Farmersville
DISCOVER A TEXAS TREASURE

CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION AGENDA
REGULAR CALLED MEETING
June 15, 2020, 6:30 P.M.
205 S. Main St.

WATCH THE LIVE BROADCAST

This meeting will be broadcast live through the City's website and by telephone. Members of the public who wish to watch this meeting, and not speak or participate in the discussion, may watch the live broadcast by

1. Going to the City's website;
2. Clicking on "GOVERNMENT";
3. Clicking on "AGENDAS AND MINUTES";
4. Clicking on the "click here" link that is located to the right of "**LIVE STREAMING.**"

SPEAKING DURING PUBLIC COMMENTS

Members of the public wishing to speak during Public Comments or a public hearing may join the meeting by going online to www.blizz.com, and following the online prompts to input the "Dial-in Phone Number" and the "Meeting ID."

Members of the public wishing to speak during Public Comments or a public hearing may also join the meeting by calling-in to the telephone number listed below, and inserting the Meeting ID listed below: Those members of the public calling in will not be able to participate through video and will only have an audio feed of the meeting on their telephone.

1. **Dial-in Phone Number: (646) 769-9101**
   Please note that if you dial a toll number, your carrier rates will apply.

2. You will be prompted to enter the Meeting ID.

   The Meeting ID for this meeting is 230-490-52

3. Please listen closely to the directions and follow the directions to gain access to the Blizz meeting.

I. PRELIMINARY MATTERS

- Call to Order, Roll Call, Prayer and Pledge of Allegiance

II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)

Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the Planning & Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the Planning & Zoning Commission regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Chairman may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

III. PUBLIC HEARING

A. Public Hearing to consider, discuss and act upon a request for variances for certain property generally located on approximately 11.80 acres of land in the E.B. Reed Survey, Abstract No. 739 in the City of Farmersville's ETJ along the north side of County Road 553 in an area west of State Highway 78., pursuant to Section 65-9 of the Farmersville Code, requesting variances from the requirements of: Section 65-46, "Private Street Subdivisions," of the Farmersville Code as well as the City of Farmersville's Standard Specifications and Standard Construction Details ("Roadway Design Requirements") and more particularly: § 65-46(a), "Private Streets"; Subparagraphs (3) and (5) of § 65-46(b), "Eligibility Criteria"; § 65-46(i), "Plans and inspections"; and Subparagraphs (1) through (3) of § 65-46(k), "Entrance Design Standards," to allow the following changes:

1. The construction of Deer Run Trail as a private street on top of undisturbed top soil without first performing lime stabilization of the subgrade under the road as required by the Roadway Design Requirements; and

2. A reduction in right-of-way width for Deer Run Trail as a private street to fifty feet; and

3. A reduction in paved roadway width of Deer Run Trail as a private street from a minimum thirty feet to twenty-six feet with three feet of unpaved shoulder on each side of the road; and

4. A private street subdivision to be placed in an area that is not surrounded on three sides by natural or man-made barriers, so as to be accessible from only a single direction of the compass; and

5. A single point of entry into the residential subdivision rather than two points of ingress and egress if, and only if, a cul-de-sac or hammerhead is provided of sufficient size to allow emergency vehicles to turn around in accordance with the 2015 Editions of the International Fire Code, International Building Code and/or International Residential Code; and

6. The entrance design onto Deer Run Trail as a private street to have a minimum uninterrupted pavement width of 26 feet with three feet of unpaved shoulder on each side of the road at the location of the gate or access control device, if any, on both the ingress point and egress point to the subdivision; and

7. The entrance design onto Deer Run Trail as a private street to have less than a 100-foot vehicle stacking distance from the northern right-of-way line of County Road 553 to the first vehicle stopping point at which access may be obtained to the private subdivision; and

8. The omission of a paved turnaround space located in front of any restricted access entrance barrier to Deer Run Trail that would allow vehicles which are denied access to safely exit onto public streets through a smooth, single-motion U-turn movement without having to back up; and

9. No improvements be made to County Road 553; and

10. A recommendation be forwarded to the City Council regarding the foregoing requested variances.

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

A. Consider, discuss and act upon minutes from March 20, 2020.

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 June 11, 2020, by 6:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Dated this the 11th day of June, 2020.

Sandra Green, City Secretary

CITY OF FARMERSVILLE TEXAS

I. Preliminary Matters

II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)

III. Public Hearing

A.

CRYER
CUSTOM BUILDERS, INC.

2560 Lonesome Dove Phone: 214-478-0428
Farmersville, TX 75442 Phone: 972-824-6443

March 10, 2020

Ms. Sandra Green
City Secretary
205 SW Main
Farmersville, TX 75442

RE: Deer Crossing Variance Request

Dear Ms. Green:

We respectfully submit this letter requesting approval of the Deer Crossing subdivision in the City of Farmersville ETJ. We are requesting the following variances:

- **City Design Manual and Standard Construction Detail:** The City Design Manual and Standard Construction Detail requires lime stabilization of the top soil prior to the concrete being poured for the street. Lime stabilization would be added to a minimum depth of 7" to the top soil. The concrete roadway at Deer Crossing was constructed on undisturbed soil. Not only was it undisturbed, but it was cut down into the existing undisturbed top soil at a minimum of 6". Being that no fill dirt was added and heavy compaction equipment was used on the undisturbed earth as the base soil, it seemed reasonable that this was a good alternative as opposed to adding lime to disturbed soil. In order to implement the lime stabilization we would have had to turn the existing stable soil at a minimum of 7" in order to add the lime stabilization into the dirt for stabilization. If more than 7" of fill dirt had been needed, the lime stabilization would only benefit the top 7" or so of that fill. The full depth of the fill would still be unstable. We respectfully request a waiver of the use of lime stabilization in the construction of the concrete street. In addition, the requirements for private streets by the City of Farmersville are not required for private streets in the Collin County jurisdiction.

When previously presented to P&Z and City Council as a public street, Deer Crossing subdivision was previously granted the following variances and respectfully request them to be granted as a private street as there have been no changes to the overall design of the street.

- **Roadway Width:** The roadway pavement width standard for the City is thirty feet. We were granted 26 feet with 3 feet of unpaved shoulder on road grade on each side of the street.

- **Parkland/Open Space:** It was determined by the city attorney that this was a zoning requirement which was not applicable to property in the ETJ of Farmersville.

- **Storm Water Detention:** This variance was granted due to the existing drainage for the ten lot subdivision is divided in three different discharge points. Also, on the basis that the increase in drainage flow is minimal and it would be difficult to provide three detention facilities on the ten lots.

- **One Point of Entry:** This variance was granted based on city standards allowing for cul-de-sacs of similar length and more homes within a subdivision to be constructed. It was determined that the multiple point of entry requirement was not practical on this development.

- **Improvements to CR 553:** It was determined by the city attorney that CR 553 is owned and maintained by Collin County and it is not a requirement of the County to improve this road.

- **Landscaping Plan:** It was determined by the city attorney that this was a use requirement instead of standards which is not regulated in the ETJ of Farmersville.

The Deer Crossing HOA has been established including an account to be set up solely for the maintenance of the private street, whereas each lot owner shall be a member and be responsible for maintenance of the street. We have provided the required economic analysis for the viability of the private maintenance based on the number of lots being served by the street. We have had the subdivision plat revised to show the street as a lot per the requirements for a private street and include the verbiage "The City of Farmersville is not responsible for the maintenance of the private street". We have taken these necessary steps to comply with the requirements to be classified as a private street. In addition, Collin County does not have any of the requirements set forth by the City of Farmersville for private streets and Deer Crossing subdivision being located on the edge of Farmersville's ETJ, we respectfully request the variances above.

