

MINUTES
PLANNING AND ZONING COMMISSION MEETING
January 26, 2017

CALL TO ORDER – Roll Call and Determination of a Quorum

The Planning and Zoning Commission met on the above date. Chairperson Wright called the meeting to order at 7:00 p.m. There was a quorum. Chairperson Wright asked P&Z Alternate Three Commissioner Douglas to be a voting member for this meeting. Commissioner Douglas agreed.

Commissioners Present:

✓	Chairperson Wright	Alternate Cassavechia
✓	Commissioner Lozano	✓ Alternate Crutcher
✓	Commissioner Jeang	✓ Alternate Douglas
✓	Commissioner Leamy	
	Commissioner Sutaria	

Staff/Others Present:

✓	City Administrator Flanigan	✓ City Attorney Shelby
✓	City Secretary Scott Grey	

PLEDGE OF ALLEGIANCE

The pledges were recited.

PUBLIC COMMENTS The Commission invites any person with business before the Commission to speak to the Commission. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

No comments.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION MEETING MINUTES FOR MARCH 24, 2016.

Vice Chairperson Lozano requested two (2) changes be made to the March 24, 2016 P&Z Commission minutes. The first was on page four (4), paragraph four (4), Commission Douglas needed to read Commissioner Douglas. The second correction was on page four (4) as well, "11. Storm water retention and detention basins;" needed be reflected on page sixteen (16) of the attachment as item 9, as follows:

5. The location of houses, barns, walls, wells, and tanks;

6. The extent of wooded areas and tree lines;

7. A generally accurate depiction of existing streets;

8. A general depiction of proposed streets;

9. Storm water retention and detention basins;

10. Trails

MOTION: Commissioner Jeang moved to approve the minutes with the noted corrections. Commissioner Lozano seconded with Commissioners Wright, Lozano, Jeang, and Douglas voting for the motion. Commissioner Leamy said he was not in attendance. Motion carried 4-1.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION MEETING MINUTES FOR APRIL 14, 2016.

MOTION: Commissioner Lozano moved to approve the minutes as presented. Commissioner Jeang seconded with Commissioners Lozano, Jeang, Leamy, and Douglas voting for the motion. Chairperson Wright said he was not in attendance. Motion carried 4-1.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION MEETING MINUTES FOR JUNE 9, 2016.

MOTION: Commissioner Leamy moved to approve the minutes as presented. Commissioner Douglas seconded with Commissioners Wright, Lozano, Jeang, Leamy, and Douglas voting for the motion. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION MEETING MINUTES FOR JULY 14, 2016.

MOTION: Commissioner Jeang moved to approve the minutes as presented. Commissioner Leamy seconded with Commissioners Wright, Lozano, Jeang, Leamy, and Douglas voting for the motion. Motion carried 5-0.

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON WHITESTONE ESTATES (FORMERLY DONIHOO FARMS) PHASE 1 FINAL PLAT.

There was some discussion of a variance to construct a fence and landscaping in the right-of-way. Commissioner Leamy voiced his concerns about homeowners' association fence maintenance. Whitestone Estates (Formerly Donihoo Farms) Representative/Manager Stephen L.

Sallman, 4925 Greenville Avenue, Suite 1020, Dallas, Texas, reassured the commissioners this would be a well-made, low maintenance fence. The Commissioners supported construction of the fence and landscaping.

Next, the P&Z Commission discussed the Whitestone Estates (Formerly Donihoo Farms) Phase 1 Final Plat, referencing both the Birkhoff, Hendricks & Carter, L.L.P. letter, dated January 20, 2017, and the Westwood Multi-Disciplined Surveying & Engineering letter, dated January 26, 2017. City Administrator Flanigan spoke briefly about his concerns that the project was not far enough along for City Engineer Birkhoff to give an accurate punch list of things to be completed and added the City would not issue permits at this point. Mr. Sallman asked the P&Z Commission to approve the final plat contingent upon completion of everything, as the Commission had done in the past. City Administrator Flanigan reiterated the City Engineer had not had an opportunity to prepare a list. Mr. Sallman asked Mr. Flanigan if he thought the development would be as far along as it was a week ago. Mr. Flanigan said no, he did not. Commissioners voiced their concerns, regarding the lack of utilities and vegetation and said they did not feel they would be doing their due diligence by recommending approval to City Council at this time. **(See Exhibit 1 – Birkhoff, Hendricks & Carter, L.L.P. letter, dated January 20, 2017, and the Westwood Multi-Disciplined Surveying & Engineering letter, dated January 26, 2017.)**

Chairperson Wright recessed the meeting at 8:10 p.m. to speak with legal counsel on the matter.

