

**CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION AGENDA
SPECIAL CALLED MEETING
April 27, 2015
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: 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 City Council cannot comment or take any action on this item.

II. PUBLIC HEARING

- A. Public Hearing to consider, discuss and act upon a Specific Use Permit for property located at 124 McKinney Street to operate Salon Mr. G for special events
- B. Public Hearing to consider, discuss and act upon a zoning change for a development located at the southeast corner of Lincoln and Candy Streets also known as the Whitaker Addition, Block 1, Lot 1

III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss and act upon minutes from April 6, 2015 P&Z Meeting

IV. WORKSHOP

- A. Discuss amending the Comprehensive Zoning Ordinance to allow manufacturing with a store front in the Central Area District

V. ADJOURNMENT

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 April 24, 2015, by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Dated this the 24th day of April, 2015.



Bryce Thompson, Chairman



Edie Sims, City Secretary



TO: Planning and Zoning Commission
FROM: Ben White, City Manager
DATE: April 27, 2015
SUBJECT: Public Hearing to consider, discuss and act upon a Specific Use Permit for property located at 124 McKinney Street to operate Salon Mr. G for special events

- Specific Use Permit application with attachments is attached for review.
- Letter regarding proposed use is attached for review.
- Pictures of property
- Copy of current Certificate of Occupancy (previously restaurant)

ACTION:

- 1) Open Public Hearing and call the time.
- 2) Ask for those FOR the Specific Use Permit to come forward.
- 3) Ask for those OPPOSING the Specific Use Permit to come forward.
- 4) Close the Public Hearing and call the time.
- 5) P&Z to discuss, approve or disapprove SUP and make recommendation to City Council.



**CITY OF FARMERSVILLE
SPECIFIC USE PERMIT APPLICATION**

APPLICANT'S NAME: Rocio Nunez ^{MR. G} ~~SALON TRESS GARCIA~~ ^{AK}

APPLICANT'S ADDRESS: 124 McKinney St. Farmersville, Tx 75442

APPLICANT'S CONTACT NUMBERS: 469-288-4319

NAME OF OWNER: Ray Feagin, Property owner

ADDRESS OF OWNER: 302 Wilcoxson St. Farmersville, Tx 75442

LOCATION OF PROPERTY: 124 McKinney St. Farmersville, Tx 75442

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. 2 TRACT CFC BLOCK NO. B

PLAT see attached drawing ADDITION: FARMERSVILLE DD

SURVEY: not available NUMBER OF ACRES: 5,401 SQ FT

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: Banquet facility for special events such as birthday celebrations, wedding celebrations, other special occasions, etc.
NOT A CLUB FOR SPECIAL EVENTS

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

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

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:

\$1,000 Retainer Fee to be used for all expenditures in conjunction with the Specific Use Permit. Any amount remaining will be refunded to the owner as designated above.

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: _____

Date: 2-27-2015

SIGNATURE OF OWNER: _____

(If not applicant)

Date: 2-27-2015

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

- ✓ • Boundaries of the area covered by the site plan.
- ✓ • 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.
- 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.
- The location, height and type of each wall, fence, and all other types of screening.
- The location, height and size of all proposed signs.

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

- ✓ • 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.
- That adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided.
- 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.
- ✓ • That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration.
- That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.
- That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property
- That the proposed use is in accordance with the Comprehensive Plan.

SEE ATTACHED

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

- 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

Business will be compatible with and not injurious to the use and enjoyment of other property, nor will it diminish, in anyway, nor impair the property values in the vicinity.

- That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.

Business will not impede any normal and orderly development and improvement of any surrounding property, vacant or otherwise.

- That adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided.

The location for this business is currently in compliance with all requirements of this condition. The front of the building faces McKinney Street which is a portion of a State Highway. All drainage and other necessary facilities are provided and will not require any construction or installation.

- 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.

As this requirement has already been met due to the general layout of the downtown Farmersville area by the City, this business will by this means be in compliance with this condition.

- That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration.

All necessary measures will be taken to prevent and eliminate odor, fumes, noise and vibration. These measures may include monitoring by qualified security people.

- That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.

This business has proper lighting that does not affect neighboring properties.

- That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property.

The entrance to this business provides a foyer and waiting area so that any activities within the property do not cause any lack of harmony and compatibility to an adjacent property.

- That the proposed use is in accordance with the Comprehensive Plan.

The proposed use of this building is in accordance with the Comprehensive Plan by offering continued development of the downtown area which provides a recreational destination and jobs.

**City of Farmersville  
205 South Main  
Farmersville, Tx. 75442**

To whom it concerns:

As required in your Specific Use Permit Application, this letter is provided to describe the proposed use of the building of approximately 4,488 square feet located at 124 McKinney Street in downtown Farmersville, Texas.

This business, currently known to you as Big Taco will now be known as Salon Mr. G and has been established to provide our clients with a location for celebrating special events including, but not limited to, birthday celebrations, wedding celebrations, or any other requested special event that our customers may need. This business does not and will not allow any illegal affairs during the course of any scheduled event. It is our intent to provide our customers with a location to celebrate their event within the law in a location that provides the space they need for those who will be attending the event. We will provide facilities such as tables and seating to accommodate the event. We are currently paying the city \$85.00 for a dumpster and additionally for a blue recycling Polycart in order to properly dispose of trash accumulated during an event.

We intend to do everything required to prevent excess noise and confine these events to inside the building. During some events, we may hire a security guard to provide those attending and those businesses and people outside the event added protection.

It should be noted that our original Certificate of Occupancy included the use of a kitchen and cooking equipment. We no longer provide onsite food preparation. Food and beverages may be brought in by those attending an event.

I understand that eight conditions must be met before a special use permit can be issued.

RW

The first condition states "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." My business will be compatible with and not injurious to the use and enjoyment of other property, nor will it diminish, in any way, nor impair the property values in the vicinity.

RW

The second condition states "that the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property." This business will not impede any normal and orderly development and improvement of any surrounding property, vacant or otherwise.



RW The third condition states "that adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided." The location for this business is currently in compliance with all requirements of this condition.

RW The fourth condition states that "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." As this requirement has already been met due to the general layout of the downtown Farmersville area by the city, this business will by this means be in compliance with this condition.

RW The fifth condition states "that adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration." All necessary measures will be taken to prevent and eliminate order, fumes, noise and vibration. These measures may include monitoring by qualified security people.


RW The sixth condition states "that directional lighting will be provided so as not to disturb or adversely affect neighboring properties." This business has proper lighting that does not affect neighboring properties.

RW The seventh condition states "that there are sufficient landscaping and screening to insure harmony and compatibility with the adjacent property." The entrance to this business provides a foyer and waiting area so that any activities within the property do not cause any lack of harmony and compatibility to an adjacent property.

RW The eighth and final condition states "that the proposed use is in accordance with the Comprehensive Plan." The proposed use of this building is in accordance with the Comprehensive Plan.

Please see attached drawings as required. Also, please advise if other information is needed in able to obtain and new Certificate of Occupancy.

