

**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION AGENDA  
SPECIAL CALLED MEETING  
JANUARY 24, 2013  
6:30 P.M., COUNCIL CHAMBERS, CITY HALL**

**I. PRELIMINARY MATTERS**

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Welcome guests and visitors and Citizen Comments: Anyone wanting to speak on any items that are not the subject of a Public Hearing on this agenda is asked to speak at this time, with an individual time limit of 3 minutes. This forum is limited to a total of 30 minutes. *(Please note that the Planning and Zoning Commission cannot respond to, discuss or take any action regarding citizen comments made hereunder because of the limitations established by the Texas Open Meetings Act, Texas Government Code Chapter 551, violations of which Act carry criminal penalties.)*

**II. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

- A. Consider, discuss and act upon minutes from December 17, 2012 P&Z Meeting
- B. Consider, discuss and act to amend Section 56-31 of the Sign Ordinance pertaining to digital signs

**III. PUBLIC HEARING**

- A. Public hearing to consider, discuss and act upon a Specific Use Permit for Triple Crazy Game Room located at 865 West Audie Murphy Parkway, Farmersville
- B. Public hearing to consider, discuss and act upon an amendment to the Planned Development Ordinance for the Church of Jesus Christ of Latter Day Saints located at 513 Sycamore Street, Farmersville
- C. Public hearing to consider, discuss and act upon a zoning change from Highway Commercial zoning to Light Industrial zoning for the property located at 701 State Highway 78 South, Farmersville
- D. Public hearing to consider, discuss and act upon an amendment to the Comprehensive Plan to change the land use designation from Highway Commercial to Light Industrial zoning for the property located at 701 State Highway 78 South, Farmersville
- E. Public Hearing to consider, discuss and act upon recommending adoption of a new Comprehensive Plan and replace the existing Land Use Plan

**IV. ADJOURNMENT**

- No action may be taken on comments received under "Recognition of Visitors".
- The Commission may vote and/or act upon each of the items listed in the Agenda.

***The Planning and Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any***

***matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney).***

*Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.*

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted on January 18, 2013, by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.



**Tom Waitschies, Chairman**

**Dated this the 18<sup>th</sup> day of January, 2013.**



**Edie Sims, City Secretary**





TO: Planning and Zoning Commission  
FROM: Edie Sims, City Secretary  
DATE: January 24, 2013  
SUBJECT: Discuss, approve or disapprove minutes from December 17, 2012 Planning and Zoning Meeting

Minutes can be found at the -following website:

[http://www.farmersvilletx.com/government/agendas\\_and\\_minutes/planning\\_and\\_zoning/index.jsp](http://www.farmersvilletx.com/government/agendas_and_minutes/planning_and_zoning/index.jsp)

**ACTION: Approve, make changes or disapprove minutes**

(II - A)

FARMERSVILLE PLANNING & ZONING COMMISSION  
REGULAR SESSION MINUTES  
December 17, 2012

The Farmersville Planning and Zoning Commission met in regular session on December 17, 2012 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present:, Bill Nerwich, Mark Vincent, Betty Sergent, Lee Warren, Bryce Thompson and Tom Waitschies. Craig Overstreet was absent. Staff members present was City Manager Ben White, Police Chief Mike Sullivan, City Attorney Alan Lathrom and City Secretary Edie Sims. Council Liaison Michael Carr was not present.

**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. Mr. Waitschies offered the invocation and the Pledge of Allegiance.

**Item II – A) DISCUSS, APPROVE OR DISAPPROVE MINUTES FROM NOVEMBER 15, 2012 PLANNING & ZONING MEETING**

On a motion from Bill Nerwich and a second by Betty Sergent, the Commission approved the minutes as presented. Motion carried unanimously.

**Item II – B) CONSIDER, DISCUSS AND ACT UPON A SPECIFIC USE PERMIT FOR JOKER'S WILD GAME ROOM LOCATED AT 812 MCKINNEY STREET, FARMERSVILLE**

Chairman Waitschies announced that the Specific Use Permit was discussed at the last meeting with a public hearing and the motion died for a lack of a second. The Commission was entreated to give a final vote either to approve or deny the Specific Use Permit for Joker's Wild Game Room.

Commissioner Bill Nerwich held his position that Joker's Wild Game Room has operated with no violations and has operated their business by following the rules. Lee Warren motioned to approve the Specific Use Permit for Joker's Wild Game Room and make corrections to the ordinance before submitting to the City Council. Bill Nerwich seconded the motion. Four voted for, Betty Sergent abstained from voting and Tom Waitschies voted against. Motion passed to recommend to the City Council for approval.

**Item II – C) CONSIDER, DISCUSS AND ACT UPON A SPECIFIC USE PERMIT FOR PARADISE ISLE'S GAME ROOM LOCATED AT 1055 WEST AUDIE MURPHY PARKWAY, SUITE 103, FARMERSVILLE**

Chairman Waitschies announced that the Specific Use Permit was discussed at the last meeting with a public hearing and the motion died for a lack of a second. The Commission was entreated to give a final vote either to approve or deny the Specific Use Permit for Paradise Isle's Game Room.

Commissioner Bill Nerwich held his position that Paradise Isle's Game Room has operated with no violations and has operated their business by following the rules. Lee Warren motioned to approve the Specific Use Permit for Paradise Isle's Game Room and make corrections to the ordinance before submitting to the City Council. Bill Nerwich seconded the motion. Four voted for, Betty Sergent abstained from voting and

Tom Waitschies voted against. Motion passed to recommend to the City Council for approval.

**Item III – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A REPLAT OF THE LATTER DAY SAINTS CHURCH LOCATED AT SYCAMORE AND JOUETTE STREET IN THE ASTON ESTATES SUBDIVISION**

Chairman Waitschies opened the Public Hearing at 6:38pm and asked for those FOR the replat of the LDS Church to come forward. Don Vandiver, architect for the LDS Church project, came before the Commission to express his hopes of having this replat approved. In 2005, a replat was brought to the Commission with a 16,000 square foot building and easements for that size building. Since then, the Church has reconformed the building to have a different footprint and have less parking space. Chairman Waitschies asked for anyone OPPOSING the replat to come forward. With no one coming forth, Chairman Waitschies closed the Public Hearing at 6:41pm.

City Manager Ben White spoke to the Commission regarding this replat and recommended approval contingent upon final corrections prior to Council submittal to include a letter from Atmos Energy that they will serve the property; the Owner's Certificate shall be signed by the owner and notarized; a note indicating the property is located with the City of Farmersville city limits; required building set back lines are to be added; a note indicating the water supply provider for the property; a note indicating the property is located within the Farmersville ISD; and a Notary certificate at the end of the Property Owner's Certificate executed in either Texas or Utah. Mr. White indicated there is nothing to slow this process. Commissioner Lee Warren asked if traffic issues have been reviewed and if any are foreseen. Mr. White stated traffic issues would not be a problem as the church will have specific hours that will be attended. The school traffic would have more affect than the church. Mr. Vandiver stated the church is leasing spaces at Sugar Hill Shopping Center. The new church building is expected to have 3 congregations meet which would have different times on Sunday and would not have an overlap of parking requirements. The maximum people would be 200 people in the sanctuary. Commissioner Mark Vincent asked if the church exceeds the rate of growth to accommodate over 200 people. AT the current rate, Farmersville and Princeton have around 1,200 – 1,500 members with 300 faithful church goers. To exceed the sanctuary capacity, it would probably be 10 – 12 years of growth.

Lee Warren motioned to approve the replat with the 7 conditions as spelled out by the City Engineer with Bryce Thompson seconding the motion. Motion passed with full approval of the Commission.

**ADJOURNMENT**

Lee Warren motioned to adjourn with Bryce Thompson seconding the motion. P&Z Commission adjourned at 6:49 p.m.

ATTEST:

\_\_\_\_\_  
Tom Waitschies, Chairman

\_\_\_\_\_  
Edie Sims, City Secretary



TO: Planning and Zoning Commission  
FROM: Edie Sims, City Secretary  
DATE: January 24, 2013  
SUBJECT: Consider, discuss and act to amend Section 56-31 of the Sign Ordinance pertaining to digital signs

- The excerpt from the Sign Ordinance regarding *Electronic Message Center* is attached.
- Concerns/direction from the City Council is attached.

**ACTION:** Discuss the topic and make recommendations for changes.

*NOTE: Any changes recommended will need to be brought back to the Commission in the form of an ordinance. If changes are solidified, a Public Hearing must be called and publicized before acting on the changes which would then be recommended to the Council for final approval.*

(II - B)

*Electronic message center* means any sign composed of lights, LEDs, or other form of illumination that displays a message or picture. An electronic message center is usually secondary to and part of the sign area of a larger freestanding sign for which a sign permit is required.

(1)

The displayed message or picture of an electronic message center shall remain static for not less than two hours per message or picture.

(2)

An electronic message center shall not scroll, fade, blink, flash, travel, or use any other means that does not provide at least two hours of constant illumination.

