

**MINUTES
FAIRVIEW, TEXAS
PLANNING AND ZONING COMMISSION
THURSDAY, JULY 14, 2016**

The Planning and Zoning Commission met in regular session on Thursday, July 14, 2016 at 372 Town Place, Fairview, Texas. Commissioners present were Chairman Sim Israeloff; Vice Chairman Pat Friend; and Commissioners Scott Almy, John Cox and Ricardo Doi. Commissioners Debbie Flood and Gregg Custer were absent. Staff members present were Town Manager, Julie Couch; Planning Manager, Israel Roberts; Town Engineer, James Chancellor; and Town Secretary, Elizabeth Cappon.

1. Call to order.

Chairman Israeloff called the meeting to order at 7:00 p.m. and declared a quorum was present. Prior to the meeting Commissioner Almy was sworn in for his one-year remaining on his term.

2. Consider and take action regarding the minutes of the May 12 and June 9, 2016, Planning and Zoning Commission meeting.

Commissioner Almy made a motion to approve the May 12 and June 9, 2016 minutes as submitted. Commissioner Doi seconded the motion and the motion was unanimously approved.

3. Continue a public hearing, consider and take necessary action on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 1.35-acre site is located at 870 Quail Rise and is zoned for the (RE-1) One-acre Ranch Estate District. Owner/applicant: Kevin Joyner. (CUP2016-05).

Chairman Israeloff stated that he has filed a conflict affidavit with the Town Secretary for the first item on the agenda as he lives near the property. Chairman Israeloff asked that Vice Chairman Friend preside over this item in his place.

Mr. Roberts gave a presentation on a request for approval of a Conditional Use Permit (CUP) for a sports court. The 1.35-acre site is located at 870 Quail Rise and is zoned for the (RE-1) One-acre Ranch Estate District.

Mr. Roberts stated that the item has now twice been continued in order to allow the applicant and the applicant's engineer to work on the drainage of the sports court with Mr. Chancellor. Mr. Roberts stated that staff has still not received a formal or informal response to staff's drainage concerns regarding the size of the sports court from the applicant's engineer. Mr. Roberts added that staff has not heard from the applicant or the applicant's representative for more than a month. Mr. Roberts stated that because of the lack of communication regarding the drainage issues, staff recommends denial without prejudice of the CUP. Mr. Roberts stated the applicant would be able to resubmit with the proper drainage improvements in their redesign.

Vice Chairman Friend stated the public hearing is still open from the June 9, 2016 Planning and Zoning Commission meeting. There were no speakers. Vice Chairman Friend closed the public hearing.

Commissioner Doi made a motion to deny without prejudice a request for approval of a Conditional Use Permit (CUP) for a sports court. The 1.35-acre site is located at 870 Quail Rise and is zoned for the (RE-1) One-acre Ranch Estate District. Owner/applicant: Kevin Joyner. (CUP2016-05). Commissioner Cox seconded the motion and the motion to deny was approved 4-0 with Chairman Israeloff abstaining.

4. **Conduct a public hearing, consider and take necessary action on a request for approval of a revised landscape plan for the Courts at Sloan Creek. The 6.5-acre site is located on the west side of Highway 5, south of Meandering Way and is zoned for the CPDD (Commercial Planned Development District). Owner: Kittyhawk LLC. Applicant: Jeb Nelson, Green Brick Partners. (SP2016-01).**

Mr. Roberts gave a presentation on a request for approval of a revised landscape plan for the Courts at Sloan Creek on the west side of Highway 5, south of Meandering Way in the CPDD.

Mr. Roberts stated the previously approved landscape plans did not consider grading or proper detention. Mr. Roberts added that the plan mostly changed along Highway 5. Mr. Roberts stated the changes allow for better screening of Ranchette Estates while utilizing more existing vegetation rather than berms.

Mr. Roberts stated that adjacent property owners were notified within the 500-foot boundary and the Town received no correspondence in return. Mr. Roberts stated that due to the amount of previous public opinion regarding the development, staff has no formal recommendation but generally supports the changes to the landscape plan.

Chairman Israeloff asked if the straight sides of the detention are safe for children. Mr. Chancellor stated the pond does not hold water, so it would be a three to four foot fall off to the ground.

Chairman Israeloff opened the public hearing. There were no speakers. Chairman Israeloff closed the public hearing.

Commissioner Doi stated he felt the changes enhance the buffering and screening for Ranchette Estates. Commissioner Doi stated he felt that design was typical of dry detention ponds.

Commissioner Cox stated concerns about the drop-off on the detention pond on the north side straight drop-off.

Casey Ross, Civil Engineer, Dowdey, Anderson and Associates, 5225 Village Creek Drive in Plano, stated that he had no issue with adding a handrail to the detention pond.

Commissioner Doi asked if it was truly necessary to add the handrail along Ranchette Estates on the south and the west, as they are not pedestrian areas. Mr. Ross stated there would be sidewalk on the north side of the pond and that there should not be pedestrian traffic on the south side. Commissioner Cox stated concerns about any children playing.

Commissioner Friend made a motion to approve a revised landscape plan for the Courts at Sloan Creek with the condition that it includes a decorative handrail along the edges of the detention with a straight-sided drop-off. The 6.5-acre site is located on the west side of Highway 5, south of Meandering Way and is zoned for the CPDD (Commercial Planned Development District). Owner: Kittyhawk LLC. Applicant: Jeb Nelson, Green Brick Partners. (SP2016-01). Commissioner Cox seconded the motion and the motion was unanimously approved.