Sincerely,

  
\_\_\_\_\_  
Rodio Nunez, Owner  
Salon Mr. G  
(formerly Big Taco)







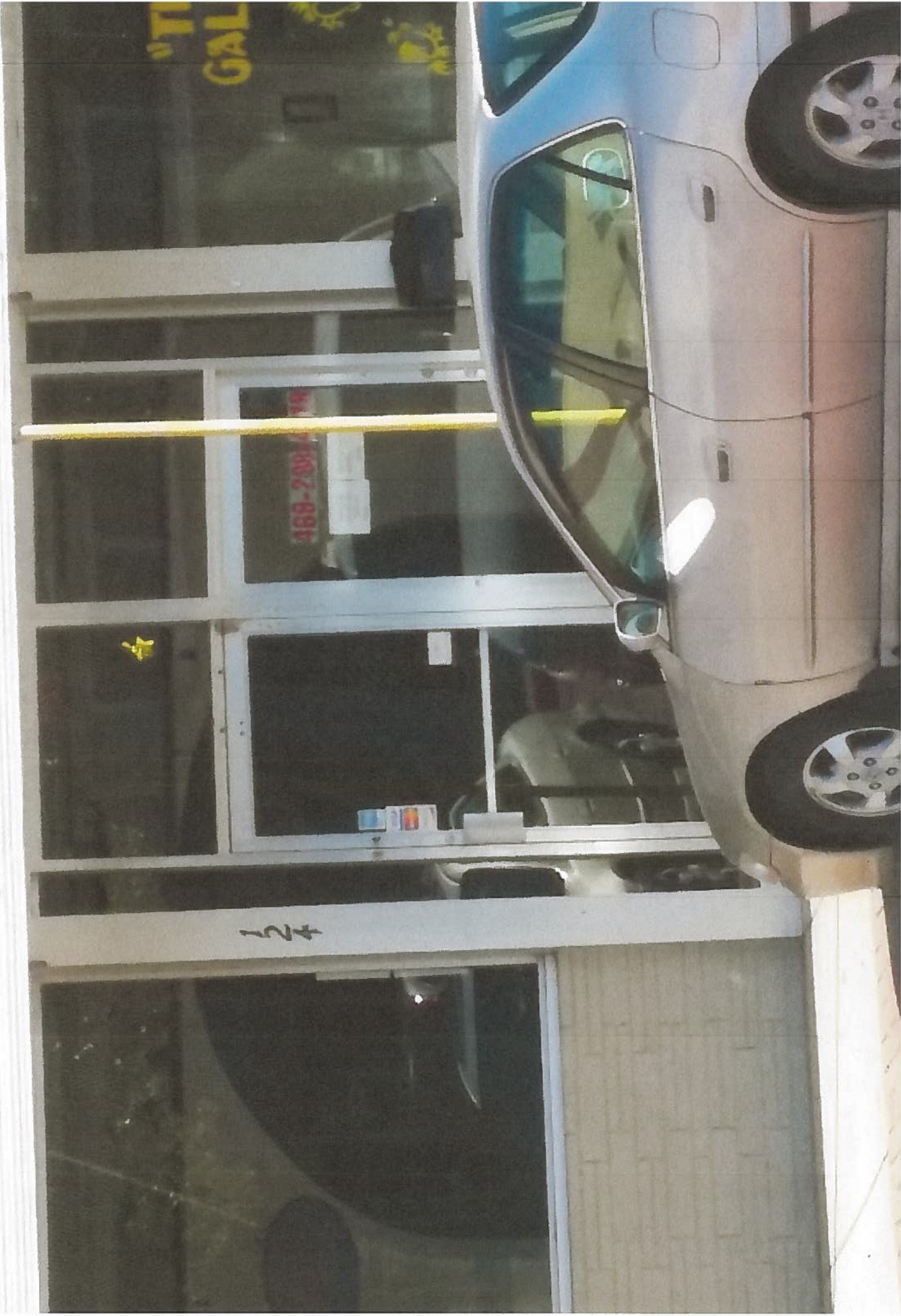














Body & Soul  
Call: 972-523-5155

THE GALLOS

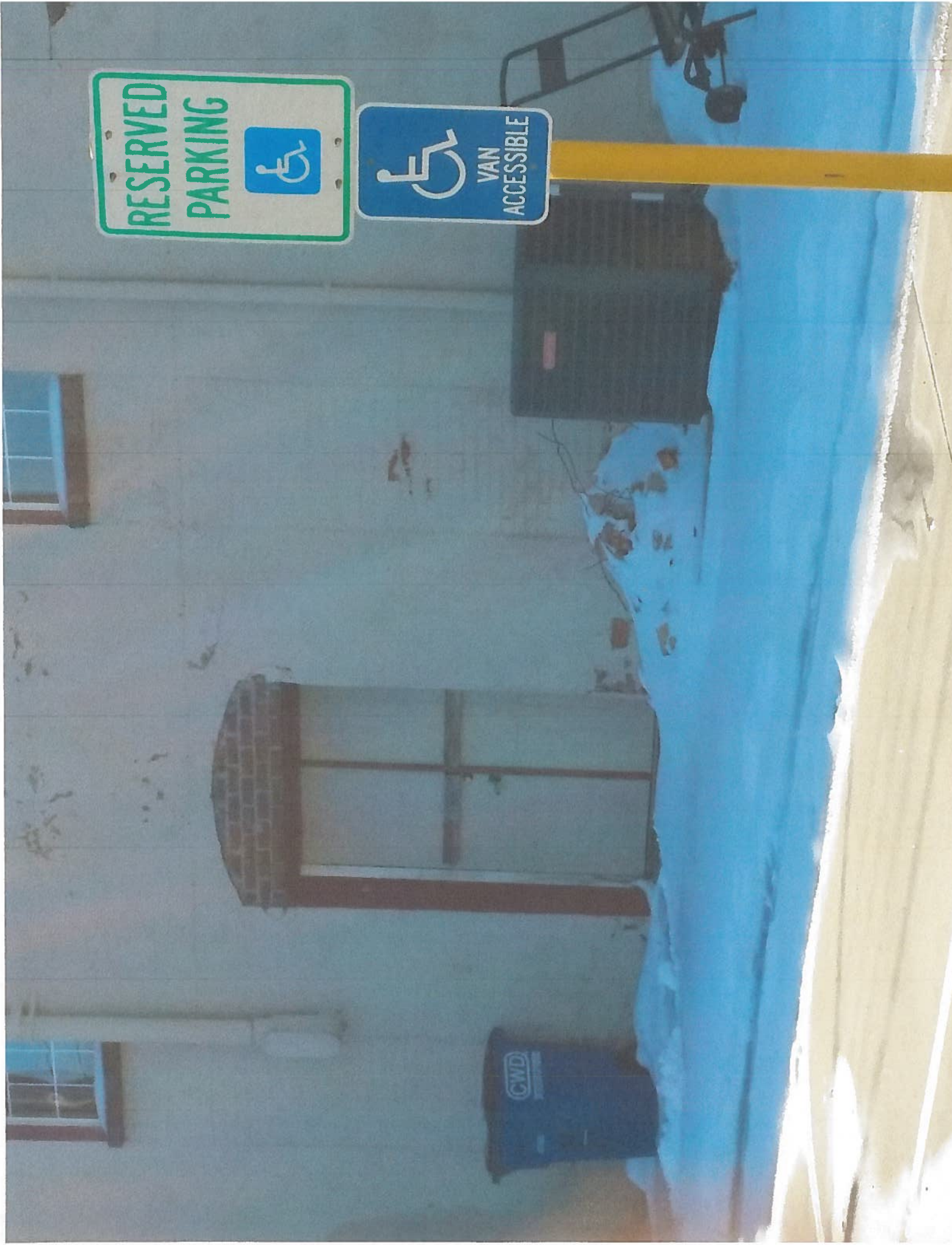


PEPPER





















**City of Farmersville  
205 South Main  
Farmersville, Tx. 75442**

To whom it concerns:

As required in your Specific Use Permit Application, this letter is provided to describe the proposed use of the building of approximately 4,488 square feet located at 124 McKinney Street in downtown Farmersville, Texas.