(3)

If the electronic message center is to be the primary sign, it must meet the sign requirements as outlined in this chapter. See *Monument sign*, *pylon sign* or *wall sign*.

Concerns from the City Council:

- The biggest concern is the flashing as it is distracting and dangerous. Timed flashes could be a resolution. *(I will research some other cities websites for their sign ordinance regarding digital signage for comparison and send that to the Board.)*
- Changing the sign every so often, being more realistic, ie. every 30 seconds rather than our current ordinance which is static for 2 hours.
- Differences between signs on the highways versus the downtown area. Keep in mind the downtown area is very stringent with the signage due to the historical value.





TO: Planning and Zoning Commission  
FROM: Edie Sims, City Secretary  
DATE: January 24, 2013  
SUBJECT: Public hearing to consider, discuss and act upon a Specific Use Permit for Triple Crazy Game Room located at 865 West Audie Murphy Parkway, Farmersville

- Specific Use Permit Application is attached.
- Plat is attached for review.
- Map of gaming machines inside the facility
- Tax records are attached for the 2012 tax values
- Information from Farmersville Police Department is attached for review
- Draft Ordinance is attached for approval, changes and recommendations

**ACTION:**

- 1) Open the Public Hearing and call the time.
- 2) Ask for those in FAVOR of the SUP to come forward.
- 3) Ask for those OPPOSING the SUP to come forward.
- 4) Close the Public Hearing and call the time.
- 5) Discuss, approve or disapprove recommending the Specific Use Permit request to the City Council for final approval with the Ordinance.

(III - A)



Farmersville  
DISCOVER A TEXAS TREASURE

**CITY OF FARMERSVILLE  
SPECIFIC USE PERMIT APPLICATION**

APPLICANT'S NAME: Triple Crazy  
APPLICANT'S ADDRESS: 865 W. Audie Murphy Pkwy  
APPLICANT'S CONTACT NUMBERS: Linda Story 903-413-5078  
NAME OF OWNER: Dale & Linda Story  
ADDRESS OF OWNER: P.O. Box 401 Bonham, TX 75418  
LOCATION OF PROPERTY: 865 W. Audie Murphy Pkwy

**LEGAL DESCRIPTION OF PROPERTY:**

LOT NO. N/A TRACT 96-0057238 BLOCK NO. N/A  
PLAT According to County Record <sup>see plat on back</sup> ADDITION: N/A  
SURVEY: See attached NUMBER OF ACRES: 1/2

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and a complete legal field note description.

PROPOSED USE: Triple Crazy Game Room  
see exhibit B

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

See exhibit attached  
ATTACH A SITE PLAN drawn to scale with the information listed on the back of this sheet.

See attached back page  
THE EIGHT CONDITIONS listed on the back of this sheet **MUST** be met before City Council can grant a Specific Use Permit.

**ATTACH THE APPROPRIATE FEE:**

LESS THAN 1/2 ACRE .....	\$100.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES .....	\$250.00
5 ACRES OR MORE .....	\$500.00
PUBLIC HEARING FEE (PER HEARING).....	\$ 12.50

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by the City Council.

SIGNATURE OF APPLICANT:

Linda Stouf

Date:

11-26-12

SIGNATURE OF OWNER:

Dale Stouf

Date:

11-26-12

(If not applicant)

INCLUDE THE FOLLOWING INFORMATION ON A SITE PLAN. THE PLAN MUST BE DRAWN TO SCALE.

See exhibit C

- Boundaries of the area covered by the site plan. on plot
- The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roof line, gross floor area and location of building entrances and exits.
- The location of existing drainage ways and significant natural features.
- Proposed landscaping and screening buffers. Na
- The location and dimensions of all curb cuts, public and private streets, parking and loading areas, pedestrian walks, lighting facilities, and outside trash storage facilities. Na
- The location, height and type of each wall, fence, and all other types of screening. Na
- The location, height and size of all proposed signs.

In accordance w/ sign ordinance

THE ZONING ORDINANCE REQUIRES THAT THESE EIGHT CONDITIONS MUST BE MET BEFORE A SPECIFIC USE PERMIT CAN BE ISSUED:

See exhibit D

- That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity; and
- That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property. explain
- That adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided. address
- The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development. please address
- That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration. address
- That directional lighting will be provided so as not to disturb or adversely affect neighboring properties. address
- That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property Address
- That the proposed use is in accordance with the Comprehensive Plan. Address

## Exhibit A

I agree that:

The game room located at 865 W. Audre Murphy, Farmersville, Tx 75442, will not impede the normal and orderly development and improvement of my property.

The game room's directional lighting will not disturb or adversely affect my property.

The game room's specific use will be compatible with and not injurious to the use and enjoyment of my property and not significantly diminish or impair property values within the immediate vicinity.

Home at 855 Audre Murphy Pkwy, Larry Howard, owner

Larry Howard

Vacant Building, Larry Howard, owner

Larry Howard

Sonic - Drive IN -

Edward Rogore

## Exhibit B

### Proposed Use:

40 gaming machines - are set up on a point scale.

Customers may purchase with points gifts that are provided by Game Room. No payouts on any Credit or debit cards. All prizes + gifts are ~~are~~ redeemed at game room only.

Additional entertainment at no charge, Karaoke

Pre packaged snacks and sodas are provided at no charge

EXHIBIT ~~C~~ C

- 1) Boundaries of the area covered by the site plan: ON ATTACHED PLAT
- 2) Location of each existing and proposed building and structure in the area covered by the site plan, number of stories, height, roof line, gross floor area and location of building, entrances and exits: ON ATTACHED PLAT
- 3) Location of existing drainage ways and significant natural features: ON ATTACHED PLAT
- 4) Proposed landscaping and screening buffers: ON ATTACHED PLAT, DONE BY PREVIOUS TENANT
- 5) Location and dimensions of all curbs: N/A
- 6) Public and private streets: N/A
- 7) Parking and loading areas: N/A
- 8) Pedestrian walks, lighting fixtures and outside trash storage facilities: SEE ATTACHED PLAT
- 9) Location, height and type of each wall, fence and all other types of screening. N/A
- 10) Location, height and size of all proposed signs. IN ACCORDANCE WITH SIGN ORDINANCE – PLEASE SEE ATTACHED PLAT

## EXHIBIT D

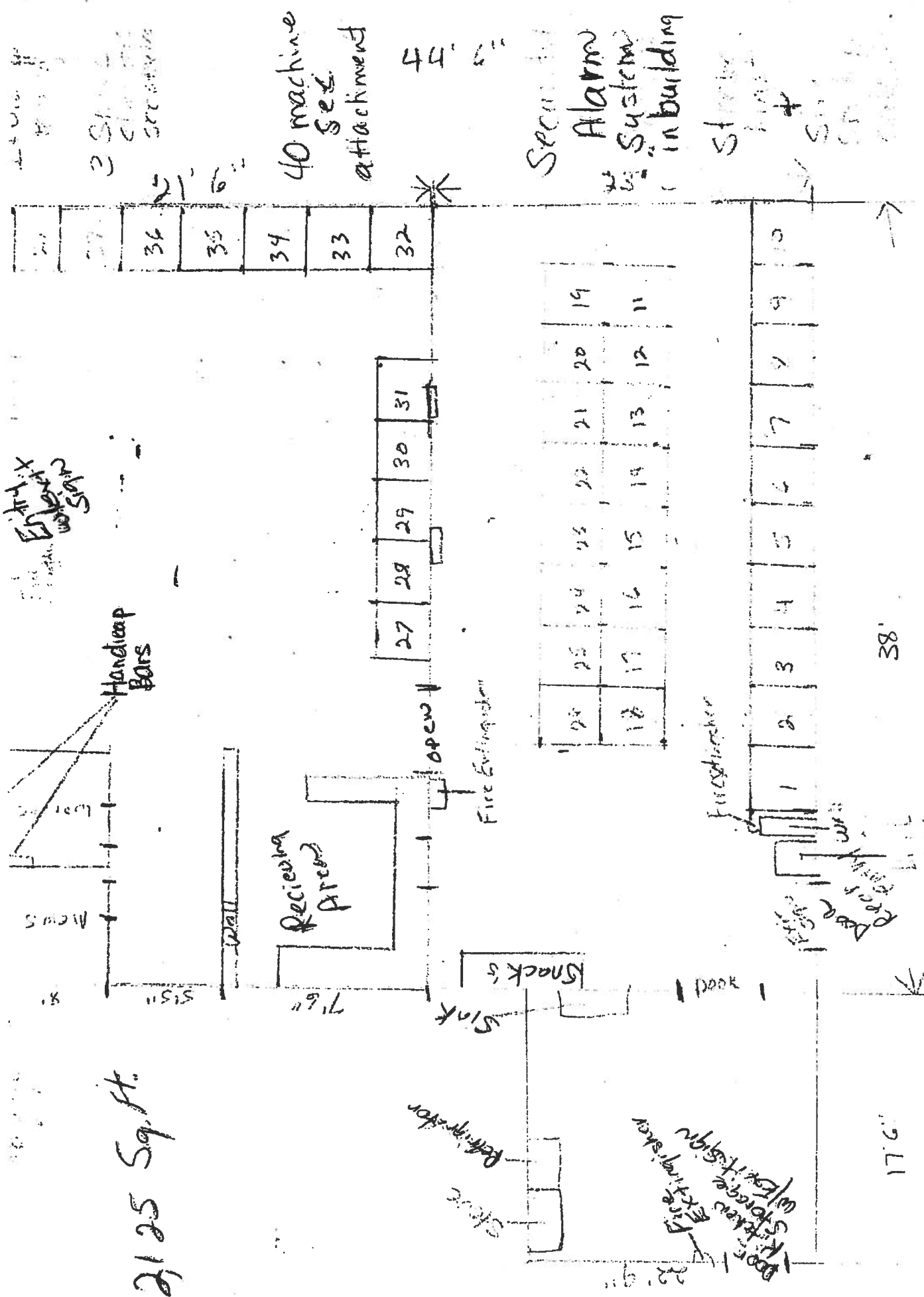
- 1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property nor significantly diminish or impair property values within the immediate vicinity and explain: YES, PLEASE SEE ATTACHED EXHIBIT A.
- 2) That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property: YES, PLEASE SEE ATTACHED EXHIBIT A.
- X 3) The adequate utility access roads, drainage, and other necessary supporting facilities have been provided. *There are no utility access Rd or Drains around Bldg.*
- 4) The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adequate development: ALL PARKING IN BACK OF BUILDING AND DOES NOT AFFECT ADJACENT DEVELOPMENT.
- 5) The adequate nuisance prevention measures have been or will be taken to prevent control of offensive odor, fumes, dust, noise and vibration: N/A
- 6) The directional lighting will be provided so as not to disturb or adversely affect neighboring properties: NO DIRECT LIGHTING OTHER THAN AT THE BACK OF THE PROPERTY AND WILL NOT AFFECT NEIGHBORING PROPERTIES, EXHIBIT A.
- 7) That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property: DONE BY PREVIOUS TENANT.
- X 8) That the proposed use is in accordance with the comprehensive plan: *on line* YES, meet these  
Requirements.