Chairperson Wright reconvened the meeting at 8:28 p.m.

The P&Z Commission discussed having a special meeting to give the developer additional time to get the project further along and to allow City Engineer Birkhoff the time to determine a list of projects to be completed.

Mr. Sallman asked that the item be tabled.

ROUTINE ITEMS

6. FUTURE AGENDA ITEMS

Chairperson Wright asked City Administrator Flanigan if he knew of any future agenda items, other than the Whitestone Estates (Formerly Donihoo Farms) Phase 1 Final Plat, which was tabled tonight. Mr. Flanigan no, not at this time.

7. ADJOURN

Chairperson Wright adjourned the meeting at 8:33 p.m.

Minutes Approved on 16th day of February, 2017.




Chairperson Wright

Attest:


Commission Secretary Jeang


Prepared by City Secretary Patti Scott Grey

Exhibit(s): A - Birkhoff, Hendricks & Carter, L.L.P. letter, dated January 20, 2017, and the Westwood Multi-Disciplined Surveying & Engineering letter, dated January 26, 2017

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

January 20, 2017

Mr. Jeff Flanigan
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

Re: Whitestone Estes (formerly Donihoo)

Dear Mr. Flanigan:

We completed a site visit to the Whitestone Estates development on Wednesday, January 18, 2017 to determine if the work is complete. During our site visit we observed the following:

Rough grading of the ditches was occurring.

Mud and debris was observed on the pavement surface. Silt was deposited on the road from the parkway grading being higher than the road. Debris on the street included trees limbs and water pipe materials.

Spoil piles remained adjacent to the roadway throughout the development.

A number of ditches were holding water. In some cases it appeared the ditches were graded in the wrong direction.

The detention pond had debris piles within its bottom and is incomplete.

Headwalls were missing and at one location the culvert pipe was dislodged from adjacent pipe. In another location the culvert pipe had not been completely backfilled.

Fire Hydrants have not been rotated to have the 5 1/4 inch nozzle pointed to the street.

In one location the water valve stacks have not been adjusted to be below grade. Water meter boxes have not been installed.

It was reported that the gas line has not been installed.

Electrical transformers have not been installed. The transformers are stored on site in one location. It is unknown if the copper conductors have been pulled in the installed electrical conduit.

No internal erosion control devices have been placed. No vegetation has been established. Erosion control silt fence along east side of development is in need of repair to function properly. The onsite storage yard of materials must have a temporary rock road to access it.

Based on our observation this development is not complete. We are available at your convenience to discuss any questions you may have of our finding.

Sincerely,



John W. Birkhoff, P



2740 North Dallas Parkway, #280
Plano, TX 75093

Main (214) 473-4640
Fax (320) 253-8737

westwoodps.com
(888) 937-5150

January 26, 2017
Job No: 3570

Mr. Jeff Flanigan
City of Parker
5700 E. Parker Rd.
Parker, Texas 75002

Re: Whitestone Estates (formerly Donihoo)

Dear Mr. Flanigan:

We completed a site visit to the Whitestone Estates development on Wednesday, January 25, 2017 to determine if the work is complete per the Birkhoff, Hendricks, and Carter, L.L.P. dated January 20, 2017. Our responds are listed below their comments.

1. **Rough grading of the ditches was occurring.**
RPMx is continuing the final site grading and they should be completed next week.
2. **Mud and debris was observed on the pavement surface. Silt was deposited on the road from the parkway grading being higher than the road. Debris on the street included tree limbs and water pipe materials.**
The streets have been cleared on debris.
3. **Spoil piles remained adjacent to the roadway throughout the development.**
RPMx has been removing the spoil piles and placing rocks into piles which will be removed from the site next week.
4. **A number of ditches were holding water. In some cases it appeared the ditches were graded in the wrong direction.**
The ditches are being returned to their plan grade to be completed next week.
5. **The detention pond had debris piles within its bottom and is incomplete.**
The debris piles have been removed from the pond.
6. **Headwalls were missing, and at one location the culvert pipe was dislodged from adjacent pipe. In another location the culvert pipe had not been completely backfilled.**
The headwalls have been constructed and RPMx is putting the site back to grade.