This business, known to you as Big Taco, has been established to provide our clients with a location for celebrating special events including, but not limited to, birthday celebrations, wedding celebrations, or any other requested special event that our customers may need. This business does not and will not allow any illegal affairs during the course of any scheduled event. It is our intent to provide our customers with a location to celebrate their event within the law in a location that provides the space they need for those who will be attending the event. We will provide facilities such as tables and seating to accommodate the event. We are currently paying the city \$85.00 for a dumpster and additionally for a blue recycling Polycart in order to properly dispose of trash accumulated during an event.

We intend to do everything required to prevent excess noise and confine these events to inside the building. During some events, we may hire a security guard to provide those attending and those businesses and people outside the event added protection.

It should be noted that our original Certificate of Occupancy included the use of a kitchen and cooking equipment. We no longer provide onsite food preparation. Food and beverages may be brought in by those attending an event.

Please see attached required drawings as required.

Sincerely,



---

Rocio Nunez, Owner  
Big Taco



Farmersville  
DISCOVER A TEXAS TREASURE

## City of Farmersville

### CERTIFICATE OF OCCUPANCY

NO. **13-1375** DATE: **JULY 10, 2013**

THIS BUILDING AND OR COMPLEX OF BUILDING CONSTRUCTED UNDER BUILDING PERMIT NO. **1375** HAS BEEN INSPECTED AND DOES COMPLY WITH APPLICABLE ORDINANCES AND LAWS OF THE CITY OF FARMERSVILLE. THIS CERTIFICATE OF OCCUPANCY IS VALID ONLY WHEN THE BUILDING IS OCCUPIED BY A USE WITHIN THE CLASSIFICATIONS AUTHORIZED BY THE BUILDING PERMIT AND APPLICABLE ZONING REGULATIONS.

NAME OF BUSINESS: **BIG TACOS**

ADDRESS: 124 MCKINNEY ST

TYPE OF OCCUPANCY: RESTAURANT

MAXIMUM OCCUPANT LOAD:

Alan Montal

BUILDING OFFICIAL:

Paula Jackson

BY: PAULA JACKSON



FARMERSVILLE AUTO

BODY & SOUL

Back room

Back Door

|               |
|---------------|
| MENS & WOMENS |
| Rest Rooms    |

vertical column

BIG TACCO

OPEN AREA  
for seating  
and dance floor

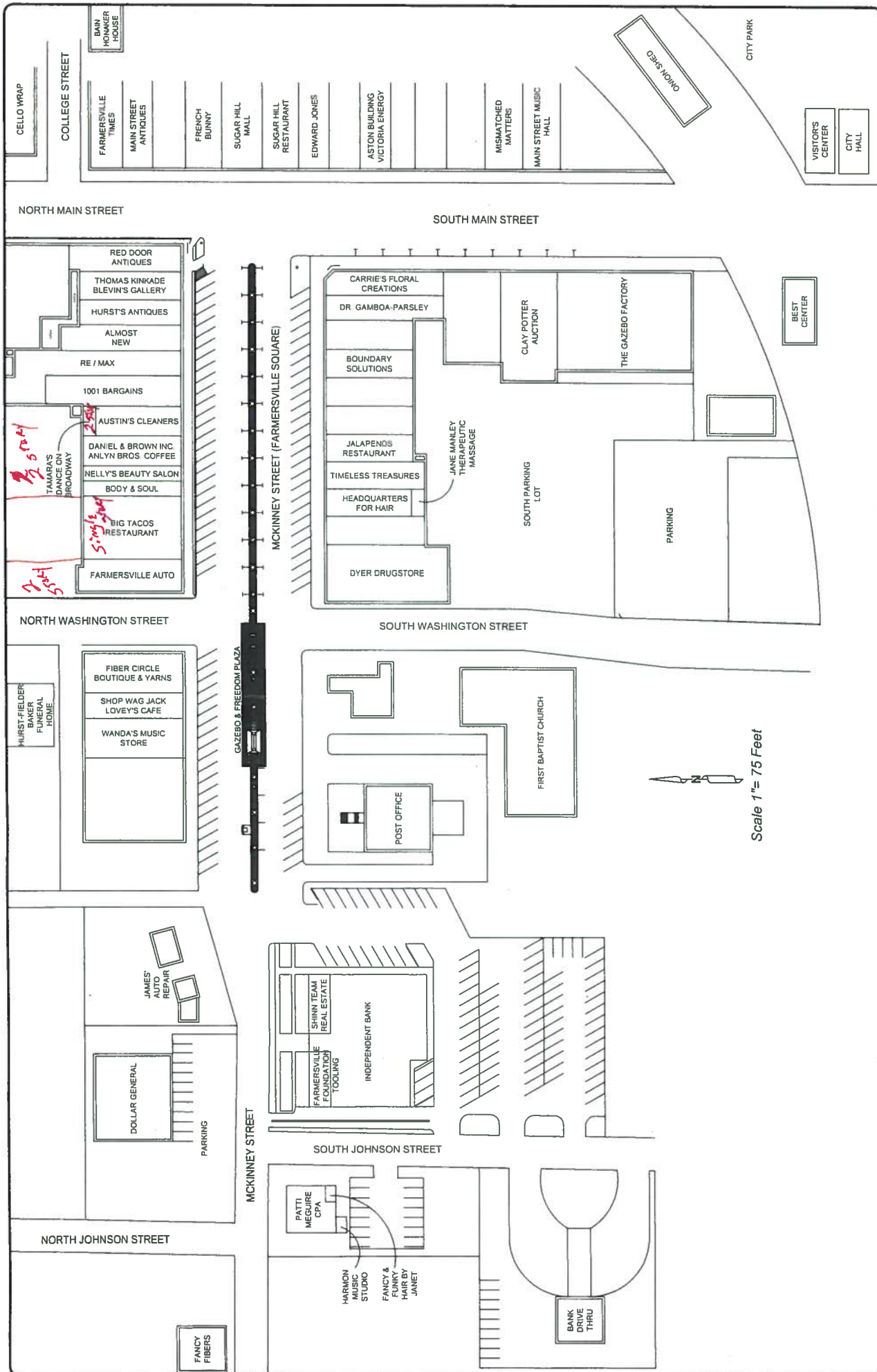
vertical column

STAGE

OFFICES

Foyer

FRONT DOOR



Sec. 77-96. - Recreational and entertainment uses.

