

**MINUTES  
FAIRVIEW, TEXAS  
PLANNING AND ZONING COMMISSION  
THURSDAY, JUNE 14, 2018**

The Planning and Zoning Commission met in regular session on Thursday, June 14, 2018 at 372 Town Place, Fairview, Texas. Commissioners present were Chairman Sim Israeloff as well as Commissioners Scott Almy, Ricardo Doi, Glenn Carlin, John Cox, Pat Friend and Gregg Custer. Staff members present were Planning Manager, Israel Roberts and Executive Assistant, Tenitrus Bethel.

**1. Call to order.**

Chairman Israeloff called the meeting to order at 7:05 p.m. and declared a quorum present.

**2. Consider and take action regarding the minutes of January 11, 2018 and April 12, 2018 meetings.**

Commissioner Carlin made a motion to approve the minutes with noted corrections. Commissioner Custer seconded the motion and the motion was unanimously approved.

**3. Public Hearings**

- a. Conduct a public hearing, consider and take action on a request for approval of a conditional use permit (CUP) for a sports court. The 2.26-acre site is located at 1041 Three Oaks Drive and is zoned for the (RE-1) One-Acre Ranch Estate District. Applicant: Tim Jackson, Tim Jackson Custom Homes, representing Lam and Michelle Le. (Case #CUP2018-05).
- b. Conduct a public hearing, consider and take action on a request for approval of a conditional use permit (CUP) for a sports court. The 2.09-acre site is located at 1050 Three Oaks Drive and is zoned for the (RE-1) One-Acre Ranch Estate District. Applicant: Tim Jackson, Tim Jackson Custom Homes, representing Kendall and Brandy Carll. (Case #CUP2018-06).

Chairman Israeloff stated the public hearings will be presented jointly however the votes will be taken individually. He opened the public hearing for both items.

Mr. Roberts gave a staff report on the request for a conditional use permit for a sports court at 1041 Three Oaks Drive. He stated the sport court would be a 50' x 100' multi-use sport court which would include tennis and basketball. He stated the court would be surrounded by a 10 ft. ball containment fence and it would have lights on 20 foot light poles. He stated the lighting fixtures are in compliance with the Town's dark skies ordinance after being reviewed by the Town Engineer. He indicated approximately 18 – 20 trees would need to be removed for the construction of the court.

Commissioner Carlin stated his concerns about the flood plain. Mr. Roberts explained flood plain elevations in relation to constructing a pad structure.

Commissioner Doi explained flood plains further.

Commissioner Cox expressed his concern about the removal of the trees and if they would be replaced based on the ordinance. Mr. Roberts stated homeowners have a 2 acre exemption, around the home, for tree removal.

Commissioner Friend inquired about height of lighting on sports courts. Mr. Roberts stated the most recent request presented on Creekwood had 20 feet lights with additional shielding. Commissioner Friend stated he did not oppose this request but does objects to the lights.

Chairman Israeloff stated his opposition to the lighting and the loss of trees. He stated he would recommend adding a condition to disapprove the lighting.

Commissioner Cox stated his opposition to lighting on elevated lots.

Commissioner Doi inquired about the screening and stated the row of screening should extend further south.

Commissioner Custer stated his uncertainty of understanding the wildlife impact. He stated his opposition based on the neighborhood opposition.

Commissioner Custer made a motion to disapprove the request for a conditional use permit (CUP) for a sports court located at 1041 Three Oaks Drive. Commissioner Cox seconded the motion and the motion was denied 5-2. Commissioners Doi and Friend were in opposition.

Chairman Israeloff offered Commission an opportunity to give their feedback on the request at 1050 Three Oaks Dr.

Commissioner Friend stated his opposition of the backboard utilized for basketball.

Commissioner Cox stated his abstention due to conflict of interest.

Commissioner Custer made a motion to disapprove the request for a conditional use permit (CUP) for a sports court located at 1050 Three Oaks Drive. Commissioner Almy seconded the motion and the motion was denied 5-1 with Commissioner Cox abstaining and Commissioner Doi in opposition.

#### **4. Adjourn.**

Chairman Israeloff adjourned the commission from the meeting at 7:52 p.m.