5. **Conduct a public hearing, consider and take necessary action on a request for approval of a Preliminary Plat for Harper Landing, Phase 2. The 46.2-acre site is located on the east side of Country Club Drive, between Farmstead St. and Camino Real and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Bryon Reid, M. Christopher Custom Homes (PP2016-01).**

Mr. Roberts gave a presentation on a request for approval of a Preliminary Plat for Harper Landing, Phase 2 on the east side of Country Club Drive, between Farmstead St. and Camino Real.

Mr. Roberts stated that the subdivision would be comprised of 16 single-family lots with two common areas. Mr. Roberts stated that the plat meets all RE-2 zoning design standards and that as plats are a ministerial approval process, staff recommends approval.

Mr. Roberts stated that adjacent property owners were notified within the 500-foot boundary and the Town has received several letters of opposition.

Chairman Israeloff opened the public hearing.

Mike Schepers, 530 Kentucky Lane, stated his opposition to the development due to the drainage.

Justin Jinright, 571 Kentucky Lane, stated he opposed the item due to the lack of communication regarding the issue. Mr. Jinright discussed his issues regarding the NTMWD valve near his property.

Chris Smith, 470 Country Club Road, asked about the cul-de-sac shown from Phase 1. Mr. Roberts explained that would be remedied with the next agenda item, which would make Farmstead emergency access only.

Chairman Israeloff closed the public hearing.

Commissioner Doi asked Mr. Chancellor about the NTMWD valve near Mr. Jinright's home. Commissioner Doi and Mr. Chancellor had an extended conversation about the valve. Mr. Chancellor stated it is one of several isolation valves to be optionally used for maintenance by the NTMWD. Mr. Chancellor added that the Town does not have the authority to force the NTMWD to do something just because it is within the Town. Mr. Chancellor stated that there are swales in the area in the rare case that the valve is opened, unlike in other parts of Town. Commissioners Cox and Doi as well as Mr. Chancellor had an extended discussion regarding the flood study.

Commissioner Cox asked if the new homeowners would be able to build in the flood plain. Mr. Chancellor stated the homes would be built three feet above the hundred-year flood line outside of the flood plain and no building would be allowed within the flood plain.

Commissioner Friend asked Mr. Chancellor how long the Commission has been discussing the drainage of this area. Mr. Chancellor stated close to a year.

Commissioner Doi asked if the buildable area on lots 2 and three had changed.

The applicant, Bryon Reid, M Christopher Custom Homes, 550 South Highway 5, every lot has a minimum one acre buildable outside the floodplain now and that previously lots 2 and 3 had closer to 0.9 acre buildable area so they redrew them.

Commissioner Friend made a motion to approve a Preliminary Plat for Harper Landing, Phase 2. The 46.2-acre site is located on the east side of Country Club Drive, between Farmstead St. and Camino Real and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Bryon Reid, M. Christopher Custom Homes (PP2016-01). Applicant: Bryon Reid, M. Christopher Custom Homes (PP2016-01). Commissioner Almy seconded the motion and the motion was unanimously approved.

6. **Consider, discuss and take action necessary on a request for approval of a Final Plat and Landscape Plan for Harper Landing Addition. The 72.95-acre site is located on the east side of Country Club Drive, between Farmstead St. and Camino Real and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Bryon Reid, M. Christopher Custom Homes (FP2016-04).**

Mr. Roberts gave a presentation on a request for approval of a Final Plat and Landscape Plan for Harper Landing Addition located on the east side of Country Club Drive, between Farmstead St. and Camino Real.

Mr. Roberts stated that this final plat combines Phase I and Phase II into one subdivision. Mr. Roberts added that previously Phase I was approved but never filed with the County while the applicant awaited zoning for Phase II.

Mr. Roberts stated that the plat would revise Phase I to remove the northern cul-de-sac and turn the Farmstead Road extension into a gated emergency access easement.

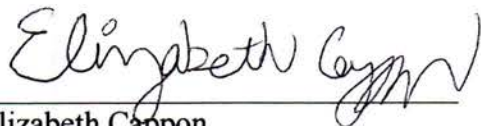
Commissioner Cox stated an issue regarding the lot numbers on the final plat versus the preliminary plat. Mr. Roberts stated that the preliminary plat is a separate standalone document that is not filed with the County. Mr. Roberts stated that the final plat would be the sole controlling document and legal description. Commissioner Doi suggested combining blocks B and C into one block to settle the confusion.

Commissioner Doi made a motion to approve the Final Plat and Landscape Plan for the Harper's Landing Addition with the condition that they relabel the blocks as discussed. The 72.95-acre site is located on the east side of Country Club Drive, between Farmstead St. and Camino Real and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Bryon Reid, M. Christopher Custom Homes (FP2016-04). Vice Chairman Friend seconded the motion and the motion was unanimously approved.

7. Adjourn.

Chairman Israeloff adjourned the commission from the meeting at 7:51 p.m.

Respectfully submitted,



Elizabeth Cappon
Town Secretary



Sim Israeloff, Chairman
Planning and Zoning Commission