| Legend for Interpreting Schedule of Use                                                                                                             |                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| •                                                                                                                                                   | Designates use permitted in district indicated.                       |
|                                                                                                                                                     | Designates use prohibited in district indicated.                      |
| S                                                                                                                                                   | Designates use may be approved as specific use permit, section 77-138 |
| [Number ( ) occurring after type of use refers to section 77-135 Definitions and explanatory notes.<br>(General definitions are in section 77-135.) |                                                                       |

| Type of Use                                  | A | SF-1 | SF-2 | SF-3 | 2F | MF-1 | MF-2 | P | O | NS | GR | C | HC | CA | I-1 | I-2 | PD |
|----------------------------------------------|---|------|------|------|----|------|------|---|---|----|----|---|----|----|-----|-----|----|
| Amusement, commercial (outdoor) (7)          | S |      |      |      |    |      |      |   |   |    |    | S | S  | S  | S   | S   |    |
| Amusement, commercial (indoor) (6)           | S |      |      |      |    |      |      |   |   |    | S  | S | S  | S  | S   | S   | •  |
| Country club (private) with golf course (39) | • | S    | S    | S    | S  | S    | S    |   | • | •  | •  | • | •  | S  | •   | •   | •  |
| *Dance hall or night club (42)               |   |      |      |      |    |      |      |   |   |    | S  | S |    | S  | S   | S   | S  |
| Day camp for children (43)                   | • | S    |      |      |    |      |      |   |   |    | •  | • | •  |    | •   | •   | •  |
| Drag strip or commercial racing              | S |      |      |      |    |      |      |   |   |    |    |   |    |    | S   | S   |    |
| Game room (57.(A))                           |   |      |      |      |    |      |      |   |   |    |    |   |    |    | S   |     |    |
| Go cart track                                | S |      |      |      |    |      |      |   |   |    |    |   |    |    | S   | S   | S  |
| Gun range (63)                               | S |      |      |      |    |      |      |   |   |    | S  | S |    |    | •   | •   | •  |

|                                              |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
|----------------------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Park or playground (public) (97)             | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • | • |
| Play field or stadium (public) (102)         | • |   |   |   |   |   |   | • | • | • | • | • | • | • | • | • | • |
| Rodeo grounds                                | S |   |   |   |   |   |   |   |   |   | S |   | S | S | S |   |   |
| Swim or tennis club (137)                    |   | S | S | S | S | S | S | S |   |   |   |   | S |   |   |   |   |
| Theater (drive-in) (142)                     | S |   |   |   |   |   |   |   |   |   | S | S | S | S | S |   |   |
| Theater (indoor) (143)                       | S |   |   |   |   |   |   |   |   |   | S | • | • | • | • | • | • |
| Trailer park—recreational vehicle park (149) |   |   |   |   |   |   |   |   |   |   | S | S |   | • | • | • |   |

(Comp. Ord. of 3-11-2008; Ord. No. O-2010-1109-002, § 3, 11-9-2010)





TO: Planning and Zoning Commission  
FROM: Ben White, City Manager  
DATE: April 27, 2015  
SUBJECT: Public Hearing to consider, discuss and act upon a zoning change for a development located at the southeast corner of Lincoln and Candy Streets also known as the Whitaker Addition, Block 1, Lot 1

- Zoning Change Application is attached for review.
- Letter from current owner regarding permission for zoning change.
- Proposed land use and drawings are attached for review.

**ACTION:**

- 1) Open Public Hearing and call the time.
- 2) Ask for those FOR the Zoning Change to come forward.
- 3) Ask for those OPPOSING the Zoning Change to come forward.
- 4) Close the Public Hearing and call the time.
- 5) P&Z to discuss, approve or disapprove Zoning Change and make recommendation to City Council.



Farmersville  
DISCOVER A TEXAS TREASURE

## Application for Zoning Change

Applicant:

Nancy Grooch

Mailing Address:

P.O. Box 162

City/State/Zip:

Merit, TX. 75458

Daytime Telephone:

214 674 3588

Property Address:

N. Lincoln St.

City/State/Zip:

Farmersville, TX.  
75442

Legal Description:

Whitaker, Block 1, Lot 1, ACRES  
0.7410

Lot(s):

Block(s):

Subdivision:

Acreage: ((If acreage, provide separate metes and bounds description))

Existing Use and Current Zoning of Property:

Vacant lot - SF2

Give explanation of proposed rezone and use of property. Attach maps, drawings and other supporting information.

From SF2 to MF1

4-plex to accommodate seniors.

Nancy Grooch

Property Owner Signature

4-22-15

Date

April 20, 2015

City of Farmersville  
205 S Main  
Farmersville, TX 75442

To Whom it May Concern:

Nancy Gooch is purchasing a lot that I own described as Lot 1, Block 1, Whitaker Addition which is located on N. Lincoln Street.

It is my understanding that Ms. Gooch has requested a zoning Single Family 2 to change it to a Multi-Family Zoning.

Ms. Gooch has my full permission to change this zoning on this lot if approved by the City.

If you have any questions, please feel free to contact me at 972-658-8115.

Respectfully,

A handwritten signature in cursive script that reads "Mary Whitaker". The signature is written in dark ink and is positioned above the printed name.

Mary Whitaker

# Farmersville Proposal

April 2015

John and Nancy Gooch

Four-plex

Lincoln Street @ Candy St. in Farmersville, Texas

Purpose is to provide affordable, highly efficiency housing that is senior adult assessable/friendly and/or small family suitable

Pending approval by Farmersville, Tx. Planning and Zoning Committee

N 90°00'00" E 181.72'

171.72'

10' BUILDING LINE

LOT 1

0.741 ACRES  
32,290 SQ. FT.

W. B. WILLIAMS SURVEY, A-952

Zone: SF2

← 168.04' Net →

← 181.72' Net →

10' BUILDING LINE

171.72'

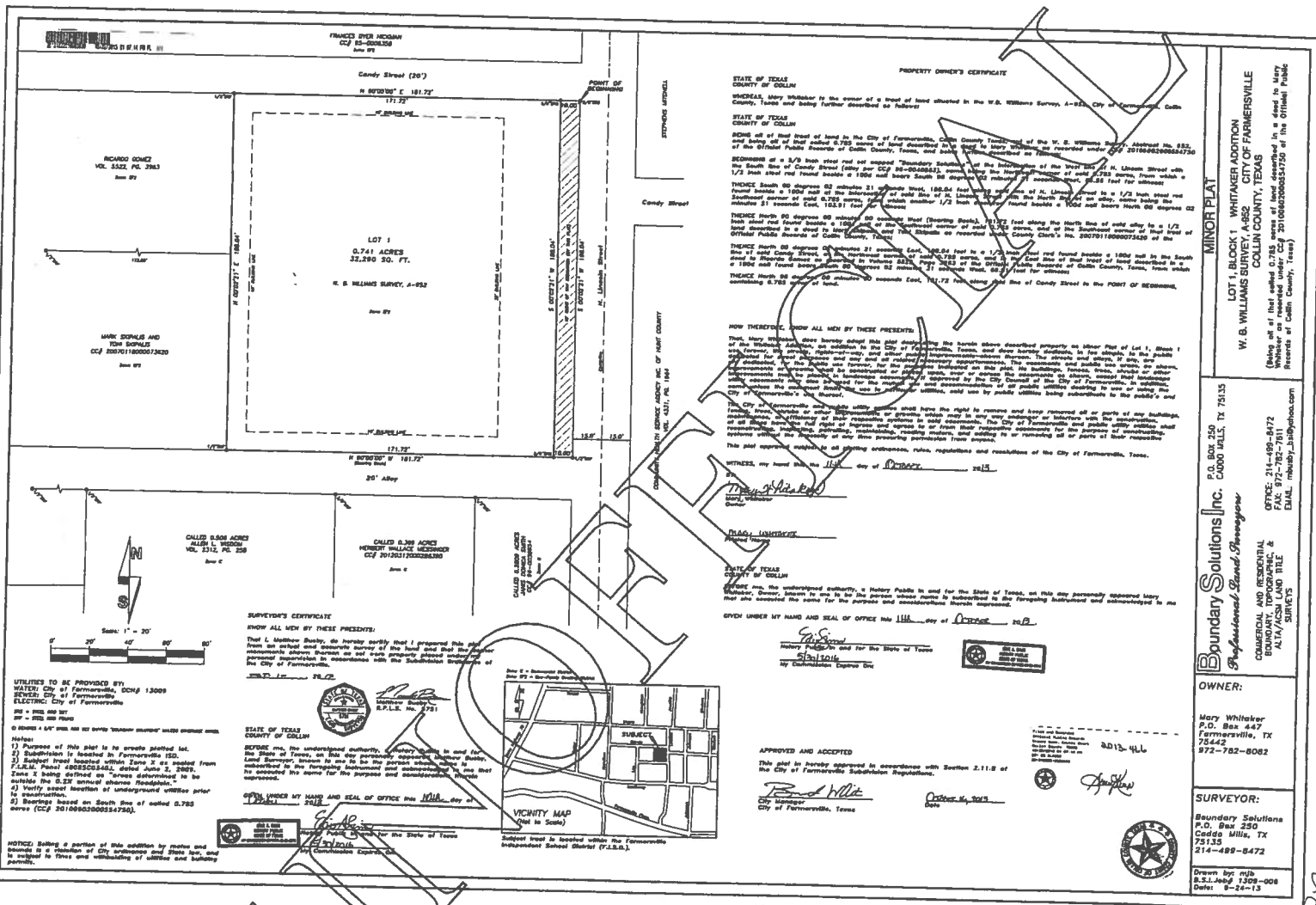
N 90°00'00" W 181.72'  
(Bearing Basis)