GAME PALACE:

By:

  
LINDA STORY

2125 Sq. Ft.



Road Front



AFTER RECORDING RETURN TO:

Jody Howard  
Rt 3, Box 135  
Farmersville, TX  
75442

WARRANTY DEED

(DRAFTED WITHOUT BENEFIT OF TITLE EXAMINATION OR TITLE INSURANCE)

THE STATE OF TEXAS )

) KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN )

THAT We, A.M. SNYDER and wife, IRENE SNYDER, of the County of Collin, and State of Texas, for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00) to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and in consideration of the love and affection which I bear toward grantee, have GRANTED, GIVEN AND CONVEYED, and by these presents do GRANT, GIVE AND CONVEY unto our daughter, JODY HOWARD, (herein called "grantee") of the County of Collin, and State of Texas, as grantee's sole and separate property, the following described real property in Collin County, Texas, to-wit:

(See EXHIBIT A attached hereto and made a part hereof for all purposes.)

Except, however, that the Grantors herein reserve, and it is expressly agreed that they should have, for themselves and their assigns, the full possession, benefit and use of the above described property, as well as the rents, revenues and profits thereof, for and during their natural lives. In other words, this reservation of life estate shall terminate on the date of death of the last to die of the two Grantors.

**THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:**

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part thereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, grantee's heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to-WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

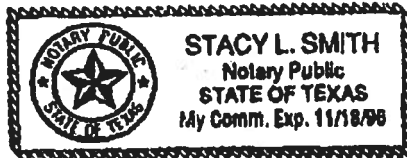
EXECUTED this 3rd day of July, 1996.

A.M. Snyder  
A.M. SNYDER

Irene Snyder  
IRENE SNYDER

THE STATE OF TEXAS  
COUNTY OF COLLIN

This instrument was acknowledged before me on July 3, 1996 by A.M. SNYDER and wife, IRENE SNYDER.



Stacy L. Smith  
Notary Public, State of Texas  
Notary's Printed Name:  
Stacy L. Smith  
My commission expires: 11-18-96

**EXHIBIT A**

SITUATED in Collin County, Texas, and in the D.J. Jaynes Survey, Abstract No. 471, and being a part of a tract of 24.26 acres described in a deed from T.M. Lovell and wife, to Doyle Skinner dated November 26, 1945, and recorded in Volume 360, Page 6, Collin County Deed Records; and the beginning corner of this tract was located as follows:

BEGINNING at the most Easterly southeast corner of said 24.26 acres;

THENCE SOUTH 88° West 6.15 chains to the beginning corner of this tract; said beginning corner is also located at the southwest corner of a lot 125 feet wide, east and west, that was conveyed to M.S. Sellers on April 2, 1956, by Doyle Skinner and wife;

THENCE SOUTH 88 degrees West 2.48 chains to a stake;

THENCE SOUTH 79 degrees West 6.00 chains;

THENCE SOUTH 1/2 degree West 1.76 chains;

THENCE SOUTH 83-1/2 degrees West 5.67 chains;

THENCE SOUTH 71 degrees West 2.00 chains to a stake in the west line of the City Limits of Farmersville;

THENCE NORTH 71 degrees West 1.20 chains to a stake;

THENCE NORTH 66-3/4 degrees West 3.09 chains to a stake;

THENCE NORTHERLY 7.70 chains, more or less, to the southeast corner of a tract of land conveyed by T.M. Lovell and wife to Alton Roberts, as per deed recorded in Volume 323, Page 318, Collin County Deed Records.

THENCE NORTH 5-3/4 degrees East 2.30 chains to Roberts' northeast corner;

THENCE SOUTH 83 degrees 40' East 148 feet to the north west corner of a one acre tract described in a deed from Doyle Skinner et ux, to A.M. Snyder, dated Dec. 29, 1950 and recorded in Volume 422, Page 320, Collin County Deed Records.

THENCE SOUTH 210 feet to the southwest corner of said one acre tract;

THENCE EASTERLY 210 feet, parallel with the south line of U.S. Highway No. 24, to the southeast corner of said one acre tract;

THENCE NORTH 210 feet to the N.E. corner of said one acre tract;

THENCE with the south line of said Highway South 83 deg. 40' East 13.34 chains, more or less, to the northwest corner of said lot 125 feet wide east and west that was conveyed to M.S. Sellers on April 2, 1956;

THENCE SOUTH 5.12 chains more or less, with the west line of said 125 foot lot to the place of beginning, containing 15.00 acres of land, more or less.

Being the same property conveyed from Doyle Skinner and wife, Roberta Skinner to A.M. Snyder in a deed dated April 2, 1956 and recorded in Volume 514, page 415, Deed Records of Collin County, Texas.

**LESS AND EXCEPT:**

The following property which was conveyed from A.M. SNYDER and wife, IRENE SNYDER to THOMAS GLENN CARAWAY POST NO. 7426 VFW in deed dated April 24, 1990 and recorded in the Land Records of Collin County, Texas, to-wit:

SITUATED in the D.J. Jaynes Survey, Abst. No. 471 in Collin County, Texas, and being part of a 15 acre tract of land that was conveyed to A.M. Snyder in Deed recorded in Volume 514, Page 415 of the Deed Records of Collin County, Texas, being more particularly described by metes and bounds to-wit:

BEGINNING at a pipe found being the Southeast corner of said tract;

THENCE SOUTH 88 degrees 06 minutes West with the North line of a 15.909 acre tract described in Deed recorded in Volume 2161, Page 979 of the Land Records of Collin County, Texas, 261.5 feet to an iron pin found;

THENCE SOUTH 76 degrees 48 minutes West with said north line of 337.25 feet to an iron pin, then continuing a total of 358.74 feet to a point in the centerline of a creek;  
THENCE with the centerline meanders of said creek as follows:

North 6 degrees 56 minutes West 108.6 feet;  
North 83 degrees 16 minutes East 163.1 feet;  
North 4 degrees 49 minutes West 65.4 feet;  
North 85 degrees 44 minutes 52 seconds East 192.93 feet;  
North 79 degrees 02 minutes East 143.5 feet;  
South 52 degrees 11 minutes East 65 feet;  
North 61 degrees 19 minutes East 93 feet to a point in the East line of said 15 acre tract.

THENCE SOUTH 0 degrees 24 minutes East with said East line 147.9 feet to the place of beginning,  
CONTAINING 1.806 acres.

ANY PERSON WHOSE SIGNATURE OR SEAL IS REQUIRED BY THE  
COUNTY CLERK OF COLLIN COUNTY, TEXAS, FOR THE  
RECORDING OF THIS INSTRUMENT, SHALL BE DEEMED TO  
HAVE BEEN DULY NOTICED OF THE REQUIREMENTS OF THE  
COUNTY CLERK OF COLLIN COUNTY, TEXAS, AND  
SHALL BE RESPONSIBLE FOR THE PROPER FILING OF THE  
INSTRUMENT IN THE PUBLIC RECORDS OF COLLIN COUNTY,  
TEXAS, AND FOR THE PROPER PAYMENT OF THE  
RECORDING FEES THEREON.