If you have any questions or additional comments, please do not hesitate to contact me

Thank you,

Dakota Cryer
Cryer Custom Builders, Inc.

weekday volume or highest average hourly peak weekend volume as determined from a two-day survey of weekday volumes and, where necessary, a one-day survey of weekend volumes. The level of service analysis shall take into consideration the lane geometry, traffic volume, percentage of right-hand turns, percentage of left-hand turns, percentage (and typical size) of trucks, intersection width, number of lanes, signal timing and progression, roadway grades, pedestrian and bicycle flows, school routes, number of accidents, and peak hour factor.

b. Adequacy Analysis – The intersections included within the traffic impact analysis shall be considered adequate to serve the proposed development if existing intersections can accommodate the existing service volume, the service volume of the proposed development, and the service volume of approved but unbuilt developments holding valid, unexpired building permits at level of service "C" or above.

5) Effect of Adequacy Determination -- If the adequacy determination for roadways and intersections indicates that the proposed development would cause a reduction in the level of service for any roadway or intersection within the study area identified in Subsection 3.5.2.1) above that would cause the roadway to fall below the level of service required hereto, the City Council may deny the request or may require one of the following conditions as a condition of approval:

a. The deferral of building permits until the improvements necessary to upgrade the substandard facilities are constructed;
b. A reduction in the density or intensity of development;
c. The dedication or construction of facilities needed to achieve the level of service required herein; or
d. Any combination of techniques identified herein that would ensure that development will not occur unless the levels of service for all roadways and intersections within the traffic impact analysis study are adequate to accommodate the impacts of such development.

3.6 Private Street Subdivisions

3.6.1 Private Streets

Subdivisions having private streets may be established only under the terms set forth in this Section, and pursuant to any other ordinances or guidelines for private street developments as may be adopted for use by the City either as part of this Ordinance or as separate ordinances or policies. All private streets shall be designed and constructed in accordance with the City's Design Manual and Standard Construction Details for publicly dedicated streets. The term Private Street shall be inclusive of alleys, if provided.

3.6.2 Eligibility Criteria

Private streets shall be permitted only within a subdivision satisfying each of the following criteria:

1) The subdivision shall have a sufficient number of lots and value to demonstrate through an approved economic analysis the viability of private maintenance by the development served;
2) The streets to be restricted to private use are not intended for regional or local through traffic circulation (see Subsection 3.6.3 below);
3) The subdivision is located in an area that is surrounded on three (3) sides, meaning at least seventy-five percent (75%) of the perimeter, by natural or man-made barriers, so as to be accessible from only a single direction of the compass;
4) The subdivision is located adjacent to an existing or approved public street that can be reasonably connected, even though the street connection may require the construction of a bridge or culvert;
5) The subdivision shall have at least two (2) points of vehicular access connected via improved roadways to the City's improved thoroughfare and street system by one or more approach roads, as required herein above;
6) A mandatory property owners (homeowners) association, which includes every owner of a lot within the private street development, shall be formed and shall be responsible for maintenance of the private streets and alleys. (see Subsection 3.6.5 below and Section 4.3); and
7) The subdivision conforms to any other special guidelines for private street developments as may be approved separately by the City Council.

3.6.3 Certain Streets Excluded

Roads or streets that are shown on the City's Thoroughfare Plan, such as highways, major or minor thoroughfares or arterials, or collectors, shall not be used, maintained or constructed as private streets, and a private street subdivision shall not cross or interfere with an existing or future collector or arterial street. Also, the Planning and Zoning Commission and City Council may deny the creation of any private street if, in their sole determination, the private street would negatively affect traffic circulation on public streets, or if it would impair access to the subject or adjacent property; impair access to or from public facilities including schools or parks; or if it would cause possible delays in the response time of emergency vehicles.

3.6.4 Parks, Greenbelts and Wildlife Preserves Excluded

A private street subdivision shall not cross or interfere with public access to an existing or future public pedestrian pathway, hike and bike trail, greenbelt, park or wildlife preserve as shown on the City of Farmersville's Parks and Open Space Master Plan or as already dedicated for public use.

3.6.5 Property Owners or Homeowners Association Required

Subdivisions developed with private streets shall have a mandatory property owner's association (the Association) which includes all property and lots served by the private streets in accordance with the requirements of Section 4.3 of this Ordinance. The Association shall own and be responsible for the

maintenance of private streets and appurtenances. The Association shall provide for the payment of dues and assessments required to maintain the private streets. The Association documents shall be reviewed and approved by the City Manager and the City Attorney to ensure that they conform to these and other applicable City rules and regulations prior to final plat approval. The Association documents shall be filed of record at Collin County or Hunt County prior to final plat acceptance in order to ensure that there is an entity in place for long-term maintenance of private streets and all related appurtenances. The Association may not be dissolved without the prior written consent of the City Council. No portion of the Association documents pertaining to the maintenance of private streets and alleys, and assessments therefore, may be amended without the prior written consent of the City Council. The Association and its operations must meet the following requirements:

1) Reserve fund -- The Association documents must establish a reserve fund for the maintenance of private streets and other improvements such as common greenbelts, security station structures and equipment, and other significant Association infrastructure. This reserve fund shall not be commingled with any other Association fund. The balance of the fund shall be equal to the total replacement cost of the private streets and other improvements divided by the average life expectancy of those improvements times the age of the improvements. The life expectancy for a subdivision with concrete streets shall be a minimum of twenty (20) years.
   a. The Association shall have an annual review performed by a certified public accounting firm verifying the amount in the reserve fund. A copy of this review shall be provided to the City.
   b. If the specific use permit is revoked or the private streets converted to public streets, the reserve fund shall become the property of the City.
2) Assessment for Repairs and Assignment of Association Lien Rights -- The Association declaration shall provide that should the Association fail to carry out its duties as specified in these regulations, the City or its lawful agents shall have the right and ability, after due notice to the Association, to perform the responsibilities of the Association if the Association fails to do so in compliance with any of the provisions of these regulations or of any applicable City Codes, regulations or agreements with the City and to assess the Association or the individual lot owners for all costs incurred by the City in performing said responsibilities if the Association fails to do so, and the City shall further have any and all liens and lien rights granted to the Association to enforce the assessments required by the declaration, and/or to avail itself of any other enforcement actions available to the City pursuant to state or City codes and regulations.
3) Required disclosures -- The Association documents shall address, but shall not be limited to, the following three paragraphs:
   a. The Association documents must indicate that the streets within the development are private, owned and maintained by the property owners' association and that the City has no obligation to maintain or reconstruct the private streets.

b. The Association documents shall include a statement indicating that the City may, but is not obligated to, inspect private streets, and require repairs necessary to insure maintenance to City standards.
c. The Association may not be dissolved without the prior written consent of the City.

3.6.6 Private Street Lot

Private streets must be constructed within a separate lot owned by the property owner's association. This lot must conform to the City's standards for public street rights-of-way. An easement covering the street lot shall be granted to the City and its employees providing unrestricted access to and use of the private streets and private street lot in pursuit of their official duties. This right shall also extend to all utility providers operating within the City and to other necessary governmental service providers, such as the U.S. Postal Service. The easement shall also permit the City to remove any vehicle or obstacle within the private street lot that may impair emergency access.

3.6.7 Construction and Maintenance Cost

The City shall not pay for any portion of the cost of constructing or maintaining a private street.

3.6.8 Infrastructure and Utilities

Any public water, sewer and drainage facilities, street lights, and traffic control devices, such as traffic signs, placed within the private street lot shall be designed and constructed to City standards, and shall be accepted by and dedicated to the City prior to filing the record plat for the subdivision. All private traffic control devices and regulatory signs shall conform to the Texas Manual of Uniform Traffic Control Devices, as amended, and to City standards.

The metering for utilities such as water, gas and electricity shall be located on the individual lots to be served, not grouped together in a centralized location(s), such as gang-box style metering stations, which shall not be permitted.

3.6.9 Plans and Inspections

Development applications for subdivisions with private streets must include the same plans and engineering information required for public streets and utilities. City requirements pertaining to inspection and approval of improvements shall apply, and fees charged for these services shall also apply. The City may periodically inspect private streets, and may require any repairs necessary to ensure efficient emergency access and to protect the public health, safety, convenience and welfare.