20' Alley

S 00°02'21" W 188.04'

5/8"





# 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:** R1045500100101

**APD:** 2697406

**Location:** 0000000N LINCOLN ST

**Legal:** WHITAKER (CFC), BLK 1, LOT 1,  
0.741 ACRES

**Owner:** WHITAKER MARY LOUISE  
PO BOX 447  
FARMERSVILLE TX 75442--044

**Acres:** 0.741

**Yr Built:** 0

**Sq Ft:** 0

**Def. Start:** NONE

**Def. End:** NONE

**Roll:** R

**UDI:** 100%

**2014 Values**

Land Non-Home Site

32000

**2014 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**

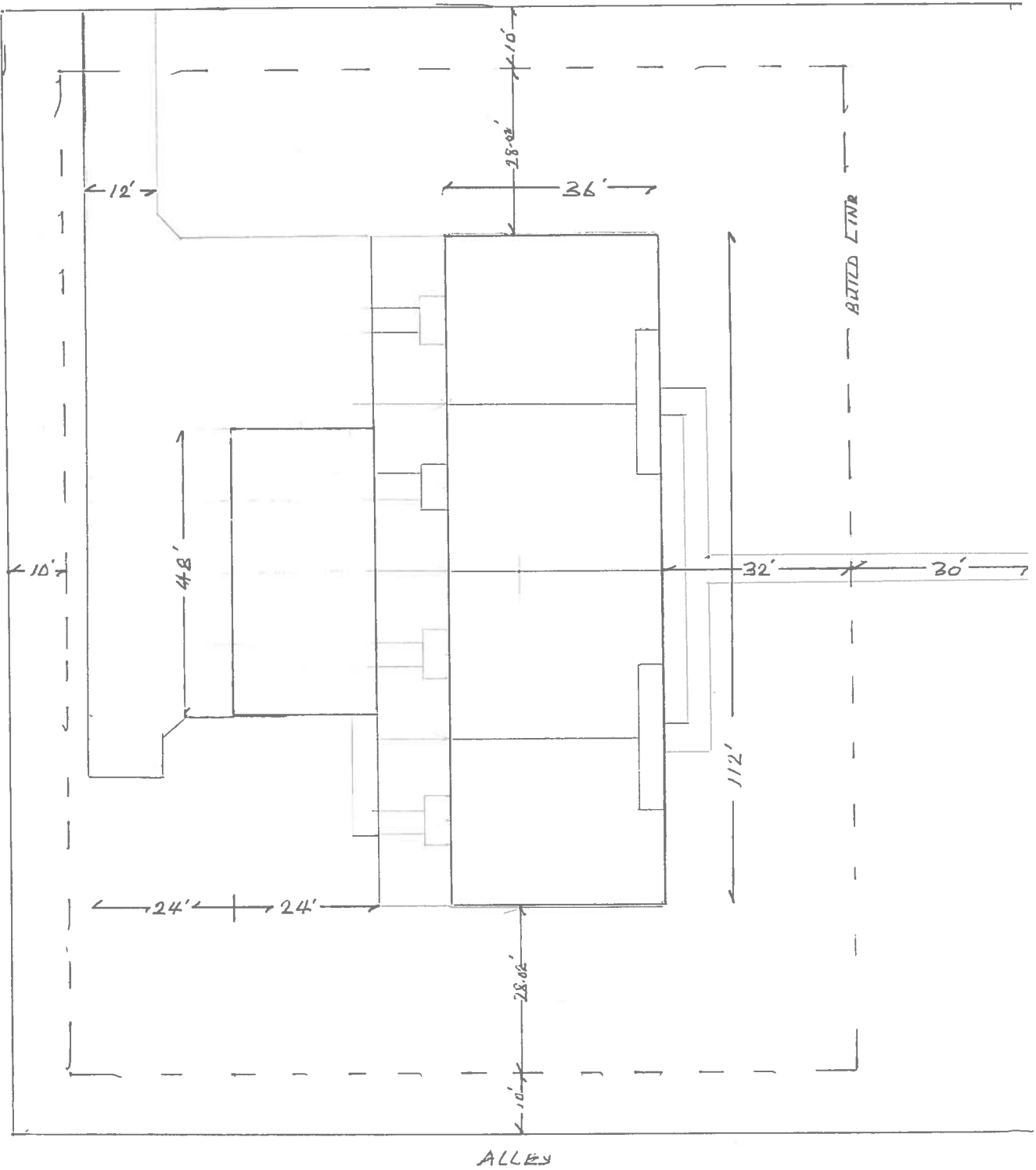
**e-Statement**

| Year Unit          | Levy Amount | Amount Paid | Levy Due | Penalty | Interest | Col Penalty | Total Due | Receipt Date |
|--------------------|-------------|-------------|----------|---------|----------|-------------|-----------|--------------|
| 2014 01            | 75.20       | 75.20       | 0.00     | 0.00    | 0.00     | 0.00        | 0.00      | 12/31/2014   |
| 2014 11            | 251.44      | 251.44      | 0.00     | 0.00    | 0.00     | 0.00        | 0.00      | 12/31/2014   |
| 2014 55            | 457.89      | 457.89      | 0.00     | 0.00    | 0.00     | 0.00        | 0.00      | 12/31/2014   |
| 2014 60            | 26.23       | 26.23       | 0.00     | 0.00    | 0.00     | 0.00        | 0.00      | 12/31/2014   |
| <b>2014 Totals</b> | 810.76      | 810.76      | 0.00     | 0.00    | 0.00     | 0.00        | 0.00      |              |