Mr. Jeff Flanigan
City of Parker
January 28, 2017
Page 2

7. **Fire hydrants have not been rotated to have the 5 1/4 inch nozzle pointed to the street.**
The Fire Hydrants will be adjusted as soon as the grading is completed next week.
8. **In one location the water valve stacks have not been adjusted to be below grade. Water meter boxes have not been installed.**
The water valve stack will be adjusted next week after RPMx completes the grading.
9. **It was reported that the gas line has not been installed. (not required for Final Plat)**
Coserv has designed the distribution system and the developer is negotiating an installation contract.
10. **Electrical transformers have not been installed. The transformers are stored on site in one location. It is unknown if the copper conductors have been pulled in the installed electrical conduit. (not required for Final Plat)**
The electric provider is waiting on completion of final grading to set transformers.
11. **No internal erosion control devices have been placed. No vegetation has been established. Erosion control silt fence along east side of development is in need of repair to function properly. The onsite storage yard of materials must have a temporary rock road to access it.**
The silt fence contractor will be repairing the silt fence this week. The site will be seeded and additional silt fence added after final grading.

Based on our observation, the items required for Final Plat approval should be completed next week with the exception of seeding and final silt fence construction. We are available at your convenience to discuss any questions you may have of our finding.

Sincerely,



Richard Hovas, P.E.
DFW Residential Market Leader

DONIHOO FARMS, LTD
4925 Greenville Ave., Suite 1020
Dallas, Texas 75206
(214) 368-0238:Office
(214) 368-0812:Fax

RECEIVED
DEC 14 2016
CITY OF PARKER

December 12, 2016

Mr. Jeff Flanigan
City of Parker
5700 East Parker Road
Parker, Texas 75002

Ref: Final Plat Filing – Donihoo Farms Phase 1

Dear Jeff:

Attached is our Development Application for approval of the Final Plat for Donihoo Farms Phase 1.

Please note that the Application Fees are attached and have been calculated below.

<i>Base Fee</i>	<i>\$800</i>
<i>\$30/Acre x 105 Acres =</i>	<i><u>\$3,150</u></i>
<i>Application Fee</i>	<i><u>\$3,950</u></i>

We request that the Final plat be placed on the P & Z Agenda at the first meeting in January. Owner has requested that Final Plat be filed prior to 100% completion of the public improvements and agrees to provide a surety in the amount of 120% of the estimated costs of the outstanding work.

Our engineer will provide a detailed estimate of the cost of the remaining work for your review along with the required drawings, prior to the City Council meeting. We will provide a Letter of Credit in the amount required.

Please contact me if you have any questions or additional concerns.

Sincerely,



Stephen L. Sallman
Manager



DEVELOPMENT APPLICATION
City of Parker, Texas

RECEIVED
DEC 14 2016
CITY OF PARKER

Proposed Name of Subdivision: Whitestone Estates

Plat Approval Requested	Filing Fee	Filing Fee
☐ Preliminary Plat	<u>\$800.00 + \$30/acre</u>	☒ Final Plat
☐ Site Plan	<u>\$300.00 + \$25/acre</u>	☐ Minor Plat (5 acres or less)
☐ Replat/Amended	<u>\$500.00 plus \$15/lot</u>	☐ Development Plat
		<u>\$800.00 + \$30/acre</u>
		<u>\$500.00 + \$100/lot</u>
		<u>\$300.00 + \$30/acre</u>

Physical Location of Property: North of Donihoo Ln & East of Donna Ln
(Address and General Location - Approximate distance to the nearest existing street corner)

Brief Legal description of Property (must attach accurate metes and bound description to application):
Thomas Estes Survey, Abstract No 298
(Survey/Abstract No. and Tracts: or platted Subdivision Name with Lot/Block)

Acreage: 104.536 ac **Existing # of Lots/Tracts:** 74 Lots **Existing Zoning:** PD
(If a PD, include the Ordinance with application)

Property Owner's Name: Donihoo Farms, Ltd **Phone Number:** 214-368-0238 x220

Applicant/Contact Person: Stephen Sallman **Title:** Manager

Company Name: DF Advisors, LLC

Street/Mailing Address: 4925 Greenville Ave, Suite 1020 **City:** Dallas **State:** TX **Zip:** 75206

Phone: 214-368-0238 **Fax:** 214-368-0812 **Email Address:** ssallman@wamergroup.com