3.6.10 Restricted Access

The entrances to all private streets shall be clearly marked with a sign, placed in a prominent and visible location, stating that the streets within the subdivision are private, and that they are not maintained nor regularly patrolled by the City. Guard houses, access control gates, and cross arms, if used, shall be constructed per Subsection 3.6.11 below. All restricted access entrances must be manned twenty-four (24) hours every day, or they must provide a reliable, alternative means of ensuring City and emergency

access to the subdivision, preferably with an Opticom-type system for emergency access, by the City and other utility or public service providers with appropriate identification. The method to be used to ensure City and emergency access into the subdivision shall be approved by the City Council and by all applicable emergency services providers prior to engineering release for construction of the development. If the Association fails to maintain reliable access as required herein, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the Association. The Association documents shall contain provisions in conformity with this Section which may not be amended without the written consent of the City Council.

3.6.11 Entrance Design Standards

Any private street (and any other type of gated entrance) which has an access control gate or cross arm must have a minimum uninterrupted pavement width of twenty-seven feet (27) at the location of the gate or access control device, both ingress point and egress point, regardless of the type of device used. If an overhead, or lift-up, barrier is used, it must rise to a minimum of fourteen feet (14) in height above the road surface, and this clearance height shall be extended for a minimum distance of fifty feet (50) in front of and behind the location of the device. All gates and cross arms must be of a breakaway design. A minimum vehicle stacking distance of one hundred feet (100) shall be provided from the right-of-way line of the public road from which the private street subdivision is accessed to the first vehicle stopping point, which point is usually an access request keypad, a telephone, or a guard's window. Adequate distance shall be provided between the access request point(s) and the entry barrier, or gate, to accommodate a vehicle turnaround as described below.

A paved turnaround space must be located in front of (i.e., prior to passage through) any restricted access entrance barrier, between the access request device and the barrier or gate, to allow vehicles that are denied access to safely exit onto public streets without having to back up, particularly into the public street upon which the entrance is located. The design and geometry of such turnaround shall be of sufficient pavement width and having such inside turning radius that it will accommodate smooth, single-motion U-turn movements by service, delivery and utility trucks as well as passenger vehicles.

A site plan showing the design and location of all proposed access restricted entrances shall be submitted for review by the City Engineer along with the engineering plans for the subdivision, and must be approved by the City Council along with approval of the preliminary plat. The City Engineer may require submission of additional drawings, plans or exhibits demonstrating that the proposed turnaround will work properly, and that vehicle turnaround movements will not compromise public safety on the entry and/or exit roadway or on the adjacent public street(s).

3.6.12 Waiver of Services

The subdivision final plat and record plat, property deeds and property owner's association documents shall note that certain City services shall not be provided for private street subdivisions. Among the services that will not be provided are: routine law enforcement patrols, enforcement of traffic and parking regulations, and preparation of accident reports. Depending upon the characteristics of the development and upon the access limitations posed by the design of entrances into the subdivision, other services (such as sanitation) may not be provided, as well.

3.6.13 Petition to Convert to Public Streets

The Association documents shall allow the Association to petition the City to accept private streets and any associated property as public streets and rights-of-way upon written notice to all Association members and upon the favorable vote of a majority of the membership. However, in no event shall the City be obligated to accept said streets as public streets. Should the City elect to accept the streets as public streets, then the City has the right to inspect the private streets and to assess the lot owners for the expense of needed repairs concurrent with the City's acceptance of the streets. The City shall be the sole judge of whether repairs are needed. Upon acceptance of the private streets as public streets the City may also require, at the Associations or the lot owners expense, the removal of any guard houses, access control devices, landscaping or other aesthetic amenities located within the street lot or within any other roadway common area that are not consistent with a public street development. The Association documents shall provide for the City's right to such removal and assessment. Those portions of the Association documents pertaining to the subject matter contained in this Section shall not be amended without the written consent of the City Council. However, the Association documents must be modified and re-filed to remove requirements specific to private street subdivisions at such time as the City accepts the private streets as public streets.

3.6.14 Hold Harmless

The subdivision final plat and record plat shall contain language whereby the property owners association, as owner of the private streets and appurtenances, agrees to release, indemnify, defend and hold harmless the City, any other governmental entity, and any public utility for damages to the private streets that may be occasioned by the reasonable use of the private streets by same, and for damages and injury (including death) arising from the condition of the private streets, out of any use of access gates or cross arms, or out of any use of the subdivision by the City or governmental or utility entity (such plat language is available from the City).

3.7 Sidewalks

3.7.1 Sidewalks Required

Pedestrian concrete walkways (sidewalks) not less than five feet (5) wide or as required by the Zoning Ordinance shall be required within all non-residential and residential subdivisions on both sides of all streets. Sidewalks shall be installed prior to the issuance of a Certificate of Occupancy for each abutting development as set forth in the City of Farmersville's Design Manual and Standard Construction Details.

3.7.2 Provision of Escrow

The cost and provision of any perimeter sidewalks, such as along major thoroughfares, may be escrowed as a part of a developer's agreement, if approved by the City. The City has the right, but not the obligation, to refuse escrow and to require paving of the sidewalks if, in the City's sole opinion, immediate provision of the sidewalks is necessary for safe pedestrian circulation or if it would otherwise protect the public health, safety or welfare.

3.7.3 Timing of Construction

As deemed appropriate by the City Engineer, sidewalks shall be constructed at time of development of subdivision, or the funds for such construction shall be escrowed to City and will be reimbursed to developer as sidewalks are constructed.

3.7.4 Exemption

Notwithstanding the foregoing, sidewalks shall not be required in subdivisions with lot sizes at least one (1) acre or more in size.

3.8 Water and Wastewater Facility Design

3.8.1 Water

All new subdivisions shall be connected with an approved water system, and shall be capable of providing water for health and emergency purposes, including fire protection. The design and construction of water system improvements shall comply with the following standards:

1) Design and construction of a water source on the site shall be in accordance with applicable regulations of the Texas Commission on Environmental Quality (TCEQ).
2) Design and construction of water service from the City shall be in accordance with the City's Design Manual and Standard Construction Details Manual, and in accordance with TCEQ standards, whichever requirement is most stringent.
3) Design and construction of a fire protection system shall be in accordance with the City's Design Manual and Standard Construction Details, and in accordance with the fire department serving the site (i.e., the City or the County, as applicable).

3.8.2 Wastewater

All new subdivisions shall be required to connect to the City's wastewater system unless served by other means approved by the City Council. The design and construction of the wastewater system improvements shall comply with the following standards:

1) Design and construction of on-site waste disposal systems shall comply with applicable regulations of the TCEQ, applicable regulations of Collin or Hunt County, and with the provisions of the City of Farmersville's Code of Ordinances, whichever requirement is most stringent.
2) Design and construction of wastewater collection and treatment service from the City shall be in accordance with the standards in the City's Design Manual and Standard Construction Details, and in accordance with TCEQ standards, whichever requirement is most stringent.

Farmersville

CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION MINUTES
REGULAR CALLED MEETING
March 19, 2018, 6:30 P.M.
COUNCIL CHAMBERS, CITY HALL
205 S. Main Street

I. PRELIMINARY MATTERS

- Chairman Bobby Bishop presided over the meeting which was called to order at 6:30 p.m. Commissioners, Kevin Adamson, Lance Hudson, and Paul Kelly were in attendance. Luke Ingram, Sara Jackson-Butler and Russell Chandler were not present. Also, in attendance were City Manager, Ben White; staff liaison, Sandra Green; City Attorney, Alan Lathrom; and Council liaison, Craig Overstreet.

- Paul Kelly led the prayer and the pledges to the United States and Texas flags.

II. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon a recommendation to the City Council regarding an application requesting a change in zoning on approximately 0.3444 acres of land, more or less, from Single-Family 1 (SF-1) District Uses to C-Commercial District uses. The property is generally situated at 311 Sycamore Street and is known as Lot OL 1 of the Gaddy Addition, and located in the W.B. Williams Survey, Abstract A952, of Farmersville, Collin County, Texas.

