

FARMERSVILLE PLANNING & ZONING COMMISSION
SPECIAL SESSION MINUTES
JULY 26, 2012

The Farmersville Planning and Zoning Commission met in special session on July 26, 2012 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present: Bill Nerwich, Craig Overstreet, Betty Sergent, Lee Warren, Tom Waitschies and Bryce Thompson. Stanley Treadwell was absent. Staff members present was City Manager Ben White, City Attorney Alan Lathrom and City Secretary Edie Sims.

CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS

Chairman Tom Waitschies called the meeting to order at 6:30pm. Edie Sims called roll and announced that a quorum was present.

CONSIDER, DISCUSS AND ACT UPON A CONCEPT PLAN FOR CAMDEN PARK LOCATED AT THE INTERSECTION OF COUNTY ROAD 610 AND FARMERSVILLE PARKWAY ON THE WEST SIDE

Chairman Waitschies opened the topic to discussion with Lee Warren reminding the Commission that at the last meeting the front setbacks were to be changed from 20' to 22'. Another issue at the last meeting was the width between the homes.

City Manager Ben White came before the Commission stating he did a thorough review of the Code of Ordinances. A correction was made from his original recommendation letter which inferred 25' was the standard front setback. The correct front setback is 20' and the Concept Plan for Camden Park follows our setback requirements. Also since the lots are laid out as zero lot lines, the 5' side yard setback is also accurate according to our ordinances. Mr. White suggested to Jeff Crannell, engineer of the project, to leave the setbacks as originally portrayed. Presently the side yard setback is the biggest issue. At the last P&Z meeting, all issues were approved with exception of the side yard setback. Mr. White indicated he reviewed the Fire Code and the International Residential Code (IRC) which could allow as low as a 3' minimum side yard. Bureau Veritas, the City's contractor for inspections, was contacted and the side yard requirements were confirmed to be accurate and have been done in other subdivisions.

Mr. Crannell indicated that to clarify, the 5' side yard for this subdivision is actually 5' from eave to eave. Mr. White had indicated a possibility of installing sprinklers, but this is not the best option. Per the letter from Fire Chief Kim Morris, no specific fire codes would require sprinklers to be installed. The Fire Chief did recommend using fire rating material.

Lee Warren questioned with the width of the streets, would the Quint be able to travel and turn on the streets. Jeff Crannell answered the streets are standard sized per the City's requirements. There is not a variance to axle turning radius.

The Commission continued the conversation about guaranteeing the age limit of not less than 55 years of age. Jeff Crannell stated deed restrictions will be put in place through the attorney's office. Mr. Crannell also stated that multiple steps will be taken to make sure the requirements are met and to protect the developer as well as the City. City Manager Ben White stated there will be two opportunities to place restrictions into place: 1) Planned Development Ordinance will be changed with exceptions if approved by City Council; and 2) a Development Agreement will be in accordance with the wishes of the City as to how the property will be developed and the intricacies with more plans and drawings.

Mr. Crannell stated this is a conceptual plan and will process a more detailed plan now that this development has been taken in a positive direction. The "twin" homes will give the 10' side yard setback and there will be several sidewalk breaks to give a fire protection prevention

mechanism. The setbacks will be tight by being approximately 6' apart from the side yards, however it will not be just row housing. The plan is to place between 5 – 9 single homes in a section.

Mr. White stated from City Staff's perspective, there is a recommendation for approval. There can be restrictions on some things but we understand the product and Mr. White feels the City has reacted in the right manner. This will keep property values up all the while presenting a higher quality to see that it is maintained. The Commission will be able to see more of the aspects as the planning ensues.

Bill Nerwich stated that with a 5' side yard setback, a sprinkler system is not going to change nor protect the home next door. In effect, a fire would scorch the next door neighbors home causing damage from the heat, the sprinkler system will damage the contents of the existing home and potentially the next door home. A sprinkler system would be a waste, however having breaks between the homes is a great idea. Utilizing combustible products such as brick which allows dead air behind the brick wall is good or even hardi-board, or brick freeze. Mr. Nerwich stated the firefighters will be fighting the fire from the truck and will not go between the buildings. Their job is to protect first, then fight the fire. Mr. Nerwich stated he would not have a problem if products can be agreed upon and constrain from having more than 10 homes that are 5' apart. Again, sprinklers are useless.

