motion. Vice Chairman Friend and Commissioners Doi and Flood voted in favor of the motion.

- 2. Conduct a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. to approve a Development Plan for Parkside at Fairview, a proposed residential neighborhood comprised of sixty residential lots, four common area lots, and one public open space dedication. The subject property is currently zoned Planned Center (PC) and is generally located south of Stacy Road and 1,300' west of Orr Road. (DP2014-05).**

Commissioner Doi recused himself from the discussion and vote for planning case DP2014-05. *Commissioner Doi left the room.*

Mr. Schmidt gave a presentation regarding a request to approve a development plan in order to accommodate the Parkside at Fairview neighborhood. He reviewed the Planned Center zoning process. He stated the council approved an ordinance to rezone the property at the November 4, 2014 Town Council meeting.

Mr. Schmidt stated the town's responsibility in the process is to ensure the proposed development plan conforms to the preliminary plan and development standards adopted by the Town Council.

Mr. Schmidt stated the development plan is consistent with the approved preliminary plan and development standards, including lot yield and RE-1 zoning requirements. He stated the applicant has provided for two points of access on Stacy Road, and the proposed development requires a 40 foot dedication of right-of-way. Mr. Schmidt stated a portion of the proposed right-of-way is currently incorporated into an access easement for the entryway to the Thompson Springs neighborhood. He stated the applicant and town staff will work with the Thompson Springs HOA in order to accommodate the abandonment of this easement and the provision of a landscape and sign maintenance easement for the Thompson Springs entryway feature. Mr. Schmidt stated the development would be served by existing waterlines, and the applicant is providing for water lines throughout the interior of the proposed neighborhood. He stated preliminary drainage plans indicate the applicant will utilize storm sewer instead of an open drainage system.

Mr. Schmidt stated the applicant is providing for a significant landscape buffer at Stacy Road, and the proposed entryways features are consistent with adjacent neighborhoods. Mr. Schmidt stated the applicant is proposing a nonconforming lighting configuration for the entryway features similar to adjacent neighborhoods. Mr. Schmidt stated town staff believes the proposed lighting configuration meets the intent of the town's dark skies ordinance and is appropriate for the site.

Mr. Schmidt stated the applicant is proposing to dedicate roughly 28 acres of open space as public parkland and is proposing an 8 foot concrete trail that would connect existing trails.

Mr. Schmidt stated town staff recommends approval of the request as submitted.

Chairman Northcutt opened the public hearing.

Ron Robbins, on behalf of Toll Brothers, Inc., requested the commission's support.

Brian Grebe, 1700 Ashcroft Drive, stated his concern regarding parking for access to the trail head.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding the proposed road cross section and the proposed lighting plan for the entryway features. The commission had a discussion regarding parking for the proposed trail. Mr. Schmidt stated parking accommodations will be dependent on the town's goals for the open space.

The commission had a discussion regarding the removal of sidewalks. Commissioner Flood requested the commission consider keeping the sidewalk on one side.

Vice Chairman Friend made a motion to approve the request conditioned upon the removal of sidewalks and a detailed plan for parking in the open space. Commissioner Hager seconded the motion, and the motion carried with four (4) in support and one (1) in opposition. Commissioner Flood voted in opposition of the motion. Commissioner Doi recused himself from the vote.

- 3. Continue a public hearing, consider, and take any necessary action on a request by Fairview Hospitality LLC for Major Warrants pertaining to block face configuration standards, building type standards, and architectural standards for a 1.5284± acre segment of Lot 5, Block A of the Village at Fairview Addition that is zoned Commercial Planned Development District (CPDD) – Urban Village Sub-district, and is generally located at the southeast corner of Convention Drive and Murray Farm Road. (MW2014-02).**

Commissioner Doi returned to the room.