- Bobby Bishop opened the public hearing at 6:32 p.m.
- Alan Lathrom stated the Commission wanted to know if there was any other alternative for the property to be zoned to allow for commercial uses without opening the door to allow every type of commercial use that is listed in the City's Zoning Ordinance. He explained the applicant could apply for a PD – Planned Development District for an Office Center. It would have the base zoning district of Office uses and limit those uses solely to professional and general administrative offices, sales offices without display areas or products, or offices for services provided off premises. So there is a mechanism where he would be able to use that structure and location as an office building

without opening it up for every other commercial use allowed under the Zoning Ordinance.

- Bobby Bishop asked if the applicant would have to withdraw the current application and apply for a Planned Development.
- Alan Lathrom explained the Commission could not approve a PD – Planned Development under the current application.
- George Crump who resides at 401 N. Main Street introduced his attorney and his assistant.
- The attorney's assistant, Rachel Crist, addressed the Commission and stated that Mr. Crump was wanting to use the space as a small professional office building. She stated a small professional office use would have minimal impact on the surrounding community. She requested that Mr. Crump be able to amend the application to Office use instead of Commercial use.
- Alan Lathrom stated the current Zoning Ordinance does not recognize the Office District as being a lesser use district from the Commercial District. He indicated the Commission could make a recommendation to zone the property as an Office District rather than a Commercial District. There would be a need to re-advertise and notice in order to comply with state law first.
- Bobby Bishop clarified that Mr. Crump would have to apply again for either Office or Planned Development. He also asked if the rezoning to Office or Planned Development would fit the requirements set out in the Comprehensive Plan.
- Alan Lathrom indicated it would be up to the Commission and the City Council to determine whether the use of Office at the location, under the terms of the Comprehensive Plan would meet those requirements.
- Bobby Bishop closed the public hearing at 6:38 p.m.

    - Motion to deny the request to give applicant time to re-apply and for notices to be sent out made by Paul Kelly
    - 2nd to approve made by Kevin Adamson
    - All members voted in favor

B. Public hearing to consider, discuss and act upon a recommendation to the City Council regarding the proposed complete rewrite and revision of the City of Farmersville's Zoning Ordinance; receive input from citizens regarding the proposed Ordinances; and, discuss the proposed Ordinances and the changes, formatting, and modifications to the Ordinances.

- Bobby Bishop opened the public hearing at 6:39 p.m.
- Randy Smith who resides at 508 CR 610 addressed the Commission regarding the Parks and Open Space. He read the definitions of open space and park or playground. He wanted to clarify that the parks and open spaces are two different things. He believes it could be a problem in the future as the City expands. There will be property that will have some areas that are floodplain that would not be able to be used. He is not in favor of building houses on the floodplain, but it could be used for other items. If it is left in its

natural state wild animals would become an issue. He feels the items need to be differentiated.

- Jim Foy who resides at 211 College Street stated that at the last meeting the Commission asked that a metal roof not be allowed in the new Ordinance. He agreed that corrugated metal should not be used, but questioned if the Commission was stating no metal at all.
- Bobby Bishop explained the Commission was just discussing corrugated metal/tin not excluding metal roofs.
- Mr. Bimal Saraiya, Attorney for George Crump, addressed the Commission and he stated it appeared the Office use had been removed from the proposed Ordinance. He wanted the Commission to consider adding the use back in.
- Bobby Bishop closed the public hearing at 6:45 p.m.
- Drew Brawner from Kimley-Horn stated they looked at the Office use and thought it would be better served if it was absorbed in Neighborhood Services and General Retail. The Neighborhood Services, General Retail, and Commercial are the three levels of intensity. The lighter uses would go in Neighborhood Services and the other uses would fall under General Retail and Commercial. He indicated a standalone office use would be allowed in the Neighborhood Services District.

- Ben White indicated there were some options of them rezoning under the old Ordinance or the new Ordinance once it is adopted.

    - Motion to approve and forward recommendation to City Council made by Kevin Adamson
    - 2nd to approve made by Lance Hudson
    - All members voted in favor

C. Public hearing to consider, discuss and act upon a recommendation to the City Council regarding the proposed complete rewrite and revision of the City of Farmersville's Subdivision Ordinance; receive input from citizens regarding the proposed Ordinances; and, discuss the proposed Ordinances and the changes, formatting, and modifications to the Ordinances.

- Bobby Bishop opened the public hearing at 6:48 p.m.
- No one came forward so Bobby Bishop closed the public hearing at 6:49 p.m.
- Ben White mentioned the footer on the bottom of all pages need to be changed to reflect the correct document title.

    - Motion to approve with changes as requested and forward recommendation to the City Council made by Lance Hudson
    - 2nd to approve made by Paul Kelly
    - All members voted in favor

D. Public hearing to consider, discuss and act upon a recommendation to the City Council regarding a request for certain variances and waivers from some of the requirements of the City of Farmersville's Subdivision Regulations, Chapter 65 of the Farmersville Code, for Lots 1 through 10, Block 1, of the Deer Crossing Subdivision to be developed on approximately 11.80 acres of land in E.B. Reed Survey, Abstract No. 739 in the City of Farmersville's ETJ along the north side of County Road 553 in an area west of State Highway 78.

- Bobby Bishop opened the public hearing at 6:50 p.m. and asked if anyone was present to speak for or against the item.
- Matt Atkins, Engineer from Engineering Concepts, was in attendance representing Mr. Cryer who is wanting to develop the property. He stated the right-of-way width for Collin County is 50 feet and since the subdivision was in the ETJ they wanted to ask for a variance. All of the utilities would fit within the 50 feet, plus they are adding more easements outside of the 50 feet. He explained they are requesting the roadway width to be 24 feet to go along with the county standard including ditches on each side. He knows the City has had issues with people parking on streets, but since this was a country setting with one acre lots they did not feel that would be an issue. Regarding parkland and open space, he explained it was his understanding that since that item was a zoning requirement it would not be applicable to a plat in the ETJ where there is no zoning. He explained the property drains in three directions. Some lots drain to the west and a portion to the south toward County Road 553. They feel like the runoff is adequate and there would be minimal grading. He indicated they are requesting one point of entry because they would not be able to provide more than one point of entry. He explained a cul-de-sac would be allowed in larger subdivisions and they did not see the entry proposed would be any different from that. They do not feel they need to make improvements to County Road 553 because it is a sufficient width and in pretty good shape. Since it is a County Road, they did not feel the City could require improvements. He explained that Mr. Cryer does intend to build some kind of entry features at a minimal, but they do not want an HOA to maintain those.
- Bobby Bishop asked Alan Lathrom which requirements the City could enforce.
- Ben White said the park dedication on the property would not be required.
- Bobby Bishop asked about the improvements to County Road 553.
- Alan Lathrom indicated the City could not require them to make improvements to the roadway since it is a County Road.
- Bobby Bishop asked about the landscape Plan.
- Alan Lathrom explained the subdivision regulations cross reference the Zoning Ordinance and the City cannot regulate the Zoning Ordinance in the ETJ. So, they would not be required to provide landscaping.
- Bobby Bishop asked about the roadway width.
- Ben White stated the cul-de-sac would have to have an adequate turning radius to comply with the fire code and explained he would recommend approval contingent upon the roadway meeting fire code guidelines. He

would like the roadway width maintained because it is hard when people park on the streets to get emergency vehicles down the street. The width should be 32 feet per the City's specifications. He felt the easements would be sufficient. He explained the storm water detention plan just needed to include data that indicated there would have no adverse effects.

- Matt Atkins explained he was going to indicate no adverse effects on the drainage plans. He stated that an estate development roadway of 32 feet could be done, but they feel the width required by the City would be excessive for ten lots. They would make sure the cul-de-sac would have the appropriate radius for emergency vehicles.
- Ben White indicated the City specifications for the roadway would be 32 feet from edge of pavement to edge of pavement. A compromise that could be made would be a normal residential width, because it is a little smaller. He wants to make sure emergency vehicles can use the roadway effectively.
- Dakota Cryer, who is the developer, stated they would have side entry garages and they plan on setting the building setbacks to 60 feet. There hope is not to have anyone parking on the street because of the large sized lots. The homes are intended to be a minimum of 2,300 square feet.
- Mr. Jim Foy pointed out they should be able to have a 28 feet space for the roadway.
- Bobby Bishop closed the public hearing at 7:17 p.m.