JUL 09 1996

*Helen Starnes*



COUNTY CLERK, COLLIN COUNTY, TEXAS

Filed for Record in:  
COLLIN COUNTY, TX  
HONORABLE HELEN STARNES

On 1996/07/09

At 11:25A

Number: 96- 0057238  
Type : D1 15.00

Kilcrease-Johnson, SM

BEGINNING

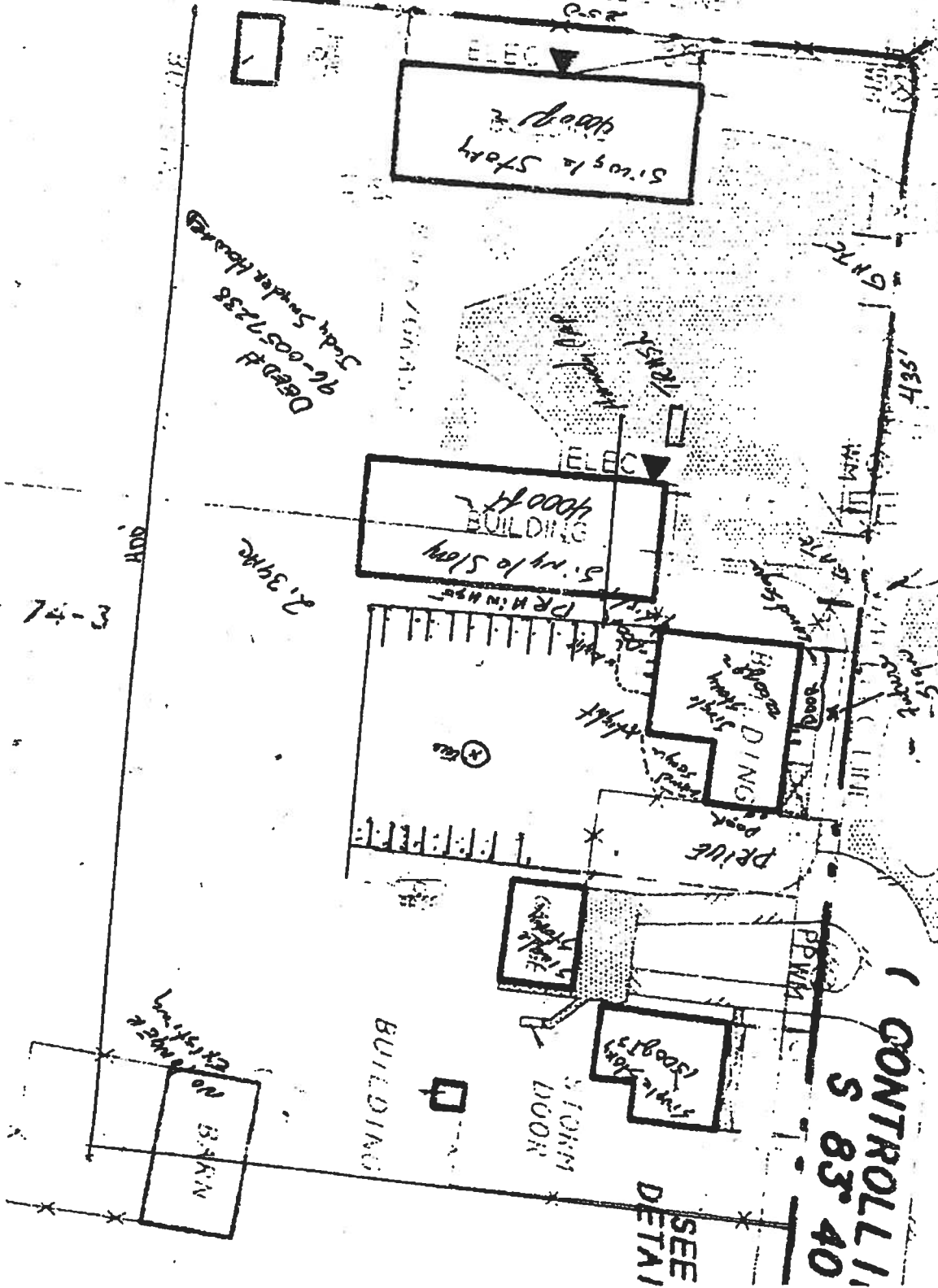
U.

CONTROL 1  
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Q331 mgos

ON BAXTER  
ON ODWIN  
ON HOOPER  
ON CE  
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ON  
DFORD  
743

39° 23' E 602.71'



S ORD # 74-3

11.31 AC  
PART OF 15.0 ACRE

**Property Tax Record**

Kenneth L. Maun  
Collin County Tax Assessor Collector  
2300 Bloomdale Rd. Ste 2324  
McKinney, TX 75071

Ph: 972-547-5020

 [Print Friendly Version](#)
[New Search](#)

**Account:** R647100102801

**APD:** 2664032

**Location:** 0000855W AUDIE MURPHY PKWY

**Legal:** ABS A0471 D J JAYNES SURVEY, BLK 1,  
TRACT 28, 1.268 ACRES

**Owner:** HOWARD JODY M

1131 BUSINESS 78

FARMERSVILLE TX 75442--550

**Acres:** 1.268

**Yr Built:** 0

**Sq Ft:** 0

**Def. Start:** NONE

**Def. End:** NONE

**Roll:** R

**2012 Values**

Improvement Non-Home Site 92,604

Land Non-Home Site 110,467

**2012 Exemptions**

Click on the e-Statement button to view Total Tax Due.

Click on the e-Payment button to make a credit card or eCheck payment.

[Current status](#)
[All years](#)
[Tax Estimator](#)
[e-Payment](#)
[e-Statement](#)

Year	Unit	Levy Amount	Levy Paid	Levy Due	Penalty	Interest	Col Penalty	Total Due	Receipt Date
2012	01	487.37	0.00	487.37	0.00	0.00	0.00	487.37	
2012	11	1,416.42	0.00	1,416.42	0.00	0.00	0.00	1,416.42	
2012	55	2,782.07	0.00	2,782.07	0.00	0.00	0.00	2,782.07	
2012	60	175.25	0.00	175.25	0.00	0.00	0.00	175.25	
<b>2012 Totals</b>		<b>4,861.11</b>	<b>0.00</b>	<b>4,861.11</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,861.11</b>	

# Property Search

Property ID: 2664032 - Tax Year: 2013

## General Information

Property ID 2664032  
 Property Status Active  
 Geographic ID R-6471-001-0280-1  
 Property Type Real  
 Property Address 855 W Audie Murphy Pkwy  
 Farmersville, TX 75442  
 Total Land Area 1.2680 acres  
 Total Improvement Main Area 8,043 sq. ft.  
 Abstract/Subdivision [D J Jaynes Survey](#)  
 Primary State Code E (Real Farm & Ranch Single Family)  
 Legal Description Abs A0471 D J Jaynes Survey, Blk 1, Tract 28, 1.268 Acres

## Owner Information

Owner ID 425946  
 Owner Name(s) [Howard Jody M](#)  
 Exemptions None  
 Percent Ownership 100.00%  
 Mailing Address 1131 Business 78  
 Farmersville, TX 75442-5505

## 2013 Value Information

Value information for Property ID 2664032 in the 2013 tax year is unavailable. Value information for prior years may be available in the [Value History](#) section below.

## Entities & Exemptions

Taxing Entity	Exemptions	Amount	Taxable Value	Tax Rate	Tax Ceiling	Collected By
CFC (Farmersville City)	-	-	-	0.697500 (2012 Rate)	-	<a href="#">Collin County Tax Office</a>
GCN (Collin County)	-	-	-	0.240000 (2012 Rate)	-	<a href="#">Collin County Tax Office</a>
JCN (Collin College)	-	-	-	0.086299 (2012 Rate)	-	<a href="#">Collin County Tax Office</a>
SFC (Farmersville ISD)	-	-	-	1.370000 (2012 Rate)	-	<a href="#">Collin County Tax Office</a>

## Improvements

Improvement #1 Residential  
 State Code E (Real Farm & Ranch Single Family)  
 Homesite No  
 Market Value n/a  
 Total Main Area 1,344 sq. ft.  

Detail #	Type	Year Built	Sq. Ft.
1	MA - Main Area	1962	1,344
2	CP - Covered Porch/patio	1962	216

## Land Segments

Land Segment #1 Farm And Ranch Single Family  
 State Code E (Real Farm & Ranch Single Family)  
 Homesite No  
 Market Value n/a  
 Ag Use Value n/a  
 Land Size 0.2755 acres  
 12,000 sq. ft.

Land Segment #2 Commercial  
 State Code F1 (Real Commercial)

**Improvement #2** Residential  
**State Code** E (Real Farm & Ranch Single Family)  
**Homesite** No  
**Market Value** n/a  
**Total Main Area** 384 sq. ft.

