

**TOWN COUNCIL
AND THE
PLANNING AND ZONING COMMISSION,
SPECIAL JOINT
MEETING MINUTES
October 11, 2012**

The Town Council and Planning and Zoning Commission met in special joint session on Thursday, October 11, 2012 at 7:00 P.M. at 372 Town Place, Fairview, Texas. Those present were Council Members Sim Israeloff, John Fraser, Jim Cunningham, Henry Lessner, Darion Culbertson, and Mary Price. Planning and Zoning Commission Members Brayton Campbell, Brad Northcutt, Renee Powell, and Debbie Flood. Interim Town Manager Julie Couch; Town Engineer, James Chancellor; Community Development Manager, Ray Dunlap; Planning Director, Alan Efrussy; Senior Planner, Ken Schmidt; Town Secretary, Michelle Lewis Sirianni and Town Attorney, Clark McCoy. Planning and Zoning Commission Member Paul Hendricks was absent.

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

Chairman Campbell called the Planning and Zoning Commission meeting to order at 7:01 p.m. and declared a quorum was present.

The Town Secretary swore in John Fraser as council member filling seat one.

DEVELOPMENT POLICY CONSIDERATIONS: Discussion regarding development policy considerations concerning overall development project density in relation to minimum individual single-family lot sizes and take any necessary action.

Ms. Couch stated that the town's Comprehensive Plan identifies that low density residential areas should develop at either a one acre or two acre minimum lot size. Ms. Couch stated that staff is seeking direction on whether the goal of council and the planning and zoning commission is to continue to enforce the concept of low-density single-family residential development based on minimum lot sizes or to consider residential developments that have an overall project density, not necessarily saved on the established minimum lot size.

Mr. Efrussy indicated that within the last six months, the Planning Department has met with individuals expressing interest in variation on lot sizes. Mr. Efrussy stated that the Planning Department would like to get further clarification on this policy issue. Mr. Efrussy indicated that there are other zoning tools that can be used including bonus

zoning, density zoning and incentive zoning. If any of these are considered, they would need to be institutionalized within the Comprehensive Plan. Mr. Efrussy also recommended including a list of amenities that go above and beyond initial requirements if any of these are considered.

Mr. Schmidt presented the council and commission members with an analysis on current buildout scenarios. He indicated that the future low density residential development available within the town falls into the RE-2 or RE-3 zoning district(s). Mr. Schmidt stated that the town's Future Land Use Plan states that within a residential subdivision, all lots must meet the minimum lot size indicated for the subdivision. Due to recent discussions with developers, the town would like feedback regarding minimum lot sizes versus the average lot size development, as well as considering bonus zoning/density credits. However, Mr. Schmidt recommended that if council considered average lot size development, that a cap be set on the average size lot, for example RE-1-5 would be the lowest zoning district on a RE-2 zoned lot. Mr. Schmidt provided an example for council using a RE-2 zoning district parcel.

Councilman Culbertson asked if the parcel was zoned to the RE-3 zoning district, what would be recommended as a cap, RE-1.5. Mr. Schmidt replied the staff would either recommend the RE-1.5 or establish different minimums for each zoning district.

Councilwoman Price asked if the developer would still pay park conveyance fees. Mr. Schmidt replied yes they would.

Councilman Fraser asked if there are any other municipalities that have successfully used any of these zoning tools. Mr. Efrussy responded that many other cities have used these tools including Frisco and Flower Mound, but he did not ask their success rate. Mr. Efrussy commented that each city custom crafts based on their community, but he has also not seen anything that has indicated anything negative towards these resources. Councilman Culbertson encouraged staff to seek out success within other cities.

Councilwoman Price stated that she is interested in knowing if the density is mixed, than how would that affect setbacks and building standards and questions how they would know which zoning district to adhere to.

Councilwoman Price asked if the cluster development was the same. Mr. Efrussy responded that it is similar, but cluster zoning is based on creating open space. Mr. Schmidt added it would also be used in higher density areas.

Commissioner Friend stated that they need to preserve the integrity of the Comprehensive Plan, but provide staff with some flexibility to talk to developers in order to be consistent within the approval/denial process.

Commissioner Powell stated that the town should adhere to the Comprehensive Plan.

Councilman Culbertson stated that he is not convinced that they should change the Comprehensive Plan, but if a developer cannot make money by building on a RE-2 lot, he questions if they should change the design of the town to make it work.

Councilman Fraser stated that having flexibility is good, but questions if it will create challenges with water, infrastructure, etc. Mr. Schmidt commented that most subdivisions are mixed lot sizes.

Mayor Israeloff stated that he is opposed to considering bonus zoning, but that he is okay with mixed lot sizes as long as they do not go smaller.

Commissioner Powell reiterated that she believes they should adhere to the Comprehensive Plan. She believes that the town should be in no rush to develop anything new and that it is okay to wait for the right development to come along or just leave the open space. Councilwoman Price agreed with Commissioner Powell's statement.

The consensus of the Town Council and Planning and Zoning Commission was that they were not in favor of using density credits, but agreed to explore further applying an average lot size within an overall project density including setting minimum lot size(s), setbacks, and providing historical examples with other cities.

DEVELOPMENT WITH WATER/FIRE ISSUES: Discussion regarding development issues pertaining to certain existing and future water and fire issues and take any necessary action.

Ms. Couch stated that a portion of town is being served by Milligan Water Supply Corporation. Milligan extended service to areas outside of their CCN before the town annexed these areas. Currently, there are six lots north of Stacy Road that will be constructed. Ms. Couch stated that the water currently supplied by Milligan in this area is insufficient to provide the fire protection flows as required by the town's fire code and very few hydrants are available. Therefore, staff is seeking feedback on how to move forward with the water distribution within these areas.

Mr. Chancellor stated that under the town's ordinances, the fire code doesn't allow new home construction without adequate fire protection. Mr. Chancellor stated that there are a few options to consider. One is the town willing to construct these homes without adequate fire protection. Two, is the town willing to allow the developer to attach to the Milligan system with the provision that the developer agrees to escrow the necessary funds to install the appropriate fire hydrants to serve the development; or three, if the town is not willing to allow the developer to attach to the Milligan system, they must extend both a 6" and 12" line to gain service from the town, or wait until services are extended. Ms. Couch added that at some point in time in the future, a 12" line will be extended either by a developer or by the town.

Councilwoman Price asked if there was a timeline on when the water line would be extended and can the town initiate or do they have to wait on the developer. Mr. Chancellor responded that he has received quotes on if the town would like to proceed. The cost is approximately \$200,000.

Mayor Israeloff stated that he would like to figure out a way to serve the subdivision and likes either option two or three.

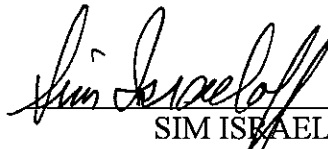
Ms. Couch stated that staff will explore ways to provide adequate water service and will look at the town's CIP plan as well as have conversations with Milligan. Staff will look at a temporary tie on to the Milligan system or look at extending the water line.

Chairman Campbell adjourned the Planning and Zoning Commission meeting at 9:03 p.m.

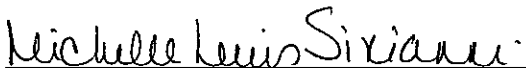
At 9:04 p.m. Town Council recessed into executive session.

At 11:00 p.m. Town Council reconvened back into regular session and no further actions were taken.

Mayor Israeloff adjourned the meeting at 11:01 p.m.


SIM ISRAELOF, MAYOR

ATTEST:


Michelle Lewis Sirianni, Town Secretary