    - Motion to approve waiver and recommend to City Council regarding right-of-way, park and open space, the improvements to County Road 553, and the landscape plan made by Kevin Adamson
    - 2nd to approve made by Lance Hudson
    - All members voted in favor

    - Motion to approve and recommend to City Council regarding storm water detention subject to the applicant providing a hydraulic study that shows not adverse conditions are created downstream as a result of the development made by Lance Hudson
    - 2nd to approve made by Paul Kelly
    - All members voted in favor

    - Motion to approve and recommend to City Council a reduction in roadway width to 26 foot of pavement area with 3 foot of shoulder on each side at the same grade as roadway, with a cul-de-sac that meets the requirements of the fire code made by Paul Kelly
    - 2nd to approve made by Lance Hudson
    - All members voted in favor

III. <u>Items for Discussion and Possible Action</u>

A. Consider, discuss and act upon minutes from December 18, 2017.

- Motion to approve made by Paul Kelly
- 2nd to approve made by Kevin Adamson
- All members voted in favor

B. Consider, discuss and act upon a recommendation to City Council for the Preliminary Plat for Lots 1 through 10, Block 1, of the Deer Crossing Subdivision to be developed on approximately 11.80 acres of land in E.B. Reed Survey, Abstract No. 739 in the City of Farmersville's ETJ along the north side of County Road 553 in an area west of State Highway 78.

- Alan Lathrom stated the plat could be approved subject to the applicant making the corrections before going to City Council.

  - Motion to approve subject to the applicant making the corrections before going to City Council made by Kevin Adamson
  - 2nd to approve made by Lance Hudson
  - All members voted in favor

IV. Adjournment

Meeting was adjourned at 7:30 p.m.

ATTEST:

Sandra Green, City Secretary

APPROVE:

Sarah Jackson-Butler, Vice President

CITY OF FARMERSVILLE TEXAS

Farmersville

FARMERSVILLE CITY COUNCIL
SPECIAL SESSION MINUTES
For
April 17, 2018, 6:00 P.M.

I. PRELIMINARY MATTERS

- Mayor Piwko called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Mike Hurst, Todd Rolen and Michael Hesse were all present. Donny Mason was not present. City staff members Ben White, Sandra Green, Paula Jackson, Daphne Hamlin, Reagan Rothenberger, Rick Ranspot, Mike Sullivan and City Attorney Alan Lathrom were also present.
- Prayer was led by Brady Duncan who is a part of the Farmersville Boy Scout Troop 592 followed by the pledges to the United States flag and the Texas flag.
  - Calendar of upcoming holidays and meetings was presented in the agenda packet.
  - Farmersville Intermediate School's 8th Annual "Physics Fair" will be Monday, April 30th from 6:00 p.m. to 8:00 p.m.
  - City Council will be appointing a new member to the North Texas Municipal Water Board at the next City Council Meeting. Anyone interested in serving please contact the City Secretary's Office.
  - Upcoming meetings are subject to change dates or locations due to early voting for the upcoming elections. Please refer to the calendars in the City Council Agenda Packet or the City's website for those changes.
  - Proclamation for Motorcycle Awareness Month was read out load and presented to some members of the audience. One spokeswoman for the riders gave a few safety tips to the audience and Council.

II. PUBLIC COMMENT

- Mr. John Hart who resides at 18601 CR 646 thanked Ben White for repairing the roadway he had brought to the attention of Council at the previous meeting. He also asked about the status of the Islamic Association Cemetery plat and the cement plant that was being proposed.
- Ben White stated the cement plant was still in the works, but they were still in the ETJ.
- Mayor Piwko explained they had not received any new information regarding the IACC.

- Ms. Alice Bridges who resides at 509 Gaddy Street addressed Council and stated that with all the negativity in the world and in the City she just wanted to tell the Council she knew how much time they spend every day trying to make the City better. She wanted them to know that she supported them. She also wanted to commend City Hall staff and the Public Works crew. She indicated that every time she needs something she calls and they are out at her residence quickly.

- Mr. Randy Smith who resides at 508 CR 610 addressed Council and discussed issues he was finding around the Camden Park construction site. He brought a county roadway sign that had been knocked down as well as an empty cement bag that had been found blowing in the wind away from the site. He also discussed the street conditions near Camden Park.

III. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or "housekeeping" items required by law. Council members may request prior to a motion and vote on the Consent Agenda that one or more Items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

A. Police Department Report

B. Code Enforcement/Animal Control Report

C. Fire Department Report

D. Municipal Court Report

E. Warrant Officer Report

F. Public Works Report

G. Library Report

H. City Financial Report

I. City Manager's Report

- Mayor Piwko pulled the Public Works Report, City Financial Report, and the City Manager's Report.

    - Motion to approve reports A through E and G made by Michael Hesse
    - 2nd to approve was Todd Rolen
    - All council members voted in favor

- Mayor Piwko discussed the Public Works Report first. She wanted to point out that a new formula was being used to track the progress of projects.
- Ben White stated he was going to start using percentages to show how far along the City was on projects and he just amended the report a little to help with easier review.
- Mayor Piwko asked about the wastewater lift stations.
- Ben White indicated they are focusing on getting the wastewater to Camden Park first, and then they would work on the other lift stations.
- Mayor Piwko asked about the infiltration issues.
- Ben White stated they are working on the issues. He also talked about the sewer truck and how much more efficient things will be having it.
- Mayor Piwko also brought up the large amount of wood that is rotting on the gazebo located on the square. She indicated it would need to be repaired and repainted.
- Ben White stated he would look into getting it repaired.
- Mayor Piwko asked if the playground equipment at Southlake Park had been funded.
- Ben White explained that it had not been funded yet.
- Mayor Piwko asked about the Dollar General line upgrades.
- Ben White stated the City was upgrading from old equipment. The City's crew is just trying to be proactive.
- Mike Hurst asked about the bullet proof glass in the City Hall lobby.
- Ben White indicated the contractor could not complete the glass like the City was wanting so they are trying something different and it is supposed to be delivered soon.

- Mayor Piwko asked Daphne Hamlin to give the Council information concerning the Collin County Appraisal District luncheon that was held.
- Daphne Hamlin explained the projected numbers indicate the City housing rate would increase by 6.34%. That would bring the City's average home

value to $138,000.00. She explained the numbers are very preliminary and they will be changing almost every day.

- Mayor Piwko indicated Ben White had answered all the questions she had on the City Manager's Report in the Public Work's Report.
  - Motion to approve the Public Works Report and the City Manager's Report made by Michael Hesse
  - 2nd to approve was Mike Hesse
  - All council members voted in favor

IV. INFORMATIONAL ITEMS

These Informational Items are intended solely to keep the City Council appraised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members may deliberate and/or request further information or clarification regarding any one or more of the items contained in this provision. City Council approval of, or action on, these items is not required or requested.

A. FEDC (4A) Meeting Minutes

B. FEDC (4A) Financial Report

C. FCDC (4B) Meeting Minutes

D. FCDC (4B) Financial Report

E. Main Street Board Minutes

F. Main Street Report

G. Planning & Zoning Commission Minutes

  - Motion to approve made by Craig Overstreet
  - 2nd to approve was Mike Hurst
  - All council members voted in favor

V. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon a request for certain variances and waivers from some of the requirements of the City of Farmersville's Subdivision Regulations, Chapter 65 of the Farmersville Code, for Lots 1 through 10, Block 1, of the Deer Crossing Subdivision to be developed on approximately 11.80 acres of land in E.B. Reed Survey, Abstract No. 739 in the City of Farmersville's ETJ along the north side of County Road 553 in an area west of State Highway 78.