Detail #	Type	Year Built	Sq. Ft.
1	MA - Main Area	1975	384
2	DETG - Detached Garage	1975	384

<b>Homesite</b>	No
<b>Market Value</b>	n/a
<b>Ag Use Value</b>	n/a
<b>Land Size</b>	0.9925 acres 43,233 sq. ft.

**Improvement #3** Commercial  
**State Code** F1 (Real Commercial)  
**Homesite** No  
**Market Value** n/a  
**Total Main Area** 2,315 sq. ft.

Detail #	Type	Year Built	Sq. Ft.
1	MA - Main Area	1962	1,375
2	MA - Main Area	1962	760
3	MA - Main Area	1962	180

**Improvement #4** Commercial  
**State Code** F1 (Real Commercial)  
**Homesite** No  
**Market Value** n/a  
**Total Main Area** n/a

Detail #	Type	Year Built	Sq. Ft.
1	CON - Concrete Paving	2007	5,000

**Improvement #5** Commercial  
**State Code** F2 (Real Industrial)  
**Homesite** No  
**Market Value** n/a  
**Total Main Area** 4,000 sq. ft.

Detail #	Type	Year Built	Sq. Ft.
1	MA - Main Area	1980	4,000



**Value History**

Year	Improvement	Land	Market	Ag Loss	Appraised	HS Cap Loss	Assessed
2012	\$92,604	\$110,467	\$203,071	\$0	\$203,071	\$0	\$203,071
2011	\$79,533	\$110,467	\$190,000	\$0	\$190,000	\$0	\$190,000

**Deed History**

Deed Date	Seller	Buyer	Instr #	Volume/Page
08/03/1999	Snyder A M-le	Howard Jody M		99-0097426/4471-4226
07/03/1996	Snyder A M	Howard Jody		96-/0057238
07/03/1996	Howard Jody	Snyder A M-le		96-/0057238



## FARMERSVILLE POLICE DEPARTMENT

134 North Washington Street  
Farmersville, Texas 75442  
972-782-6141  
Fax 972-782-7693

11/15/2012

To: City of Farmersville/Planning & Zoning Board

Pursuant to Ordinance No. 0-2010-1109-002, 10-D Specific Use Permit Application Requirements for Game Rooms; specific to: Renewal of current pending SUP's of "Game Room's" as described in said ordinance; and in anticipation of future Planning and Zoning hearings set for re-application of said SUP's this report is provided.

The City of Farmersville Code Enforcement Division, operated and managed out of the police department, conducted said inspections pursuant to said ordinance and in anticipation of the aforementioned P&Z SUP hearings. Inspections were conducted of all establishments known to have and/or believed to have a "coin-operated machine(s) or device(s) as defined in said ordinance under Section 2. 57. (A) Game Room.

Two separate inspections were conducted by Code Enforcement Officer K. Dixon on 09/17/2012 and 11/06/2012 (Please see attached report). Specific to the 4 Game Rooms as defined in said ordinance and operating on current SUP's; two (2) were found to have more machines than originally reported on their current permit/SUP and two (2) were found to be operating within their current permit/SUP as it pertains to machines. In regards to area and the required physical game room requirements, all seemed to be in compliance.

Upon review of the aforementioned game room permits a check was conducted through the Texas State Comptroller's Office in regards to compliance with the State Tax Code pertaining to Amusement-Coin operated Machines. This check was made based on Owner information provided by the applicant's permit on file with the city.

**Reference:** OCCUPATIONS CODE, TITLE 13. SPORTS, AMUSEMENTS, AND ENTERTAINMENT, SUBTITLE D. OTHER AMUSEMENTS AND ENTERTAINMENT, CHAPTER 2153. COIN-OPERATED MACHINES, SUBCHAPTER A. GENERAL PROVISIONS.

Sec. 2153. 151. LICENSE OR REGISTRATION REQUIRED. Except as otherwise provided by this chapter, a person may not engage in the business of manufacturing, owning, buying, selling, renting, leasing, trading, lending, furnishing to another, maintaining, transporting within this state, storing, or importing a music or skill or pleasure coin-operated machine unless the person holds a license or registration certificate issued under this subchapter.

Pursuant to the aforementioned statute and permit applications the city has on file, the following was discovered: **Paradise Isles** and **Jokers Wild** were found to be licensed and registered with the State Comptroller's office.

The Texas State Comptroller's office was not able to find any record of "**American Glory**". Previously, this location where American Glory is today was named "Game Palace". According to the State Comptroller's office records, Game Palace hasn't been active since 2010. The owners listed at that time were co-owner, Chris Filline and co-owner Linda Story.

Our current permit for **American Glory** shows that Chris Ball is the owner/applicant. According to the Texas State Comptroller's office, Mr. Ball had an amusement license from 2000, 2001, and 2002 for an address at 11648A N. Central Expressway but it hasn't been active since 2002. Beyond the aforementioned record for Mr. Ball, there's no record of **American Glory** listed with State Comptroller's office, either by business name or owner's name.

The Texas State Comptroller's office advised that **Triple Crazy** has an inactive-file. According to the Comptroller's office, Linda Story applied for an amusement license on 01/27/2010 for Triple Crazy Game Room, located at 865 W. Audie Murphy Parkway. According to the Amusement Division of the Comptroller's office, there have been no taxes or fees paid under this account since it was applied for. Beyond the aforementioned record for Mrs. Story, there's no record of **Triple Crazy** listed with State Comptroller's office, either by business name or owner's name.

Conclusion: I cannot verify with any degree of certainty who actually owns said game rooms **American Glory & Triple Crazy**. Our State statutes cover these type of businesses and the requirements, protocols, and taxes that they're regulated to comply with. The aforementioned game rooms (American Glory & Triple Crazy) may be owned and/or operated under another name, LLC, or corporation? To date, I've not been able to find such a record.

With that said, I refer the board back to the ordinance Section 4. "10D. Specific Use Permit Application Requirements for Game Rooms, numbers 15 & 16.

*(15) The grant of an SUP shall not relieve the applicant, owner and/or operator of a game room or the subject coin-operated machines or devices from any other and further obligations under the Farmersville City Code; and,*

*(16) Nothing herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table, or gaming machine, the keeping, exhibition, operation, display or maintenance of which is illegal or in violation of any ordinance of the city, any section of the penal code of this state, or the constitution of this state.*

It is my recommendation, as the police chief and manager of code enforcement services for the city that we verify who owns the aforementioned game rooms. Secondly, I would recommend to the board that said businesses comply with the city's permit requirements as well as, verify if said business are complying with state regulations as it pertains to amusement coin-operated game rooms. Third, I cannot recommend Triple Crazy or American Glory for granting an SUP until the aforementioned verifications can be made.

Respectfully,

Michael P Sullivan  
Chief of Police

NAME	ADDRESS	# OF MACHINES KNOWN/APPROVED	EXPIRATION DATE OF PERMIT		Insp 9/17/12	Insp 11/6/12
American Glory	2202 W. Audie Murphy Parkway	50	01/01/2013		53	53
Jokers Wild	812 McKinney	40	01/01/2013		39	39
Paradise Isles	1055 W. Audie Murphy Parkway Suite 103	40	01/01/2013		38	39
Triple Crazy	865 W. Audie Murphy Parkway	40	01/01/2013		60	57
Stop N Buy	316 N. Main	1			3	3
Farmersville Shell	304 E. Audie Murphy Parkway	1			1	1
Quick Check	815 McKinney	?			0	0
K-Mart	S Hwy 78				4	1

**CITY OF FARMERSVILLE  
ORDINANCE # O-2013-0212-002**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING COMPREHENSIVE ZONING ORDINANCE AND ESTABLISHING A SPECIAL USE PERMIT; PROVIDING FOR THE OPERATION OF A GAME ROOM ON PROPERTY DESCRIBED HEREIN; PROVIDING FOR RESTRICTIONS; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING FOR PENALTY, SEVERABILITY AND AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS.**

**SECTION I: PERMIT**

A Special Use Permit is hereby established for Triple Crazy Game Room, located at 8655 West Audie Murphy Parkway, Farmersville, TX 75442 providing for the following use:

Game Room

**SECTION II: RESTRICTIONS**

The development shall be in accordance with the following special restrictions, conditions, and regulations:

1. No one under the age of 18 years allowed in building at any time
2. Sign stating under 18 not allowed, clearly posted on the entrance of said business.
3. A maximum of 40 Machines
4. Hours set for the Game Room are as follows:

Monday-Thursday, Open 8:30 a.m.; Close at 11:00 p.m.  
Friday and Saturday, Open 8:30 a.m.; Close at 12:00 a.m.  
Sunday, Open 12:00 p.m.; Close at 11:00 p.m.
5. Permit re-evaluation in **1 year** from the date the Ordinance is approved by Council, at no cost to applicant
6. **The Special Use Permit granted herein is specific to Triple Crazy Game Room (Linda Story), 865 West Audie Murphy Parkway, and shall not be transferred to any other person or entity or any other location without the approval of the City of Farmersville**

**SECTION III: PENALTY**

Any person, firm or corporation violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable by a fine not to exceed two thousand dollars (\$2000); and each day or portion thereof during which the violation is committed, continued or permitted shall be a separate offense.