Gooch, NJ  
03-15-15

$\frac{1}{16}'' = 1'$

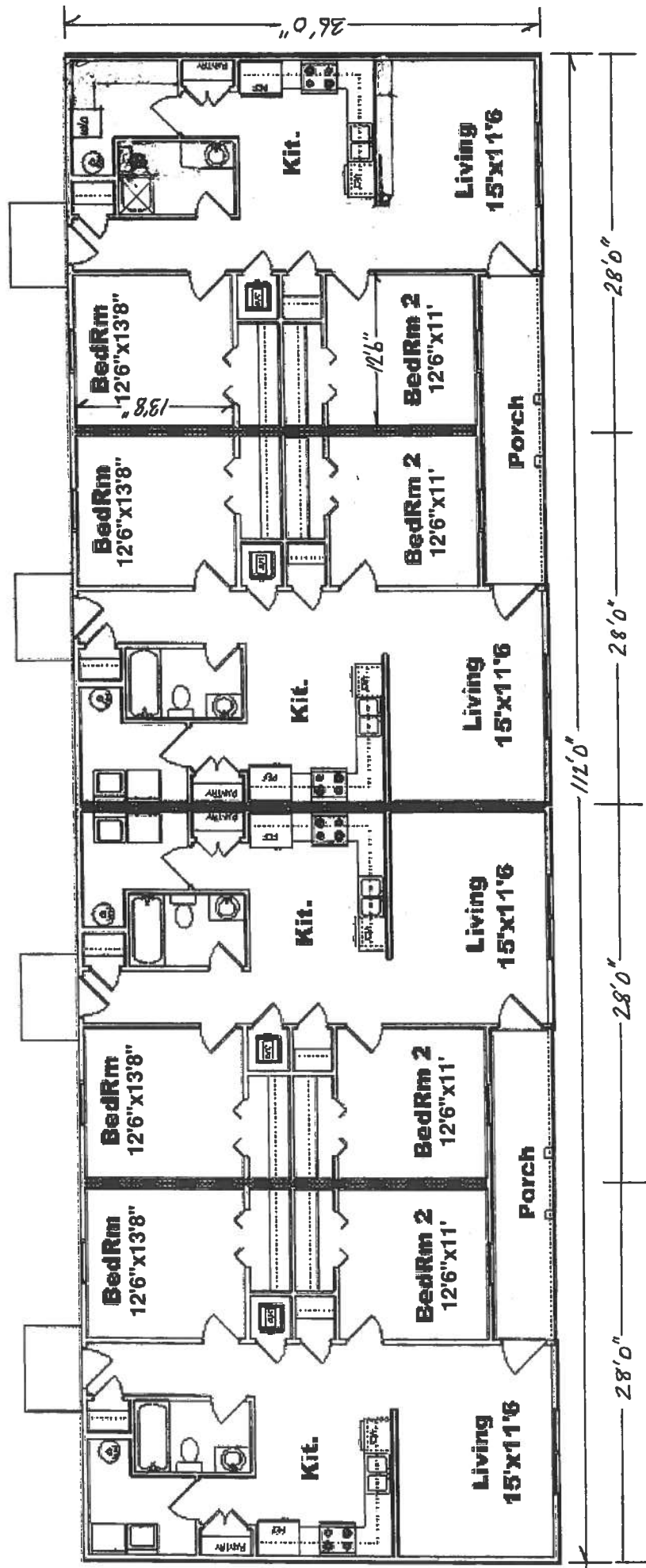
Canaly St.

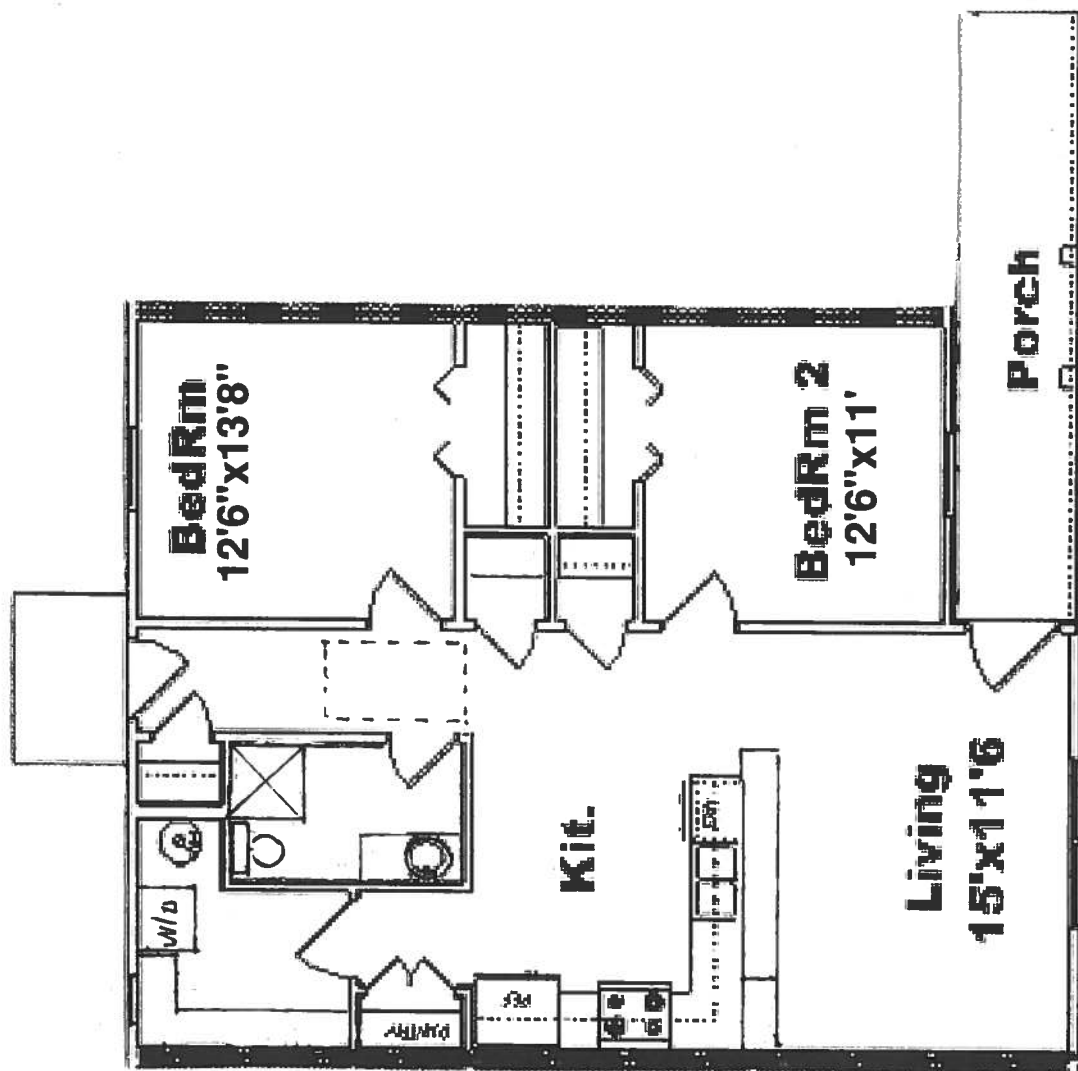




NJ Good H  
03-22-15







NJ Goodch  
03-22-15





TO: Planning and Zoning Commission  
FROM: Ben White, City Manager  
DATE: April 27, 2015  
SUBJECT: Consider, discuss and act upon minutes from April 6, 2015 Regular P&Z Meeting

Electronic minutes are found at the following link:

[http://www.farmersvilletx.com/government/agendas\\_and\\_minutes/planning\\_and\\_zoning\\_commission\\_meetings.php#revize\\_document\\_center\\_rz1088](http://www.farmersvilletx.com/government/agendas_and_minutes/planning_and_zoning_commission_meetings.php#revize_document_center_rz1088)

**ACTION:** Approve or disapprove minutes as presented.

FARMERSVILLE PLANNING & ZONING COMMISSION  
SPECIAL SESSION MINUTES  
April 6, 2015

The Farmersville Planning and Zoning Commission met in special session on April 6, 2015 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present: Bryce Thompson, Mark Vincent, Todd Rolen, Craig Overstreet and Chad Dillard. Commission member absent was Charles Casada. Commission member Patti Ford has resigned from the Commission. Staff members present were City Manager Ben White, City Attorney Alan Lathrom and City Secretary Edie Sims. Council Liaison John Klostermann was present.

**CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS**

Chairman Bryce Thompson called the meeting to order at 6:30pm. Edie Sims called roll and announced that a quorum was present. Craig Overstreet offered the invocation and led the audience in the Pledge of Allegiance to the American and Texas Flags.

**Item II – A) CONSIDER, DISCUSS AND ACT UPON MINUTES FROM MARCH 2, 2015 P&Z MEETING**

Craig Overstreet motioned to approve the minutes as presented with Todd Rolen seconding the motion. Motion carried unanimously.

**Item II – B) CONSIDER, DISCUSS AND ACT UPON A SUBDIVISION CONCEPT PLAN, SUBMITTED PURSUANT TO SECTIONS 65-126 THROUGH 65-131 OF THE FARMERSVILLE CODE, FOR A DEVELOPMENT LOCATED AT THE SOUTHEAST CORNER OF LINCOLN AND CANDY STREETS ALSO KNOWN AS WHITAKER ADDITION, BLOCK 1, LOT 1**

John and Nancy Gooch came before the Commission with their Concept Plan for a four-plex on the Whitaker Addition lot. This lot has been re-platted to one lot. Mr. Gooch understands the zoning will need to be changed to accommodate multi-family versus single family but does not foresee an issue. An analysis will probably need to be done to ensure the existing water line will accommodate the residents of the four-plex; however three residents had previously lived on the property when it was platted as three separate lots. City Manager Ben White indicated the water line, if required to have improved, could be accessed and tapped to McKinney Street or Lee Street. The City currently has plans of improving the water line at Candy and Lee Streets. The existing 6" sewer line is sufficient for the development per Mr. White.

The one issue outstanding is the need for a variance regarding Lincoln Street. Currently both ends of the street is confined and currently Mr. White expressed the need does not exist to expand the street in front of the four-plex development only. Parking would be the only consideration. In general, Mr. White stated the Concept Plan meets the regulations and does not foresee any insurmountable issues. Again the water line may be the only issue since the line may be galvanized and require improving. Craig Overstreet relayed the need for housing is great. Mr. Overstreet was curious why this particular lot. Mr. Gooch stated his plan is encompassing 50+ age group that offers walking distance to downtown, including Dollar General, Post Office, bank, pharmacy and two local churches. The area is ideal for senior adults which is also a viable clientele.

Bryce Thompson expressed concern regarding the parking situation. Mr. Gooch stated the parking will be in the rear with 4 spaces under a covered area and other parking in the open. Also Mr. Gooch stated he plans for a green space with a common garden area. The apartments will also be wheelchair accessible.

Mr. Thompson also questioned the improvement of both Candy and Lincoln Streets. Candy Street is alleyway size and the same was true for Lincoln Street. Houses were

constructed facing both streets which caused over time to be designated as City streets. Realistically, if either street were widened, it would only be widened in front of and to the side of this development as the other entries are confined which would basically become a parking area. Mr. White indicated the real issue would be having the right-of-way designation on the Site Plan for future development. Craig Overstreet motioned to move forward with the project with Todd Rolen seconding the motion. Motion carried unanimously.

**Item II – C) CONSIDER, DISCUSS AND ACT UPON A SUBDIVISION CONCEPT PLAN, SUBMITTED PURSUANT TO SECTIONS 65-126 THROUGH 65-131 OF THE FARMERSVILLE CODE, FOR CAMDEN PARK, A PLANNED DEVELOPMENT, LOCATED AT THE INTERSECTION OF COUNTY ROAD 610 AND FARMERSVILLE PARKWAY ON THE WEST SIDE**

Jeff Crannell, engineer of the project with Crannell Engineering, came before the Commission describing a change from the previous submittal for the Planned Development. The main difference is the zoning changes from senior housing minimal sized lots to Single-Family with current lot sizes. The western portion of the property will remain in the minimal lot size for senior adult housing. The developer would like to have the development under construction by the end of this year. The last concept meeting the needs of senior adults is still a concern; however the dynamics of the development have changed to meet all types of housing needs. According to Mr. Crannell, the need for schools has not been included in this development.

The right-of-way has been dedicated per the Thoroughfare Plan. Storage facilities have also been added to allow for storage facilities and medical/retail facilities. This area will need to be rezoned from Multi-Family 2 to Light-Industrial/Commercial. City Manager Ben White recommended processing these issues during the Preliminary Platting process and approve the Concept Plan in order to proceed to the next level. The water is adequate for this development but the route of force main for sewage would need to be detailed further. Mr. White encouraged and supports this project. Mark Vincent expressed concern of our current infrastructure handling this large of development. Mr. Vincent was given information the developer would be responsible of planning and applying the gravity flow so it comes to our wastewater treatment plant properly. Mr. Vincent expressed concern of the water needs since this area has been under a severe drought for several years and water has been a commodity to conserve. Mr. White informed the Commission of North Texas Municipal Water District's (NTMWD) plan of constructing another reservoir called Bois D' Arc that will also supply water to Lake Lavon and ultimately the City of Farmersville.

NTMWD does not foresee problems with growth in this area and is planning for such growth. Another planning effort is the wastewater treatment plant. Currently the City experiences inflow and infiltration issues that are being resolved as they are found. By resolving these issues, capacity is increased.

Diane Piwko, residing at 200 McKinney Street, questioned the average size home and price range and if minimal standards would be applied. Mr. Crannell stated the development is planned for a range from a small 1,200 square foot home to as large as the homeowner would like to build. The price range would be commensurate to the home. The plan is to build beyond the minimal requirements. The development is slated to have a mixture of standard and high end homes.

Mr. Crannell indicated the previous plan included a large area of greenbelt districts. The proposal presented today has removed those greenbelt areas and filled with homes.

Mr. White pointed out the change of the senior adult housing which changed from frontage style to alley style driveways. This promotes the property in a better light. Bryce Thompson motioned to approve the Concept Plan with Chad Dillard seconding the motion. Motion carried unanimously.



**Item III – A) DISCUSS AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO ALLOW MANUFACTURING WITH A STORE FRONT IN THE CENTRAL AREA DISTRICT**

City Manager Ben White offered things to be considered regarding this issue to include: offensive or any type of odors, effluents, noise, light pollution, delivery needs, etc. Mr. White offered an ordinance be crafted and used as a guide. Other items to be considered are parking, trucks, noise, odor, and customer inflow. Craig Overstreet stated he was on the Planning and Zoning Commission when these rules were initiated. With the dynamics of our world changing, it may be time to consider making this allowance in the downtown district and he wants to be proactive and see if we can go forward with this change. However, we are still faced with the physical issues that cannot be resolved.

Randy Clark, property owner of 201 McKinney Street, stated he has a viable building in the downtown district for light manufacturing but with the current rules, this type of business is not allowed. Mr. Clark requested the Commission to consider making the change to allow light manufacturing in the downtown area.