- Mayor Piwko opened the public hearing at 6:43 p.m. and asked if anyone was present to speak for or against the agenda item.
- Matt Atkins with Concept Engineering came forward and explained he represented the developer and told a little bit about the property.

- Mayor Piwko suggested that before he go into details she would ask if anyone else was in attendance to speak for or against the item.
- No one else came forward
- Mayor Piwko closed the public hearing at 6:45 p.m.
- Matt Atkins explained the variances and waivers requested and explained the Planning & Zoning Commission decided on the following:
    - Approved wavier regarding 50 feet right-of-way, no park and open space would be required because it is in the ETJ, they would not have to complete the improvements to County Road 553, and no landscape plan would be required because it is in the ETJ.
    - Approved storm water detention being subject to the applicant providing a hydraulic study that shows no adverse conditions are created downstream as a result of the development.
    - Approved a reduction in roadway width to 26 foot of pavement area with 3 foot of shoulder on each side at the same grade as roadway, with a cul-de-sac that meets the requirements of the fire code.
- Craig Overstreet asked what kind of material the shoulders of the road would be.
- Matt indicated the shoulders of the roadway would be grass and the homeowner's would maintain it. There would be the roadway, grass at the same grade as the roadway, and then a ditch for drainage.
- Mike Hurst asked about the size of homes he would be building and also the lighting of the properties.
- Dakota Cryer, developer, stated they would build homes that were a minimum of 2,300 square feet and the property owners would be responsible for lighting their own property.
- Craig Overstreet asked if emergency vehicles could get down the cul-de-sac.
- Ben White stated it was not the City's typical design, but he felt confident that it would be fine.
- Mayor Piwko explained the Planning & Zoning Commission discussed this and it was indicated most of the homeowner's had so much land they would not park on the street.
- Matt Atkins indicated the cul-de-sac did meet the fire code.

    - Motion to approve the recommendations set out by the Planning & Zoning Commission made by Craig Overstreet
    - 2nd to approve was Mike Hurst
    - All council members voted in favor

B. Public hearing to consider, discuss and act upon the proposed complete rewrite and revision of the City of Farmersville's Zoning Ordinance; receive input from

citizens regarding the proposed Ordinances; and, discuss the proposed Ordinances and the changes, formatting, and modifications to the Ordinances.

- Mayor Piwko opened the public hearing at 6:57 p.m. and asked if there was anyone in attendance who wanted to speak for or against the proposed Zoning Ordinance.
- Randy Smith who resides at 508 CR 610 stated he had not heard back regarding any comments he had made to the Mayor or Ben White in previous meetings regarding the Ordinances.
- Mayor Piwko stated some of the comments had been noted, but the approval of the Ordinance would be at a later meeting. She indicated she would expect to see those changes in the final draft.
- No one else came forward to speak.
- Mayor Piwko closed the public hearing at 6:58 p.m.

C. Public hearing to consider, discuss and act upon the proposed complete rewrite and revision of the City of Farmersville's Subdivision Ordinance; receive input from citizens regarding the proposed Ordinances; and, discuss the proposed Ordinances and the changes, formatting, and modifications to the Ordinances.

- Mayor Piwko opened the public hearing at 6:58 p.m. and asked if there was anyone in attendance who wanted to speak for or against the proposed Subdivision Ordinance.
- No one came forward.
- Mayor Piwko closed the public hearing at 6:59 p.m.

D. Public hearing to consider, discuss and act upon Ordinance #O-2018-0417-001 for an application requesting a change in zoning on approximately 0.3444 acres of land, more or less, from SF-1 - Single-Family 1 District Uses to PD - Planned Development District Uses for an Office Center with a Base Zoning District of O - Office District Uses Allowing One One-Story Building for Professional or General Administrative Office Uses. The property is generally situated at 311 Sycamore Street and is known as Lot OL 1 of the Gaddy Addition, and located in the W.B. Williams Survey, Abstract A952, of Farmersville, Collin County, Texas.

- Councilmember Michael Hesse and Councilmember Todd Rolen recused themselves due to a conflict of interest.
- Mayor Piwko opened the public at 7:00 p.m. and asked if there was anyone in the audience to speak for or against the item.
- Rachel Crist, paralegal for the attorney presenting Mr. Crump, came forward and introduced herself and stated she would answer any questions the Council might have.
- Craig Overstreet asked about the square footage of the building.
- Rachel Crist explained there was approximately 2,644 square feet.
- No one else came forward to speak.
- Mayor Piwko closed the public hearing at 7:01 p.m.
- Mike Hurst asked if the Planning & Zoning Commission approved the request at their last meeting.

- Mayor Piwko said they passed it unanimously.
- Craig Overstreet asked if there would be enough space for adequate parking and ADA requirements.
- Ben White indicated they would still have to meet the parking guidelines.
- Alan Lathrom indicated the Fire Marshall would make sure the ADA parking was satisfactory before they were allowed to receive a certificate of occupancy. They would have to have the correct number of spaces based on the use of the property.

    - Motion to approve made by Craig Overstreet
    - 2nd to approve was Mike Hurst
    - All council members voted in favor

- Mr. Hesse and Mr. Rolen returned to the room.

VI. READING OF ORDINANCES

A. Consider, discuss and act upon Ordinance #O-2018-0417-002 regarding an amendment to the Fiscal Year 2017-2018 budget for a sewer truck.

- Ben White indicated the funds were allocated last year, but the sewer truck just came in.
    - Motion to approve the amendment to the Fiscal Year 2017-2018 budget made by Craig Overstreet
    - 2nd to approve was Todd Rolen
    - All council members voted in favor

VII. REGULAR AGENDA

A. Consider, discuss and act upon issues arising out of living streaming inside Council Chambers.

- Alan Lathrom indicated there were no actions that needed to be taken on this item. He explained that recordings and live streaming can take place by citizens as long as they do not disrupt the meeting. He stated he wanted the audience to understand the videos could be streamed or posted on websites or other places.
- Mayor Piwko added there had been instances where people where in some of the videos not realizing their discussions were being recorded. She just wanted citizens to be aware of the streaming of the meetings.

B. Consider, discuss and act upon the Final Plat of Lots 1 through 10, Block 1, of the Deer Crossing Subdivision.

- Motion to approve with the waivers made by Craig Overstreet
- 2nd to approve was Todd Rolen
- All council members voted in favor

C. Consider, discuss and act upon a donation from the Farmersville Rotary Club to the Farmersville Senior Citizens Center.
   - Craig Overstreet thanked the Rotary Club for the donation.
     - Motion to approve made by Todd Rolen
     - 2nd to approve was Mike Hurst
     - All council members voted in favor

D. Consider, discuss and act upon the appointment of an elected official or other appointed city official to serve on the Texas Community Development Block Grant Program Regional Review Committee.
   - Ben White stated he had no recommendations for an appointment. He stated the Council could choose some names and then come back at a later time to choose.
   - Sandra Green stated the representative from the North Central Texas Council of Governments indicated the member would typically a Councilmember or other City board member.
   - Mayor Piwko indicated she would volunteer.
     - Motion to approve the appointment of Diane C. Piwko to the board made by Craig Overstreet
     - 2nd to approve was Michael Hesse
     - All council members voted in favor

E. Discuss possible ways to consolidate reports for review.
   - Ben White stated he condensed the Public Works Report and stated a lot of other reports are bulky. He was wanting direction from Council whether they wanted the reports on the website and not printed in the Council packet every time. He wants to work with staff to see if there is anything that could be removed from the reports and then limit what goes in the agenda packet.
   - Mike Hurst indicated what Council is really looking for is a progress report and not the same information over and over again.
   - Ben White stated he would use the Public Work's Report and the City Manager's Report as examples and try to go from there.
   - Michael Hesse stated he would like to see things linked in the agenda online and go toward more digital.

- Craig Overstreet explained he would like to see a summary of the transfers in the City Financial Report, and summaries on water and wastewater systems.