**SECTION IV: SEVERABILITY**

If any section, paragraph, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision hereof, other than the part so decided to be invalid or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION V: EFFECTIVE DATE**

This Ordinance shall take effect immediately, from and after its passage and publication of the caption, as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Farmersville, Texas on the 12<sup>th</sup> day of February, 2013.

APPROVED:

\_\_\_\_\_  
Joseph E. Helmberger, P.E., Mayor

ATTEST:

\_\_\_\_\_  
Edie Sims, City Secretary



TO: Planning and Zoning Commission  
FROM: Edie Sims, City Secretary  
DATE: January 24, 2013  
SUBJECT: Public hearing to consider, discuss and act upon an amendment to the Planned Development Ordinance for the Church of Jesus Christ of Latter Day Saints located at 513 Sycamore Street, Farmersville

- Previous Planned Development Ordinance #2002-13 is attached for comparison
- All documentation including Site Plan will be delivered for review

**ACTION:**

- a) Open the Public Hearing and call the time.**
- b) Ask for anyone to come forward and speak who is FOR the Planned Development amendment .**
- c) Ask for anyone to come forward and speak who OPPOSES the Planned Development amendment.**
- d) Close the Public Hearing and call the time.**
- e) Commission to discuss the matter and make recommendation to the City Council for final approval.**

(III - B)



## **CITY OF FARMERSVILLE**

### **ORDINANCE #2002-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE #98-01, AS HERETOFORE AMENDED, TO ZONE 13.05 ACRES AS HEREINAFTER DESCRIBED; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Secretary of Farmersville, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Farmersville and laws of the State of Texas, at a meeting of the City Council, held on the 11<sup>th</sup> day of December, 2001, for the purpose of considering a change in the Zoning Ordinance; and,

**WHEREAS**, the City Secretary of said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Farmersville, Texas, at least fifteen (15) days prior to the time set for such hearings; and,

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, the 11<sup>th</sup> day of December, 2001; and,

**WHEREAS**, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and as well, the owners and occupants thereof, and the City generally;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE:**

**SECTION I.** The Comprehensive Zoning Ordinance #98-01, as the same has been heretofore amended, is hereby further amended so as to assign Planned Development-Residential Development zoning to the following described property:

Situated in the W. B. Williams Survey, Abstract No. 952 in Collin County, Texas, and being a portion of that certain 13.05 acre tract, now, or formerly in the name of Joe Aston, Jr., as described in Volume 564, at page 435, of the Deed Records in Collin County, Texas, being more particularly described in Exhibit "A".

**SECTION II.** The following are adopted in conjunction with this zoning:

- a) The "Site Plan" document submitted by the developer and dated December 17, 2001, is hereby attached as Exhibit B and made a part hereof.
- b) Conditions as described on Exhibit C hereto are incorporated and made a part hereof.
- c) A monetary sum for parks and other public uses as described in Section 6.2 of Subdivision Ordinance #98-02, in the amount of three thousand dollars (\$3000.00) will be provided to the City.
- d) Except as specifically indicated otherwise on the "Site Plan" or the exhibits attached hereto, all requirement of the Subdivision Ordinance #98-02 and the Zoning Ordinance #98-01 shall remain in full force and effect as set forth for Zoning District SF – 3.

**SECTION III.** It is directed that the official zoning map of the City of Farmersville be changed to reflect the zoning classification established by this Ordinance.

**SECTION IV.** All provisions of the ordinances of the City of Farmersville in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Farmersville not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION V.** It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

**SECTION VI.** This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS** on this the 12<sup>th</sup> day of March, 2002.

**APPROVED:**

\_\_\_\_\_  
George G. Crump, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra B. Jaco, City Secretary

## EXHIBIT A

Situated in the W. B. Williams Survey, Abstract No. 952 in Collin County, Texas, and being a portion of that certain 13.05 acre tract, now, or formerly in the name of Joe Aston, Jr., as described in Volume 564, at page 435, of the Deed Records in Collin County, Texas, and being more particularly described by metes and bounds to wit:

BEGINNING at a 5/8 inch diameter rebar found in the south right-of-way line of Sycamore Street, 50 feet wide, and being the northwest corner of Outlot 1 of the L. F. Gaddy Addition to the Town of Farmersville, per plat of record in Volume 413, at Page 433, among the Map Records of said County and state, for the northeast corner hereof and of said 13.05 acre tract;

THENCE, leaving said right-of-way line and continuing in a generally southerly direction with the west line of said addition, being common with said 13.05 acre tract, the following seven (7) courses and distances

- 1) South 00 degrees 50 minutes 50 seconds West, a distance of 100.24 feet a 1 inch diameter iron pipe found for an ell corner hereof
- 2) North 89 degrees 41 minutes 58 seconds East, a distance of 152.00 feet to a ½ inch diameter rebar found at the common corner of Lot 1 and of Lot 2 of said Addition
- 3) South 00 degrees 51 minutes 56 seconds West, a distance of 500.15 feet to a 5/8 inch diameter rebar set an ell corner hereof, being common with Lot 6, Lot 7, and Outlot 2 of said Addition
- 4) South 89 degrees 41 minutes 58 seconds West, a distance of 77.02 feet to a 5/8 inch diameter rebar set at an ell corner of said Outlot 2
- 5) South 00 degrees 51 minutes 56 seconds West, a distance of 100.03 feet to a 5/8 inch diameter rebar set at an ell corner of said Outlot 2
- 6) North 89 degrees 41 minutes 58 seconds East, a distance of 77.02 feet to a 5/8 inch diameter rebar set at an ell corner of said Outlot 2, being common with said Lot 7 and of Lot 8 of said Addition, and,
- 7) South 00 degrees 51 minutes 56 seconds West, a distance of 98.93 feet

to a 1 inch diameter iron pipe found at the northeast corner of the Gaddy West Addition to the Town of Farmersville, per plat of record in Volume 3, at Page 116, among the Map Records of said county and state for the southeast corner hereof;

THENCE, leaving said line and continuing in a westerly direction with the north line of said Gaddy West Addition, being common with said 13.05 acre tract, the following three (3) courses and distances

- 1) South 89 degrees 17 minutes 49 seconds West, a distance of 113.62 feet to a ½ inch diameter rebar found at an ell corner of Lot 1, Block "F", of said Gaddy West Addition

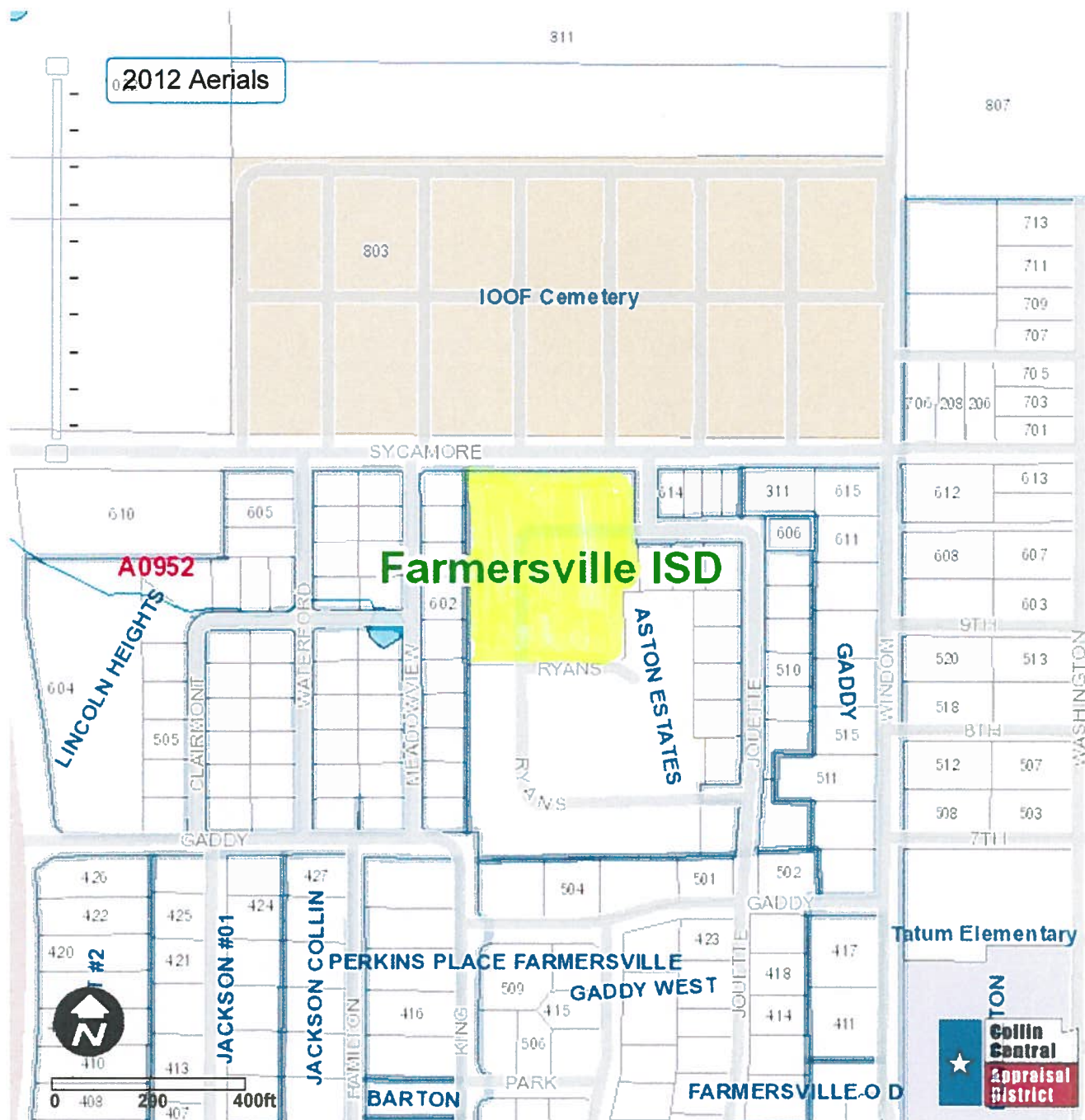
2) South 01 degrees 14 minutes 34 seconds West a distance of 9.13 feet to a 5/8 inch diameter rebar found at the northeast corner of Jouette Street, 50 feet wide, and,