Engineering Company: Westwood PS

Contact Person: Richard Hovas, P.E. **Title:** DFW Residential Market Leader

Street/Mailing Address: 2740 N Dallas Parkway #280 **City:** Plano **State:** TX **Zip:** 75093

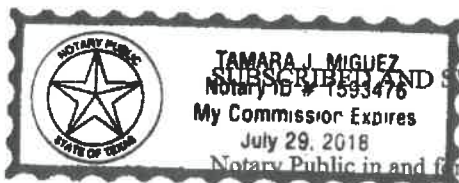
Phone: 214-473-4647 **Fax:** 320-253-8737 **Email Address:** Richard.Hovas@westwoodps.com

**** READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

STATE OF TEXAS)(
COUNTY OF DALLAS)(
COLLIN

BEFORE ME, a Notary Public, on this day personally appeared Stephen L Sallman
the undersigned applicant, who, under oath, stated the following "I hereby certify that I am the owner, or duly
authorized agent of the owner, (Proof must be attached, e.g. "Power of Attorney") for the purposes of this
application; that all information submitted herein is true and correct. I understand that submitting this
application does not constitute approval, and incomplete applications will result in delays and possible denial."

Stephen L Sallman, Mgr.
Owner / Agent (circle one)



SUBSCRIBED AND SWORN TO before me, this 12th day of December, 2016.
My Commission Expires July 29, 2018
Notary Public in and for the State of Texas: Tamara Miguez

Over

WAIVER OF EXPEDITION

I HEREBY WAIVE MY RIGHTS TO APPROVAL THROUGH LACK OF CITY ACTION ON THE ABOVE REFERENCED PLAT WITHIN THE TIME FRAMES SET FORTH IN 212.009, TEXAS LOCAL GOVERNMENT CODE AND I AGREE THE PLAT SUBMITTED WILL BE APPROVED ONLY BY AFFIRMATIVE COUNCIL ACTION.

APPLICANT:

Stephen L. Sallman, Mgr.
(Signature)

Name: Stephen L. Sallman

Title: Manager, DF Advisors, LLC

Phone: 214-368-0238

Address: 4925 Greenville Ave, Suite 1020

Dallas, Tx 75206

Date: 12-12-16

☐ Corporation; ☒ Partnership;
☐ Individual; or
☐ Other (description)

CITY OF PARKER: RECEIVED BY:

(Signature)

Name: _____

Title: _____

Date: _____

SUBMITTAL DEADLINES: Twenty eight (28) days prior to the Planning and Zoning Commission Meeting Date. Planning and Zoning Commission meets the second and fourth Thursday of each month.

SUBMISSIONS. Failure to submit all materials (including three sets of bound engineering plans) to the City with this application will result in delays scheduling the agenda date. Submit twelve (12) FOLDED to 8 1/2" X 11" copies of 24" X 36" prints [1"=100' scale] + electronic version in .jpeg, .tiff, or .pdf format. Applicant is to submit a complete copy of this application and drawings to the City Engineer

ALL APPLICATIONS MUST BE COMPLETE BEFORE THEY WILL BE PLACED ON A CITY AGENDA. It is the applicant's responsibility to be familiar with and to comply with, all City submittal requirements in the Zoning and Subdivision Ordinance (www.parkertexas.us), and any separate submittal policies, requirements and/or checklists that may be obtained from City staff)

NOTICE OF PUBLIC RECORDS: The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e. copy) such documents.

SUBMITTAL FEES: All fees are due and payable at the time of application, except inspection, engineering and legal fees, which are due at the time of pre-Construction meeting with the City. No construction shall take place prior to the pre-construction meeting and submission of certified construction cost bid(s) by the contractor(s) and Owner. No hearing will be scheduled nor will any reviews be made until payment of required filing fees has been accomplished. Fees are non-refundable regardless of outcome of request.

