

**TOWN COUNCIL
MEETING MINUTES
February 10, 2009**

The Town Council met in regular session on Tuesday, February 10, 2009 at 7:30 P.M. at 500 S. State Hwy 5, Fairview, Texas. Those present were Mayor Pro Tem Mary Price, Council Members Jim Cunningham, Michael Pezzulli and Carolyn Sommers; Town Manager John Godwin; Planning Director, Alan Efrussy; Town Engineer, James Chancellor; Assistant to the Town Manager, Matt Donnell and Town Secretary, Michelle Lewis Sirianni. Council members Ron Kasian, Anton Mattli and Mayor, Sim Israeloff were absent.

Mayor Pro Tem Price called the meeting to order at 7:33 p.m. and declared a quorum was present.

CONSENT AGENDA: All items under the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion on these items. If discussion is desired, an item may be removed from the consent agenda and considered separately. A) Approve minutes of the January 13, 2009 meeting. B) Approve an ordinance calling the May 9, 2009 general election. C) Approve an ordinance recodifying local septic ordinances. D) Approve an ordinance permitting the construction of septic systems on certain lots less than one acre. E) Approve an ordinance abandoning right-of-way on Weston Drive. F) Request for an extension for the submittal of Eagles Landing Final Plat.

Mayor Pro Tem Price requested to pull item E. Mayor Pro Tem Price stated that she would like to table this item due to the fact that no ordinance was submitted by the town attorney and would like to review before approving.

Councilman Cunningham requested to pull item D.

Councilman Pezzulli made a motion to approve items A, B, C and F. Seconded by Councilwoman Sommers, with all in favor.

Councilman Cunningham asked in regards to item D, how many lots are less than one acre. Mr. Godwin responded that there are only three lots and of those, two of the three lots are unoccupied older homes that are located on FM 1378. Mr. Godwin stated that the ordinance is stated specifically for these three lots.

Councilman Pezzulli asked if there was a square foot restriction. Mr. Godwin responded that there was no restriction on square footage. Councilman Cunningham asked if the town could control the ETJ. Mr. Godwin responded that the town cannot control septic or zoning in the ETJ, but can enforce the town's building codes there.

Councilman Cunningham made a motion to approve item D. Seconded by Councilman Pezzulli, with all in favor.

WHOLE FOODS CONCEPT PLAN: Conduct a public hearing and take action regarding a Concept Plan for the Whole Foods Development, generally located west of Fairview Parkway, north of Stacy Road, and east of Central Expressway (US75), within the Commercial Planned Development District (CPDD), Zone K.

Mr. Efrussy introduced this item stating that town staff has worked closely with the project consultants and the representatives of the MG Herring group and town staff finds that the CPDD requirements have been met. Mr. Efrussy stated that town staff and the planning and zoning commission recommend approval of the Concept Plan.

Matt Gallo, MG Herring Development Manager, stated that he was worked closely with the Whole Foods team on the preconstruction work. Representatives from Whole Foods have met with local Stacy family members to get a feel and idea of the history of Fairview and look to incorporate the history within the building. Mr. Gallo stated that there are two other retail buildings designed for this site with over 20,000 square feet of retail space. Mr. Gallo stated that they request approval of the Concept Plan.

Mayor Pro Tem Price opened discussion to the public. Brad Northcutt, 910 Beechwood Lane, asked if someone could explain the traffic flow and access to the building. Mr. Gallo responded that there are two points of access where one entrance will be off of Frontage Road and the other one off Stacy Road, which will have two double left turning lanes.

Mayor Pro Tem Price closed the public hearing and opened discussion to council members. Councilman Cunningham asked if they envision any tenants within the retail space and will the buildings be connected. Mr. Gallo responded that no one has committed at this time to the retail space, but it will be specialty stores that will be geared towards a family lifestyle such as a sports specialty store, furniture or something that would go along with the Whole Foods image and that the buildings are not connected.

Councilwoman Sommers asked about the parking and where the entrances to the store would be located. Mr. Gallo responded that the majority of the parking is in the front and will be angled. Mr. Gallo commented that the main entrance is in the corner and will be seen from Stacy Rd and US 75.

Councilman Pezzulli made a motion to approve the Concept Plan for the Whole Foods Development. Seconded by Councilwoman Sommers, with all in favor.

WHOLE FOODS SITE PLAN: Conduct a public hearing and take action regarding a Site Plan for the Whole Foods Development, generally located west of Fairview

Parkway, north of Stacy Road, and east of Central Expressway (US 75), within the Commercial Planned Development District (CPDD), Zone K.

Mr. Efrussy introduced this item stating that the Site Plan represents the next detail of the physical development. Mr. Efrussy stated that the plan has been reviewed and approved by the planning and zoning commission and town staff. Mr. Efrussy stated that all requirements have been met and addressed as well as been reviewed by the architectural review committee. Mr. Efrussy stated that staff recommends approval as submitted.

Marc Nightwine, architect for the Whole Foods Project, stated that the elevations will be broken up by different colored bricks that will add a variety as well as represent the feel of the town. Mr. Nightwine also stated that there will be an added curve to the road along the front of the store.

Alan Norton, Regional Director for Whole Foods, stated that no two stores are alike and that they hire a décor company that does research to incorporate the history of Fairview within the store and they are very excited for the completion and unveiling.

Mayor Pro Tem opened discussion to the public. Brad Northcutt, 910 Beechwood Lane, asked to see the elevations and which sides face US 75 versus Stacy Road. Mr. Nightwine viewed the layouts where Mr. Northcutt could see them more clearly.

Mayor Pro Tem closed the public hearing and opened discussion to the council members. Councilman Cunningham asked if there would be any coverage areas if it is raining. Mr. Nightwine responded that there would not be any coverage areas.

Councilwoman Sommers made a motion to approve the Site Plan for the Whole Foods Development and all associated documents as submitted. Seconded by Councilman Cunningham, with all in favor.

CITIZEN'S INPUT:

No comments were made.

There being no other items for discussion, Mayor Pro Tem Price adjourned the meeting at 8:10 p.m.

Mary Price
MARY PRICE, MAYOR PRO TEM

ATTEST:

Michelle Lewis Sirianni
Michelle Lewis Sirianni, Town Secretary