3) South 89 degrees 38 minutes 36 seconds West, a distance of 609.07 feet

to a 5/8 inch diameter rebar set for the southwest corner hereof;

THENCE, leaving said line and entering and continuing in a northerly direction with the Barbara Whitsell Tract as recorded in Volume 899, Page 362 among the Map Records of said county and state, common with said 13.05 acre tract, North 00 degrees 16 minutes 38 seconds West, a distance of 813.73 feet to a 5/8 inch diameter rebar set in said south right-of-way line, for the northwest corner hereof;

THENCE, continuing in a easterly direction with said right-of-way line, North 89 degrees 54 minutes 28 seconds, West, a distance of 586.85 feet to the POINT OF BEGINNING and containing within said boundaries, 568,640 square feet or 13.05 acres of land.





TO: Planning and Zoning Commission  
FROM: Edie Sims, City Secretary  
DATE: January 24, 2013  
SUBJECT: Public Hearing to consider, discuss and act upon a zoning change from Highway Commercial zoning to Light Industrial zoning for the property locate at 701 State Highway 78 South, Farmersville

- Application for zoning change is attached for review.
- Map of the zoning area is attached for review

**ACTION:**

- a) Open the Public Hearing and call the time.**
- b) Ask for anyone to come forward and speak who is FOR the zoning change.**
- c) Ask for anyone to come forward and speak who OPPOSES the zoning change.**
- d) Close the Public Hearing and call the time.**
- e) Commission to discuss the matter and make recommendation to the City Council for final approval.**

(III - C)



## Application for Zoning Change

<b>Applicant:</b> Kimberly Trieu d.b.a Walnut Hilltop Corp		
<b>Mailing Address:</b> 2313 Norwich Drive	<b>City/State/Zip:</b> Carrollton, TX 75006	<b>Daytime Telephone:</b> 972-418-6737 682-478-7781 (cell)
<b>Property Address:</b> 701 State Highway 78	<b>City/State/Zip:</b> Farmersville, TX 75442	<b>Email:</b> Ktrieu98@yahoo.com
<b>Legal Description:</b> Pecan Creek Subdivision, Lot /tract 2, .9734 Acres		
<b>Lot(s):</b> Lot/tract 2	<b>Block(s):</b>	<b>Subdivision:</b> Pecan Creek Sub.
<b>Acreage:</b> ((If acreage, provide separate metes and bounds description) Land 42,401 square feet (.9734 Acres) Building size 7,295 square feet, 5 suites, A,B,C,D,E		
<b>Existing Use and Current Zoning of Property:</b> Currently use as Commercial shopping Center. Back in 2010, there was a Farmersville FunZone game room, then Lucky Dragon Game Room.		
<b>Give explanation of proposed rezone and use of property. Attach maps, drawings and other supporting information.</b> Allow Suite E&D to use as a Game Room. Hope you would consider Grandfather right, since it had a Game Room before. The center has 81% to 62% vacancy for the past 6 years. The 2 current Tenants are moving out if I could not create more traffic. I only got serious phone calls from Game Room Tenants, but I could not Lease. This change will survive my center. I am willing to support the City in all events to help the City going strong.		

*Kimberly Trieu*

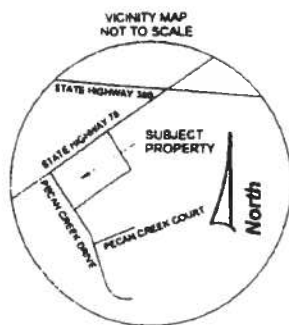
Property Owner Signature















*12-21-12*

Date

*REQUEST THE ENTIRE PROPERTY BE RE-ZONED TO  
LIGHT INDUSTRIAL.*



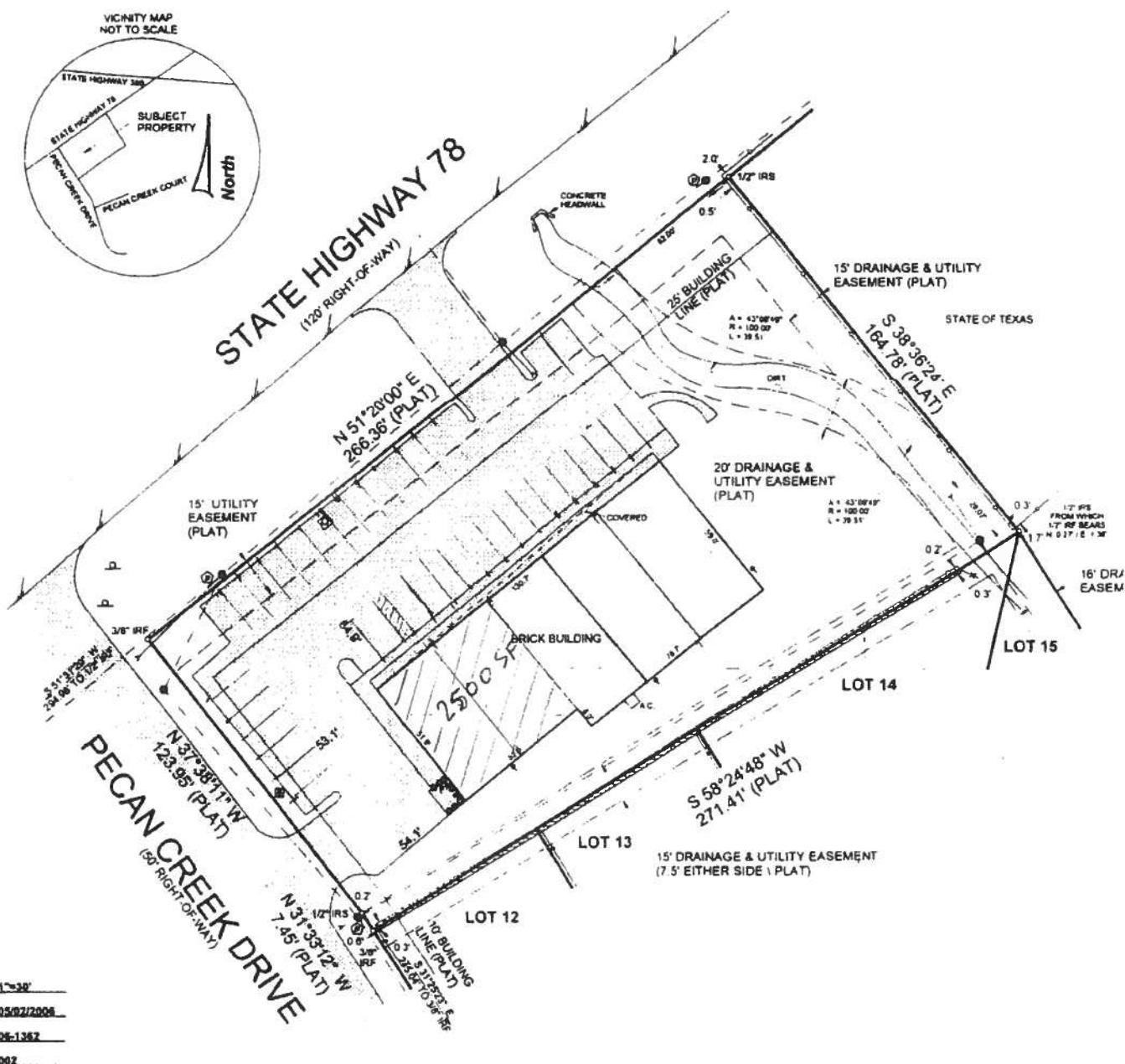


- # LEGEND
- |   |                                  |
|---|----------------------------------|
|  | WATER METER                      |
|  | SPRINKLER CONTROL BOX            |
|  | SANITARY SEWER CLEAMOUT          |
|  | UTILITY POLE                     |
|  | UTILITY POLE ANCHOR              |
|  | OVERHEAD UTILITY LINE            |
|  | TELEPHONE RISER                  |
|  | NEIGHBOR'S WOOD FENCE LINE       |
|  | NEIGHBOR'S CHAIN LINK FENCE LINE |
|  | CONCRETE PAVING                  |
|  | ASPHALT PAVING                   |
|  | TRAFFIC SIGN                     |
|  | BOLLARD POST                     |
|  | BRICK WALL / COLUMN              |

SUBJECT TO EASEMENT TO  
FARMERSVILLE SEWER CO.,  
VOL. 235, PG. 302, D.R.C.C.T.