F. Update regarding the City of Farmersville's agreement with the Riding Club.
   - Mayor Piwko indicated this item was pulled from the agenda.

G. Review Ordinance #O-2014-0812-001 and discuss the City's current policy regarding e-cigarettes.
   - Ben White stated the City needed direction from Council on where they needed to go with this Ordinance.
   - Craig Overstreet indicated the current Ordinance does not regulate the use.
   - Todd Rolen explained they have individuals using e-cigarettes at J.W. Spain and the smoke is going into children's faces.
   - Ben White asked if Council wanted to prohibit e-cigarettes in all areas of the park or in certain area.
   - Alan Lathrom stated the current Ordinance does not include e-cigarettes because they came after the Ordinance was written.
   - Craig Overstreet indicated the City would need to include signs at the parks.
   - Alan Lathrom stated we could include signage in the Ordinance.
   - Mayor Piwko said she would like show that alcohol is prohibited on the signs as well. She gave direction to staff to redo the Ordinances to incorporate e-cigarettes.

VII. EXECUTIVE SESSION

- Alan Lathrom indicated there was no need to go into executive session.

VIII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Craig Overstreet wanted to start reviewing sections of the Comprehensive Plan Workbook.

IX. ADJOURNMENT

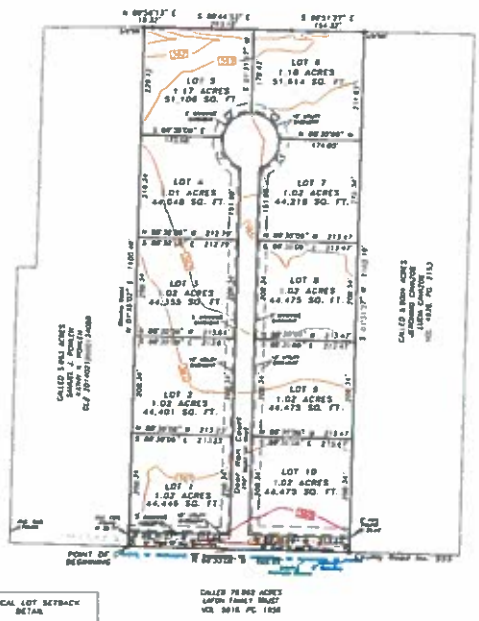
Meeting was adjourned at 7:32 p.m.

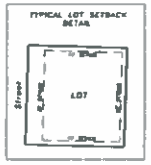
APPROVE:

Mike Hurst, Mayor Pro-Tem

ATTEST:

Sandra Green, City Secretary



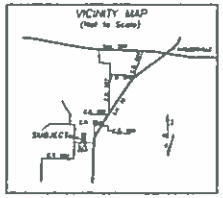


SCALE 1"=100'

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinances and State law, and is subject to fines and withholding of utilities and building permits.

UTILITIES TO BE PROVIDED BY:
WATER: Copperas S.U.D.
ELECTRIC: Texas-New Mexico
SEWER: Aerobic

Notes:
1) Purpose of this plat is to create 10 platted lots
2) Subdivision is located in Farmersville ISD.
3) Subject tract located within Zone X as mapped from F.I.R.M. Panel 48085C0120J, dated June 2, 2009. Zone "X" being defined as "areas determined to be outside the 0.2 % annual chance floodplain."
4) Verify exact location of underground utilities prior to construction.
5) Bearings based on East line of called 5.863 acres (CC# 20150415000423940).



Subject tract is located within the Farmersville Independent School District (F.I.S.D.).

Property is located in Extraterritorial Jurisdiction of City of Farmersville, Texas.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	60.00'	61.74'	59.09'	N 30°52'41" W	59°01'11"
C2	60.00'	60.34'	58.88'	N 30°16'43" E	60°00'37"
C3	60.00'	60.34'	58.88'	S 29°43'17" E	60°00'37"
C4	60.00'	61.74'	59.09'	S 29°54'30" W	59°01'11"

APPROVAL BLOCK:

"RECOMMENDED FOR APPROVAL"

Chairman, Planning & Zoning Commission
City of Farmersville, Texas

Date

PROPERTY OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, Cryer Custom Builders, Inc. is the owner of a tract of land situated in the E.B. Reed Survey, A-739, City of Farmersville E.T.J., Collin County, Texas and being further described as follows:

BEING all that tract of land in Collin County, Texas, out of the E.B. Reed Survey, A-739, and being all of that called 11.80 acres of land described in a deed to Cryer Custom Builders, Inc. as recorded under CC# 20150415000423940 of the Official Public Records of Collin County, Texas, and being further described as follows:

BEGINNING at a point in the center of County Road No. 553, at the Southwest corner of said 11.80 acres, and of the Southwest corner of that called 5.863 acres of land described in a deed to Bethany J. Pharis and Kathy K. Pharis as recorded under CC# 20140231000134060 of the Official Public Records of Collin County, Texas, from which a fence corner found bears North 01 degrees 35 minutes 02 seconds East, 22.77 feet for reference;

THENCE North 01 degrees 35 minutes 02 seconds East (Bearing Basis), 1180.60 feet along the East line of said 5.863 acres to a 1/2" iron pipe rod found at the Northeast corner of said 11.80 acres, and of the Northeast corner of said 5.863 acres;

THENCE along the north line of said 11.80 acres as follows:

North 88 degrees 58 minutes 13 seconds East, 16.33 rods
South 88 degrees 44 minutes 53 seconds East, 253.10 rods
South 88 degrees 51 minutes 27 seconds East, 154.32 feet to a 3/8 iron pipe rod found at the Northeast corner of said 11.80 acres, and at the Northwest corner of that called 5.0094 acres of land described in a deed to Jacquelina Cervantes and Leslie Cervantes as recorded in Volume 4838, Page 2153 of the Land Records of Collin County, Texas;

THENCE South 01 degrees 31 minutes 27 seconds West, 1182.19 feet along the West line of said 5.0094 acres to a point in the center of said County Road No. 553, and of the Southwest corner of said 11.80 acres, from which a 3 inch pipe found bears South 01 degrees 31 minutes 27 seconds East, 26.88 feet for reference;

THENCE North 88 degrees 38 minutes 08 seconds West, 466.95 feet along the center of said road to the POINT OF BEGINNING, containing 11.80 acres of land

PRELIMINARY PLAT

DEER CROSSING
LOTS 1-10, BLOCK 1

E.B. REED SURVEY, A-739 CITY OF FARMERSVILLE, E.T.J.
COLLIN COUNTY, TEXAS

(Being all of that called 11.80 acres of land described in a deed to Cryer Customs Builders, Inc. as recorded under CC# 20150415000423940 of the Official Public Records of Collin County, Texas.)