City Contact Information:

Public Workers Superintendent
City of Parker, Texas
5700 E. Parker Road * Parker, Texas 75002
Phone 972-442-6811 * Fax 972-442-2894 * www.parkertexas.us

OFFICE USE ONLY. This submittal meets the City of Parker's requirements per City ordinances for processing.			
Signature _____		Title _____	
		OFFICIAL SUBMISSION DATE _____	
Fees Paid: \$ _____	Check # _____	From _____	
PZ Agenda Date: _____	Action: _____	CC Agenda Date: _____	Action: _____
Current Zoning: _____	Ordinance Number: _____	Date Approved: _____	
Staff Comments forwarded to applicant on: _____		Revisions Due no later than: _____	
Plans sent for review on: _____		to: ☐ Public Works Director	
		☐ City Engineer	
		☐ Building Official	
		☐ Fire Department	
Public Hearing Requested: ☐ Yes ☐ No	(date) _____		
Permit Notice: _____	(date) _____		
Monitor Notice: _____	(date) _____		

City of Parker * 5700 E. Parker Road, Parker, Texas 75002 972-442-6811 Fax 972-442-2894 www.parkertexas.us

DONIHOO FARMS LTD.

December 22, 2016

City of Parker
c/o Jeff Flanigan
5700 Parker Rd
Parker, Texas 75002

Ref: Donihoo Farms (Whitestone Estates) Fencing & Landscape

Dear Jeff:

In conjunction with the development of Donihoo Farms and the construction of Whitestone Drive, a residential collector northward from Parker Road, Donihoo Farms requests the following variance and approval for landscaping in the right-of-way.

1. A variance to construct a solid fence to screen various outdoor buildings and structures that fall outside the allowed use in the city limits. Fencing would begin approximately 300 feet North of Parker Road and border the eastern and northern sides of Mr. Condren's property, see Exhibit A. This type of variance has previously been granted to areas where the adjacent land use is not under the jurisdiction of the City.
2. Donihoo Farms requests to enter into an agreement with the City of Parker to landscape within the right-of-way of Whitestone Drive, see Exhibit B. The developer, Donihoo Farms, and Whitestone Estates Homeowners Association will accept full responsibility for landscape installation and maintenance.

Exhibits are attached for reference. If you have any questions please give me a call.