Jim Terrell, owner and operator of Happy Cucumber, expressed his desire to rent the building of Randy Clark's at 201 McKinney Street and operate a light manufacturing canning business. Mr. Terrell explained his family's operation includes pickling and canning items and selling mostly at Farmers Markets. In order to operate, Mr. Terrell stated he must have a commercial style kitchen. He intends to have an area to sell to the public in a retail setting. He is currently selling to 7 Farmers Markets and would like to expand his business.

Diane Piwko, residing at 200 McKinney Street, stated she would like to have the trash and odor issues considered. When the establishment was Tony's Mexican Restaurant, the odor from the trash and the trash itself became a huge issue.

Commission concurred to bring an ordinance for consideration to the next meeting, but to withhold from a public hearing until the ordinance is perfected.

**Item V) ADJOURNMENT**

With no further business, Todd Rolen motioned to adjourn with Chad Dillard seconding the motion. Commission adjourned at 7:42pm.

ATTEST:

\_\_\_\_\_  
Chairman Bryce Thompson

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



TO: Planning and Zoning Commission  
FROM: Ben White, City Manager  
DATE: April 27, 2015  
SUBJECT: Discuss amending the Comprehensive Zoning Ordinance to allow manufacturing with a store front in the Central Area District

- City Attorney will provide information on this topic

ACTION: Discuss and offer direction

**CITY OF FARMERSVILLE  
ORDINANCE #2015-\_\_\_\_\_-\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED THROUGH THE AMENDMENT OF CHAPTER 77, "ZONING," BY AMENDING SECTION 77-91, "CENTRAL AREA DISTRICT," TO EXPAND THE PERMITTED USES IN THE CENTRAL AREA (CA) DISTRICT TO INCLUDE AN ARTISAN SHOP, OR FOR CUSTOM HANDCRAFTING OR SPECIALTY FOOD PROCESSING, ONLY IN ACCORDANCE WITH THE SPECIFIC REQUIREMENTS STATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, after public notice and public hearing as required by law, the City of Farmersville, Texas (the "City"), Planning and Zoning Commission has recommended a change in permitted uses of the property described herein and has recommended amending the City of Farmersville, Code of Ordinances (the "Farmersville City Code"); and

**WHEREAS**, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council of the City of Farmersville (the "City Council"); and

**WHEREAS**, the City Council, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission of the City and of all testimony and information submitted during said public hearings, has determined that in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, that Chapter 77, "Zoning," Article II "Zoning Districts," Division 3 "Use of Land and Buildings," Section 77-91 "Central Area District" of the Farmersville City Code, should be amended to reflect the additional permitted uses in the Central Area District as described herein;

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

**SECTION 1: INCORPORATION OF FINDINGS**

All of the above premises are found to be true and correct legislative and factual determinations of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2: AMENDMENT OF CHAPTER 77, "ZONING," BY AMENDING SECTION 77-91, "CENTRAL AREA DISTRICT," TO EXPAND THE PERMITTED USES IN THE CENTRAL AREA (CA) DISTRICT TO INCLUDE AN ARTISAN SHOP, OR FOR CUSTOM HANDCRAFTING OR SPECIALTY FOOD PROCESSING**



From and after the effective date of this Ordinance, Chapter 77, "Zoning," is hereby by amending Section 77-91, "Central Area District," in its entirety to read as follows:

**"Sec. 77-91. - Central Area District.**

(a) Property in the Central Area District shall be used only in the manner and for the purposes provided for by this division, provided that a residence or residential use in such district by specific use permit shall be subject to the following limitations:

- (1) A residence or residential use may be established in a building as an accessory or incidental use only after issuance of a certificate of occupancy and establishment of the primary use of the building; and
- (2) Residential uses shall be limited to the second floor and above of a building in the CA District.

(b) In addition, subject to the approval of a specific use permit, property in the Central Area District may be used for an Artisan Shop or for a business that sells goods using Custom Handcrafting or Specialty Food Processing, as defined in this Section, below, provided that a space located at the front of the building shall be used for the retail sale and/or display of the finished products or goods produced by the business. The required retail sale and/or display area shall be equal in size to at least twenty-five percent (25%) of the gross floor area of ground floor of the building, and shall occupy a space measuring at least ten (10) feet in depth behind the front door, running the entire width of the building frontage.

- (1) "Artisan Shop" means a shop in which goods are custom-prepared, displayed, or sold in small quantities that are often one of a kind items. A portion of the sale of such products may occur off the premises. The use may also include the production, incidental storage, display, and sale of such goods or may be a place where a small number of persons are engaged in arts and crafts activities in a class or studio.

Examples include but are not limited to artwork, jewelry, sculpture, or pottery, provided that such uses are equipped with specialized equipment to eliminate dust, odor and noise pollution within the premises and prevent any infiltration thereof into adjacent properties or beyond the exterior walls of the property. This category does not include the fabrication, assembly, or manufacture of mass-produced products or materials that do not constitute finished goods.

- (2) "Custom Handcrafting" means a business primarily involved in crafting, fabricating, or assembling finished goods where the crafting, fabrication, or assembly, requires the application of an individual's craft or skill, or specialized materials. A portion of the sale of such products may occur off the premises. The use may also include the production, incidental storage, display, and sale of such goods or may be a place where a small number of persons are engaged in arts and crafts activities in a class or studio.

Examples include but are not limited to jewelry, furniture, woodwork, leather-craft, or hand-woven articles, provided that such uses are equipped with specialized equipment to eliminate dust, odor and noise pollution within the premises and prevent any infiltration thereof into adjacent properties or beyond the exterior walls of the property. This category does not include the fabrication, assembly, or manufacture of mass-produced products or materials that do not constitute finished goods.

- (3) "Specialty Food Processing" means a business that prepares, cooks, bakes, or pickles food products that are not potentially hazardous where the preparation requires specialized knowledge, craft, skill or exotic, high-quality or organic ingredients. A portion of the sale of such products may occur off the premises. The use may also include the production, incidental storage, display, and sale of such goods or may be a place where a small number of

persons are engaged in arts and crafts activities in a class or studio.

Examples include but are not limited to ice cream, popcorn, pretzels, pickles, nuts, provided that such food processing is equipped with specialized equipment to eliminate dust, odor and noise pollution within the premises and prevent any infiltration thereof into adjacent properties or beyond the exterior walls of the property. This category does not include the baking, pickling, preparation or manufacturing of food products that is a "potentially hazardous food" as defined by Health and Safety Code, Section 437.0196, as such provision may be amended from time to time."

### **SECTION 3: REPEALER**

This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all Ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

### **SECTION 4: SEVERABILITY**

It is hereby declared to be the intent of the City Council that the several provisions of this Ordinance are severable. In the event that any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid, or unenforceable.

### **SECTION 5: PENALTIES FOR VIOLATION**

Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Farmersville from filing suit to enjoin the violation. The City of Farmersville retains all legal rights and remedies available to it pursuant to local, state and federal law.



## **SECTION 6: INJUNCTIVE RELIEF**

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

## **SECTION 7: PUBLICATION**

The City Secretary is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty, and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

## **SECTION 8: ENGROSSMENT AND ENROLLMENT**

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date Clause in the minutes of the City Council of the City of Farmersville, and by filing this Ordinance in the Ordinance records of the City.

## **SECTION 9: SAVINGS**

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 10: EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

**PASSED** on first and final reading on the \_\_\_\_ day of \_\_\_\_\_, 2015, at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

**APPROVED:**

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

**ATTEST:**

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Edie Sims, City Secretary

DRAFT