City Attorney Alan Lathrom indicated that building materials can be imposed as an additional standard, but it will need to be written what percentage of what type of material is to be imposed. Bill Nerwich concurred that a percentage can designate also the side facing the other home which has a percentage which is non-combustible. Mr. Lathrom added that the designation can include masonry or hardi-plank and can stipulate by wall face. These exceptions should be identified in the Planned Development Ordinance.

City Manager Ben White asked if there will be several models for customers to choose from or just a certain number. Ted Zadeh informed the Commission that there will be 4-5 models for residents to choose from. Mr. White also indicated that these models will be pre-approved by Bureau Veritas and Daniel and Brown, Inc. will check the infrastructure of the project. The average square footage of a home will be between 1200 – 1500 square feet with 2 – 3 bedrooms. Some homes will be 2-story with a provisional elevator. The exterior models will be limited, but the internal part can be rearranged to meet the customer's needs.

City Attorney Alan Lathrom offered a motion in writing which reads as follows:
"Move to approve the Concept Plan for Camden Park, dated June 26, 2012, subject to the applicant's satisfaction of the following conditions:

1. Obtain approval of an amendment to the zoning on the property to modify the current requirements of the Planned Development Zoning District adopted and approved by Ordinance Nol. 2006-61 that will bring the Concept Plan into conformity with the zoning on the property in the following particulars, as well as any other matters in conflict therewith:
 - a. Correcting the locations of the areas in the Planned Development District at which Single-Family 3 (SF-3), Multi-Family 2 (MF-2), and Commercial (C) District uses are to be situated;
 - b. Correcting the acreage of the land area attributed to a base zoning district of Single-Family 3 (SF-3) District uses from 77.20 acres of land to 551.13 acres of land;
 - c. Correcting the acreage of the land area attributed to a base zoning district of Multi-Family 2 (MF-2) District uses from 14.54 acres of land to 28.51 acres of land;
 - d. Correcting the acreage of the land area attributed to a base zoning district of Commercial (C) District uses from 9.06 acres of land to 15.27 acres of land;

- e. Reducing the minimum lot width in the Single-Family 3 (SF-3) base zoning district to 40 foot;
 - f. Reducing the minimum side yard setback in the Single-Family 3 (SF-3) base zoning district to require only a 5 foot setback on one side of any lot;
 - g. Reducing the minimum lot area in the Single-Family 3 (SF-3) base zoning district to require a minimum lot area of 3,200 square feet;
 - h. Modifying the minimum front yard setback in the Single-Family 3 (SF-3) base zoning district as may be required, particularly given the exception noted in the existing ordinance regarding corner lots with double street frontage;
 - i. Increasing the maximum lot coverage in the Single-Family 3 (SF-3) base zoning district to 60 percent; and
 - j. Allowing storage facilities and medical/retail facilities in the Multi-Family 2 (MF-2) base zoning district, if required following the realignment of the base zoning districts upon and across the property as noted above;
2. Obtain approval of an amendment to the Thoroughfare Development Plan removing the current Type D Collector from the Thoroughfare Development Plan;
 3. Eliminate the conflict between the proposed extension of County Road 612 reflected on the Concept Plan and the property owned by Community Public Service;
 4. Conform to all provisions of the City's Code of Ordinances and regulations; and
 5. Applicant shall deed restrict the Single-Family 3 (SF-3) District to senior housing with age restrictions, enforceable by a Property Owner's Association formed by Applicant, that conforms to the Housing for Older Persons Act and the Fair Housing Act.

Craig Overstreet recommended approval subject to the listed requirements by the City Attorney with Bryce Thompson seconding the motion. Motion carried unanimously.

ADJOURNMENT

Lee Warren motioned to adjourn with Bryce Thompson seconding the motion. P&Z Commission adjourned at 7:10 p.m.

ATTEST:



Edie Sims, City Secretary



Tom Waitschies, Chairman