SUBJECT TO: EASEMENT TO  
COPEVILLE WATER SUPPLY CO.,  
VOL. 1204, PG. 580, D R C C T

SUBJECT TO: EASEMENT TO  
COPEVILLE WATER SUPPLY CO.  
VOL. 1204, PG. 581, D.R.C.C.T





From: Kimberly Trieu  
Walnut Hilltop Corp.  
2313 Norwich Drive  
Carrollton, TX 75006  
Tel: 682-478-7781, email: [ktrieu98@yahoo.com](mailto:ktrieu98@yahoo.com)

To: Mr. Benjamin L. White, City Manager  
City of Farmersville  
205 S. Main,  
Farmersville, TX 75442  
c/o Ms. Edie Sims, email: [e.sims@ci.farmersville.tx.us](mailto:e.sims@ci.farmersville.tx.us)

RE: Zoning Request @ 701 State Highway 78, Farmersville, Shopping Center

Dear Mr. White:

Thank you so much for your kind response. Also, thank you for giving me the opportunity to file the Zoning Change Request Application. I understand, the answer could be "No", but I don't want to give up my hope yet! ☺

In the past years, I invited many National stores like Pizza Hut, Subway, Church's, Little Ceasar, Verizon, AT&T, Family Dollars ... and offered them a special move-in package like free rent, cash, built-to-suite ... But, our center location traffic was not big enough to move them in.

In the past years, I only got serious phone calls from Game Room Tenants. I believe that Game Room in Farmersville attracted clients from neighbor cities like Princeton, Plano, Wylie, Greenville, McKinney... This would create more works and traffic in Farmersville.

I remember, back in 2010, at our center, there was Farmersville FunZone Game Room and then, Lucky Dragon Game Room moved in to replace. When we bought the center, it included Lucky Dragon Game Room Lease, but they canceled Lease shortly after that. Not sure, the City would consider Grandfather Right for this request?

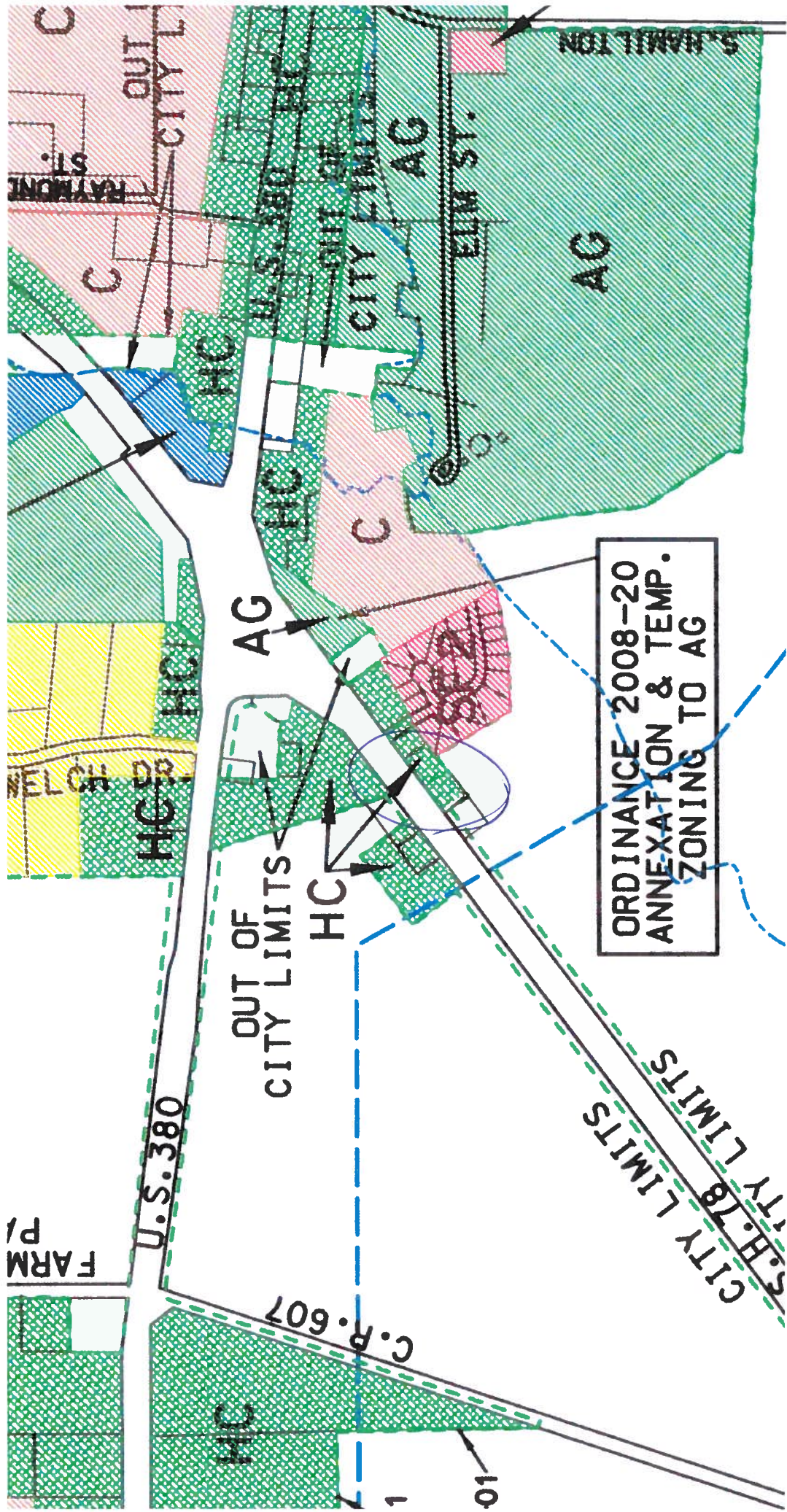
From my heart, I would like to support the City in every way that I could to help the City going strong and stronger with or without my Zoning change. In Farmersville, I found people, neighbors and City staffs are very nice and friendly.

Enclose is my Zoning Change Request Application. Thank you in advance for your help to address my request to the City Council and related department in the City.

Again, thank you for your kind words of 'hoping for the better' at our center.  
I wish you and your family a very Merry Christmas and a Happy New Year.

Regards,

  
Kimberly Trieu





TO: Planning and Zoning Commission

FROM: Edie Sims, City Secretary

DATE: January 24, 2013

SUBJECT: Public Hearing to consider, discuss and act upon an amendment to the Comprehensive Plan to change the land use description from Highway Commercial to Light Industrial zoning for the property located at 701 State Highway 78 South, Farmersville

- No documentation is attached due to result of Item III-C

**ACTION:**

- f) Open the Public Hearing and call the time.
- g) Ask for anyone to come forward and speak who is **FOR** the amendment.
- h) Ask for anyone to come forward and speak who **OPPOSES** the amendment.
- i) Close the Public Hearing and call the time.
- j) Commission to discuss the matter and make recommendation to the City Council for final approval.

(III - D)





TO: Planning and Zoning Commission  
FROM: Edie Sims, City Secretary  
DATE: January 24, 2013  
SUBJECT: Public Hearing to consider, discuss and act upon recommending adoption of a new Comprehensive Plan and replace the existing Land Use Plan

- The Comprehensive Plan is located at the following link:  
[http://www.farmersvilletx.com/government/comprehensive\\_planning/docs/FarmersvillePlan011513.pdf](http://www.farmersvilletx.com/government/comprehensive_planning/docs/FarmersvillePlan011513.pdf)

**ACTION:**

- a) Open the Public Hearing and call the time.**
- b) Ask for anyone to come forward and speak who is FOR the adoption of the Comprehensive Plan and replacing the existing Land Use Plan.**
- c) Ask for anyone to come forward and speak who OPPOSES the Comprehensive Plan and replacing the existing Land Use Plan.**
- d) Close the Public Hearing and call the time.**
- e) Commission to discuss the matter and make recommendation to the City Council for final approval.**