Sincerely,

DF Advisors, LLC,
General Partner



Stephen L. Sallman
Manager

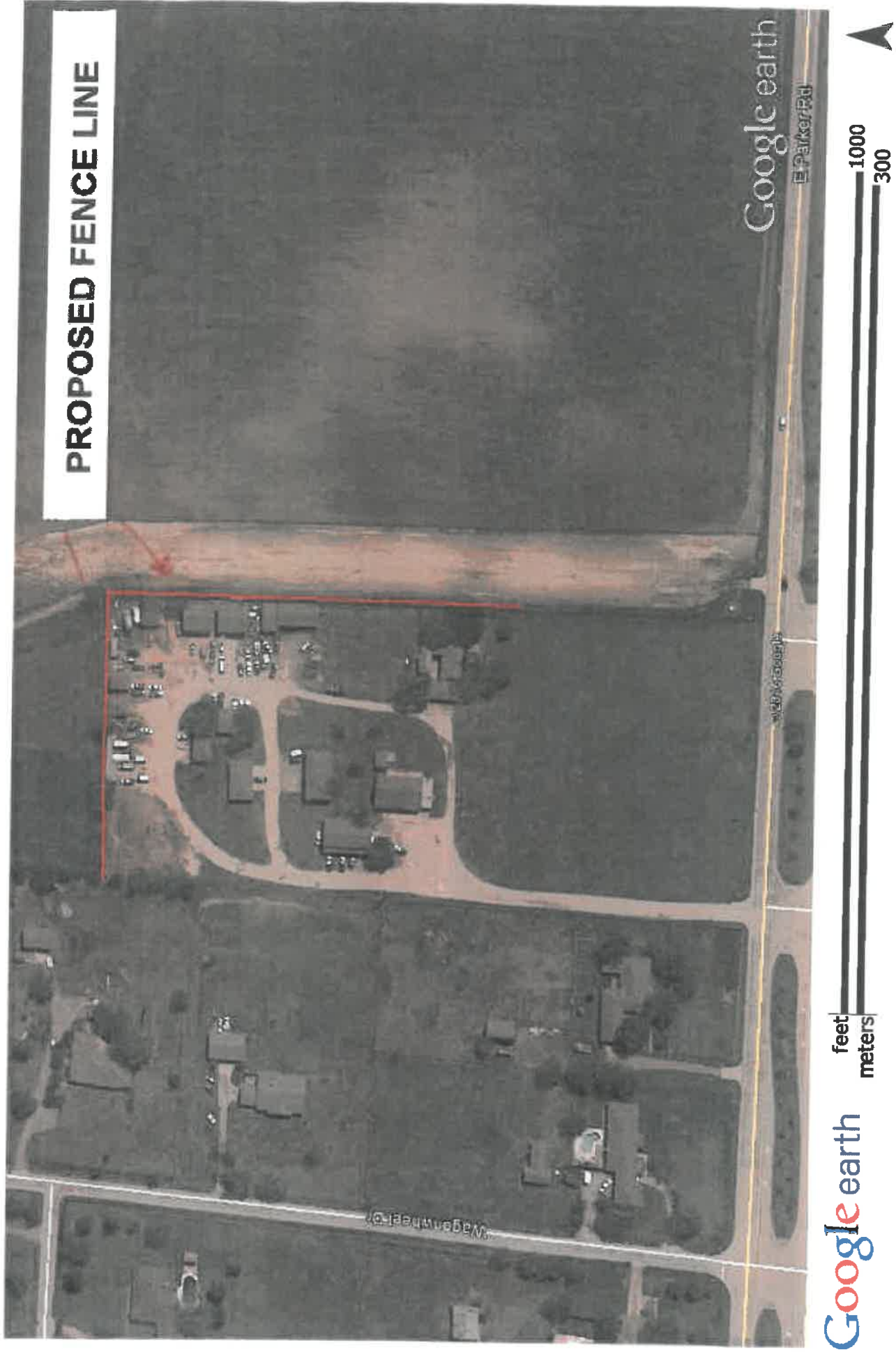
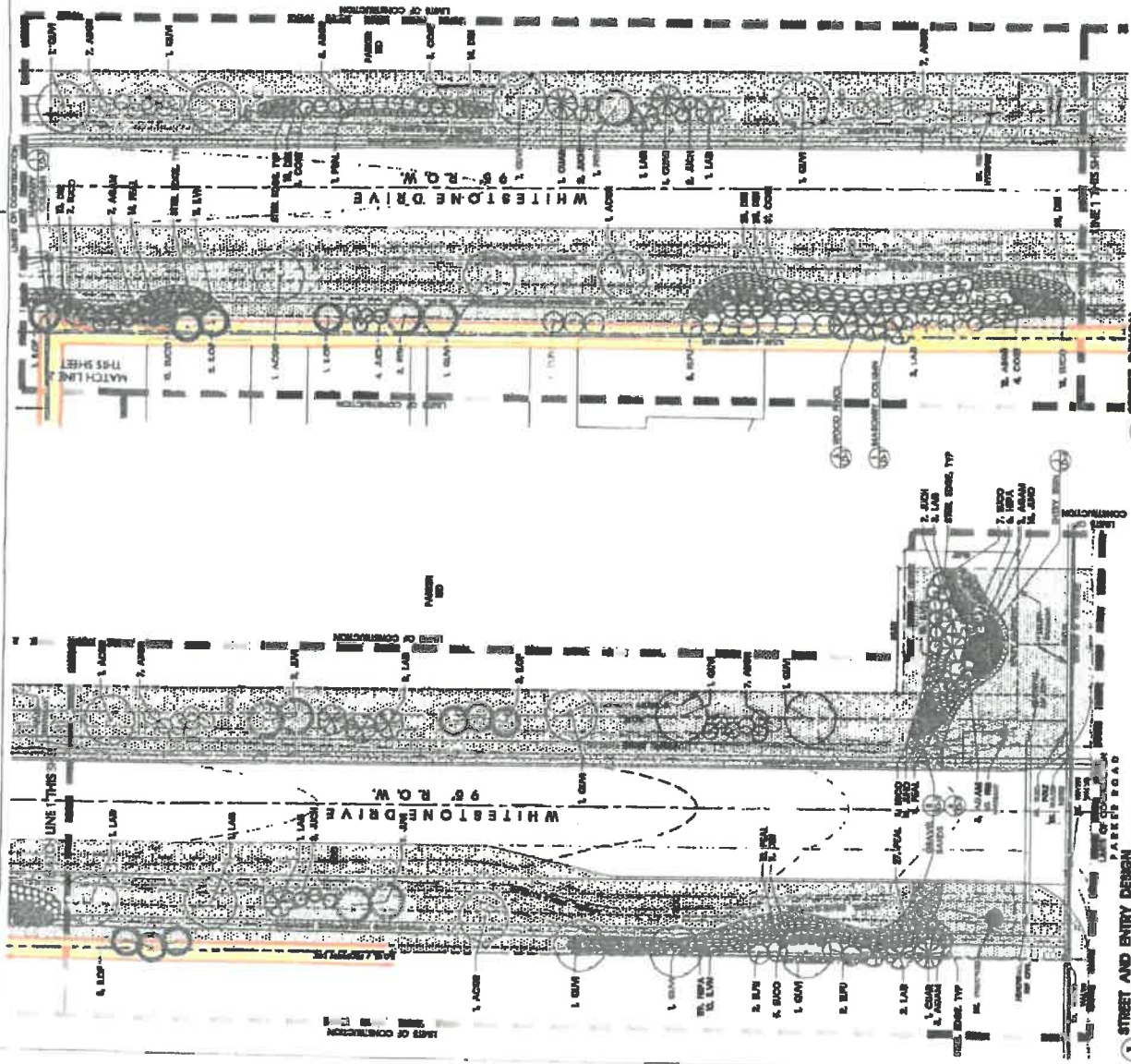
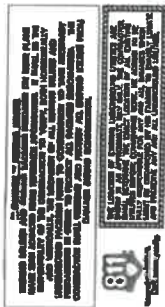