Mr. Schmidt gave a presentation pertaining to planning cases MW2014-02 and R2015-01 regarding a major warrant request for Fairview Hospitality, LLC pertaining to block face configuration standards, building type standards and architectural standards in order to establish a Hilton Home2 Suites extended stay hotel. Mr. Schmidt stated the applicant is also applying for a replat of the subject property. Mr. Schmidt gave an overview of the Major Warrants evaluation criteria.

Mr. Schmidt stated the existing use on the subject property is designated as a temporary use. The Village at Fairview sand volleyball courts currently occupy the site. Mr. Schmidt stated the projected land use calls for infill development opportunity, and the town recognized the need for unique treatment of existing developments that were partially built out when the CPDD code was adopted. Mr. Schmidt stated the proposed hotel is consistent with the existing character of the Village at Fairview.

Mr. Schmidt outlined the seven major warrant requests including exceptions to the building orientation requirements, public open space requirements, facade rhythm and building articulation intent, transparency requirements through the provision of windows and entryways, full public realm treatment by providing for an 10 foot sidewalk clear zone.

Mr. Schmidt stated the applicant and property owner worked with staff to attempt to meet the town's updated CPDD code, but restrictions dictated by Hilton have required the applicant to request major warrants. Mr. Schmidt stated the proposed plan presents challenges to conforming to the town's code, but the commission

should also consider the town's long term economic development goals and the need to continue to grow its commercial tax base.

Mr. Schmidt stated four (4) property owners were notified in accordance with town and state law. Town staff has not received any feedback. Mr. Schmidt stated town staff recommends approval of the request for major warrants and approval of the request to replat Lot 5, Block A of the Village at Fairview Addition.

Chairman Northcutt opened the public hearing.

Hiren Desai, the applicant, stated Hilton restrictions prevented the plan from conforming to the town's code. He stated the hotel will help bring in more traffic to the Village at Fairview and requested the commission approve the request.

Katherine Ponder, 970 Foxdale, stated she was unaware the Village at Fairview sand volleyball courts and community garden were designated as temporary uses. She stated she would like to see research to support that a hotel would serve as an asset to the town.

Lori Lauter, 717 Elmbrook Drive, stated she is concerned with developers requesting major warrants. She stated tax revenue is generated by current residents and the subject property is the wrong location for a hotel.

Chairman Northcutt closed the public hearing.

The commission had a discussion regarding the subject property's existing temporary use, requested major warrants, site configuration and projected demographics. Mr. Desai stated the hotel is a hybrid product that is expected to redirect current traffic from surrounding communities including corporate and leisure traffic.

Commissioner Doi made a motion to approve the request for major warrants and the request to replat the subject property. Vice Chairman Friend seconded the motion, and the motion carried with four (4) in support and two (2) in opposition. Chairman Northcutt and Commissioner Knight voted in opposition of the motion.

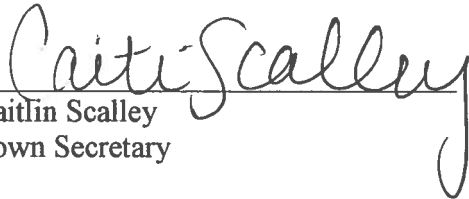
- 4. Continue a public hearing, consider, and take any necessary action on a request by Fairview Hospitality LLC for a Replat of Lot 5, Block A of the Village at Fairview Addition in order to create a 1.5284± acre lot for the development of a hotel use. The subject property is zoned Commercial Planned Development District (CPDD)–Urban Village Sub-district, and is generally located at the southeast corner of Convention Drive and Murray Farm Road (R2015-01).**

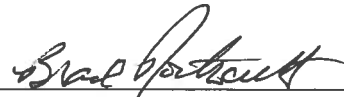
The commission voted to approve the request to replat the subject property with a 4-2 vote. Chairman Northcutt and Commissioner Knight voted in opposition of the motion.

5. Adjourn.

Chairman Northcutt adjourned the commission from the meeting at 9:47 p.m.

Respectfully submitted,


Caitlin Scalley
Town Secretary


Brad Northcutt, Chairman
Planning and Zoning Commission