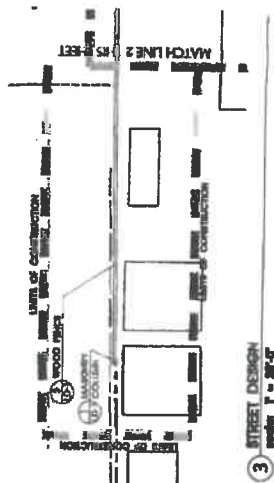
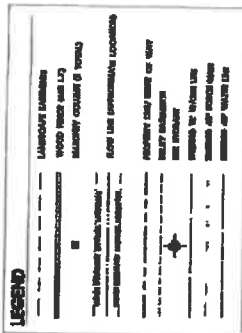
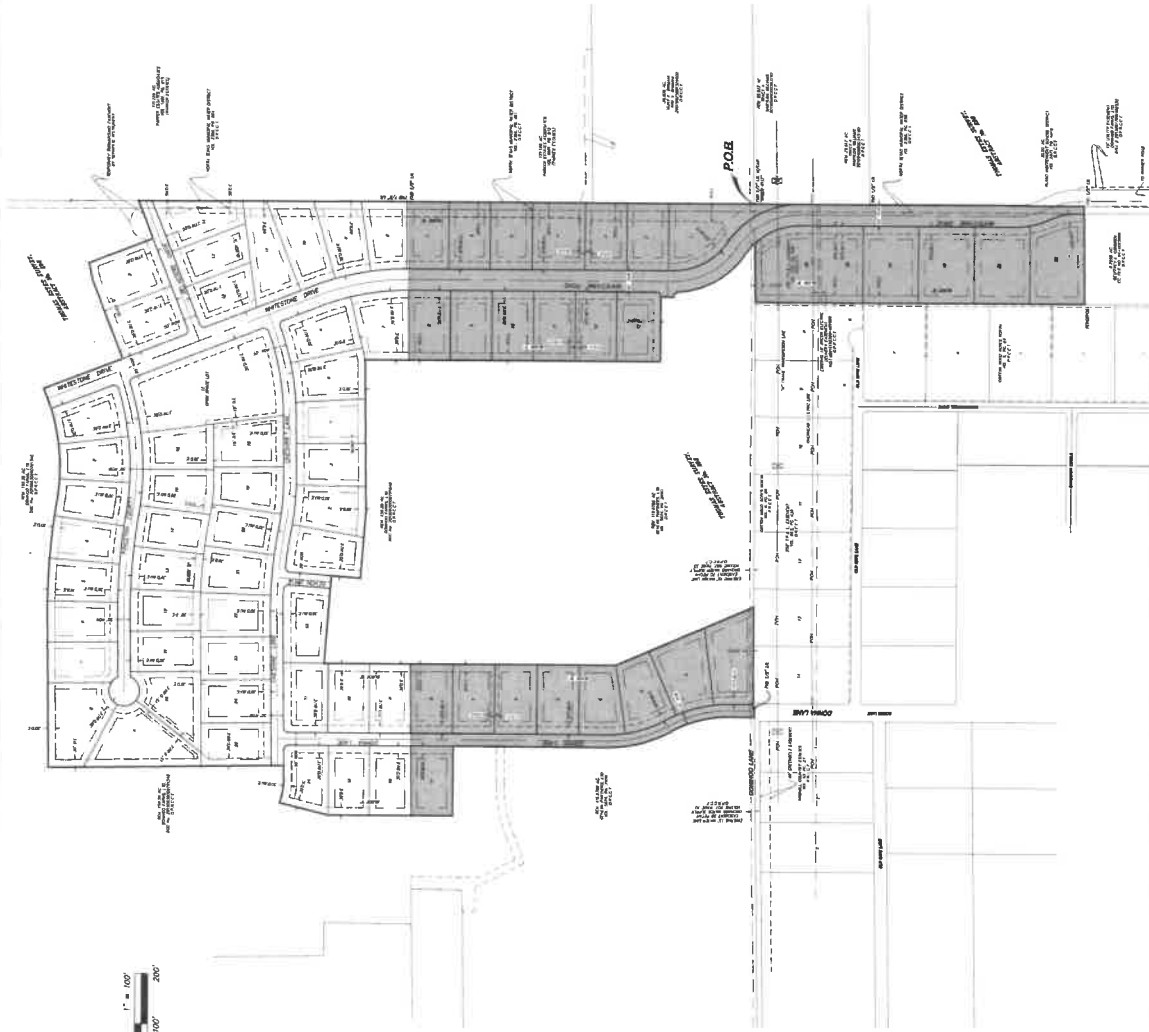
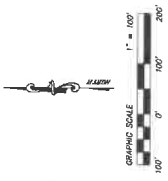


EXHIBIT A

三才圖會





VICINITY MAP
NOT TO SCALE

AREA OF
ANNEXATION

ANNEXATION EXHIBIT
OF
DONIHOO FARMS, PHASE 1
74 RESIDENTIAL LOTS/ 1 OPEN SPACE LOT
104.536 ACRES
OUT OF THE
THOMAS ESTES SURVEY, ABSTRACT NO. 298
IN THE
CITY OF PARKER, COLLIN COUNTY, TEXAS

OWNER
DONIHOO FARMS, LTD.
4925 GREENVILLE AVENUE, SUITE 1020
DALLAS, TEXAS 75206
(214) 368-0238

ENGINEER/SURVEYOR
Westwood
104.536 ACRES DECEMBER 02, 2016 0003570 DONIHOO FARMS, PHASE 1

[illegible]

NOTES X

ACCORDING TO THE FLOOD INSURANCE RATE MAP(S) COMMUNITY HAZARD MAP 4006023545, DATED JAN. 2, 2009, THE SUBJECT TRACT DOES NOT APPEAR TO BE WITHIN A 100 YEAR FLOODPLAIN.

THE REASONS SHOWN HEREON ARE CREATED FROM ACTUAL FIELD SURVEYS, WARD'S TEXAS NORTH CENTRAL ZONE 1400, AND BEARINGS & TIES TO SHOW CORNER MOVEMENTS.

SELLING A PORTION OF THIS ADDITION BY UTILITIES AND BOUNDRIES IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND ALL LOT OWNERS HAVE BEEN SET.

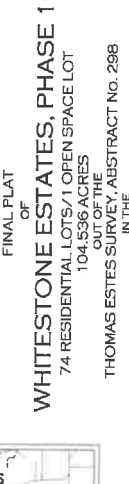
ALL LOTS MUST UTILIZE ALTERNATING FRONT-ON-SITE SEWER FACILITIES

WHITESTONE
74 RESIDENTIAL
10
THOMAS ESTES

*VICINITY MAP
NOT TO SCALE*



FINAL PLAT
OF
WHITESTONE ESTATES, PHASE 1
74 RESIDENTIAL LOTS/1 OPEN SPACE LOT
104.536 ACRES
OUT OF THE
THOMAS ESTES SURVEY, ABSTRACT NO. 298
IN THE



CITY OF PARKER, COLLIN COUNTY, TEXAS

OWNER
MINHO FARM, LTD.
1020
FARMVILLE AVENUE, SUITE 1020
DALLAS, TEXAS 75206
(214) 368-0236

ENGINEER/SURVEYOR
Westwood
1020
FARMVILLE AVENUE, SUITE 1020
DALLAS, TEXAS 75206
(214) 368-0236
LICENSED PROFESSIONAL ENGINEER
STATE OF TEXAS, LICENSE NO. 10453

104-536 ACRES JANUARY 19, 2017 0005370 WHITESTONE ESTATES PHASE 1

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