OWNER:
Cryer Custom Builders, Inc.
2560 Lonesome Dove
Farmersville, TX 75442

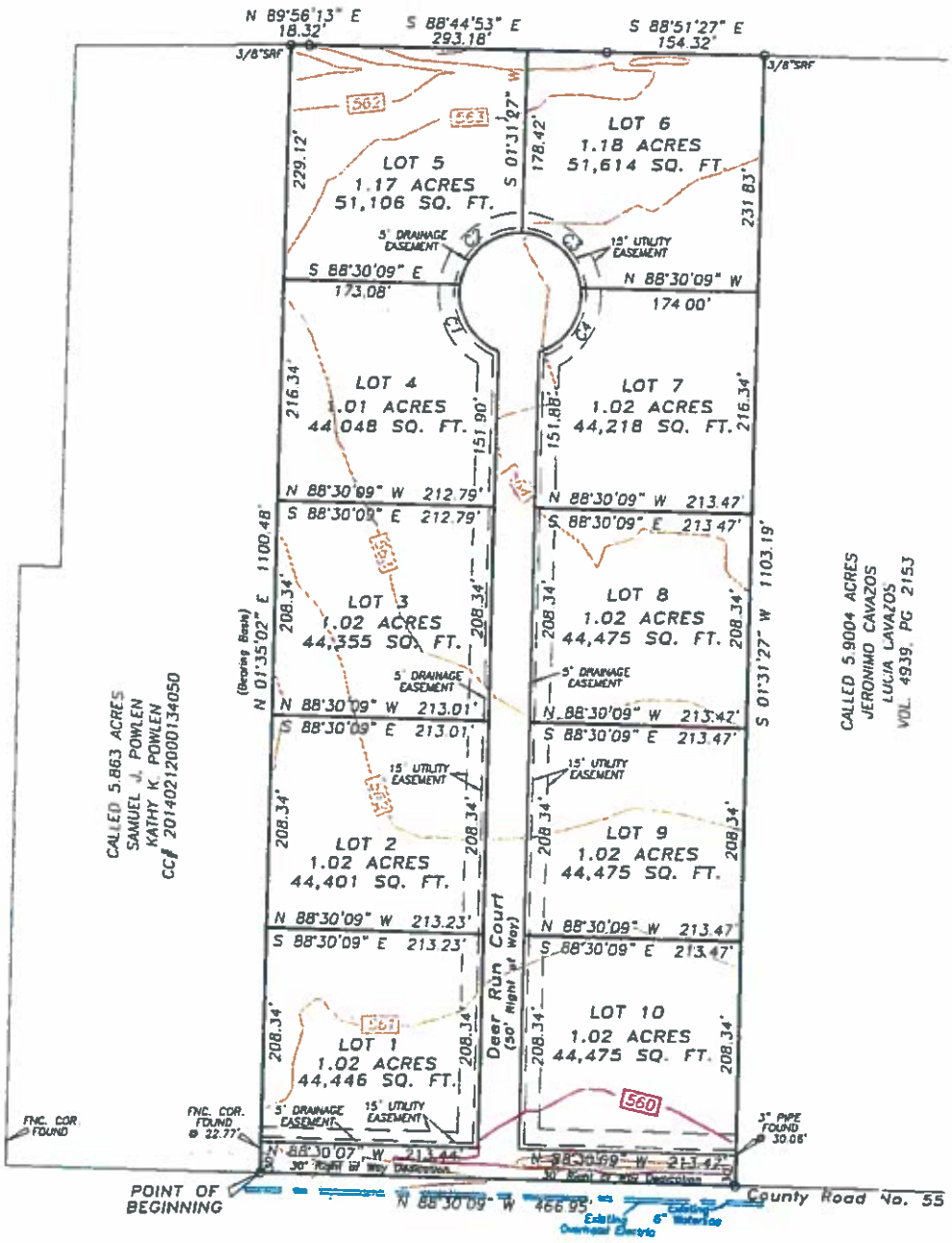
Date of Preparation:
January 2, 2019

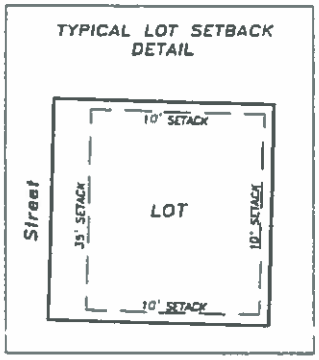
SURVEYOR:
Boundary Solutions
P.O. Box 250
Cedar Hill, TX 75135
972-782-8082

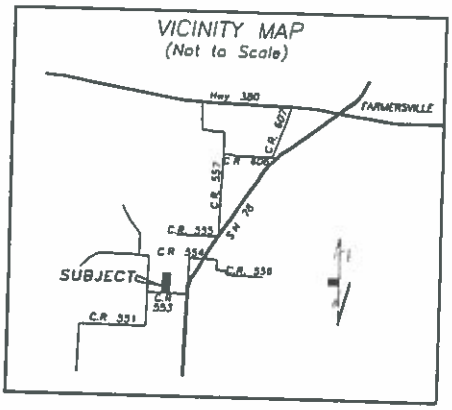
B.S.I Job# 1504-006

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	60.00'	81.74'	75.56'	N 29°58'41" W	78°03'11"
C2	60.00'	86.34'	79.08'	N 50°16'23" E	82°26'57"
C3	60.00'	86.34'	79.08'	S 47°16'41" E	82°26'57"
C4	60.00'	81.70'	75.61'	S 32°58'59" W	78°06'23"

ROY L. WALKER
VOL. 2749, PG. 83







N

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

A.

Farmersville
DISCOVER A TEXAS TREASURE

CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION MINUTES
REGULAR SESSION MEETING
April 20, 2020, 6:30 P.M.
www.blizz.com
Dial-in Phone Number: (646) 769-9101
Meeting ID: 861-270-68

You can call the number above, but the best form to use is the mobile app and is available by iPhone or android by downloading TeamViewer Blizz

I. PRELIMINARY MATTERS

- Chairman Michael Hesse (via teleconference) presided over the meeting which was called to order at 6:31 p.m. Commissioners Lance Hudson, Leaca Caspari (via teleconference), John Klostermann, Brian Brazil, Rachel Crist (via teleconference), and Luke Ingram (via teleconference) were in attendance. Also, in attendance were staff liaison, Sandra Green; City Manager, Ben White; City Attorney, Alan Lathrom; and Council liaison, Craig Overstreet (via teleconference)

- Sandra Green led the prayer and the pledges to the United States and Texas flags.

II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)

- Due to the pandemic of Covid-19, no citizens were allowed in the Council Chambers. No one came forward on the teleconference to speak.

III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

A. Consider, discuss and act upon minutes from February 24, 2020.

- Motion to approve made by John Klostermann
- 2nd to approve made by Brian Brazil
- All members voted in favor

B. Consider, discuss and act upon the preliminary plat of the HCG Addition, Lots 1 & 2, Block A.

- Ben White stated there were several items the City Engineer noted that need to be taken care of before the plat is filed.
- Alan Lathrom stated that with the changes made by the Texas Legislature we will no longer have the ability to work with applicant and wait until everything is addressed.
- Ben White stated a lot of the items that need to be addressed are the easements and building lines. He said those are a lot of the main items then need to be corrected on the plat.
- John Klostermann asked if they could get the plat fixed with 30 days.
- Alan Lathrom stated they could take as long as they wanted to fix the items on the plat. He stated the infrastructure would have to be in place before the plat would be filed.
- Leaca Caspari asked if the Commission could approve the plat with a condition that they correct all the items.
- Michael Hesse asked if the Commission conditionally approved the preliminary plat how would they know that all the items had been addressed.
- Ben White stated that the City Engineer and Sandra Green would review the plat to make sure all the conditions were addressed.
- Sandra Green stated the Commission would also get to review the Final Plat when it was submitted to the city.

  - Motion to conditionally approve the preliminary plat of the HCG Addition, Lots 1 & 2, Block A, subject to the applicant's addressing and curing or correcting the comments identified in Jacob Dupuis' letter dated April 13, 2020, together with the engineering plans made by Leaca Caspari
  - 2nd to approve made by John Klostermann
  - All members voted in favor

C. Consider, discuss and act upon the site plan and landscape plan for the Farmersville Restaurant located on the southeast corner of Farmersville Parkway and South Hamilton Street.

- Michael Hesse stated this item was approved along with the preliminary plat.

- Alan Lathrom stated the site plan and landscape plan required a separate approval from the plat.
- Ben White indicated he recommended conditional approval of the site plan and landscape plan as long as the applicant fixes the outstanding items.

    - Motion to conditionally approve the site plan and landscape plat, subject to the applicant's addressing and curing or correcting the comments identified in Jacob Dupuis' letter dated April 13, 2020 made by Brain Brazil
    - 2nd to approve made by Leaca Caspari
    - All members voted in favor

D. Consider, discuss and act upon the Final Plat of the Farmersville Veterinary Addition, Lots 1 & 2, Block 1.

- Ben White stated that looking at the utility plan and what Danny Ruff, Public Works Lead, has done to locate utilities he is recommending denial until the utilities are brought to the property.
- Michael Hesse stated that if it was the wish of the Commission they could reject the plat and the applicant would have as much time they needed to correct the items before reconsideration.
- Alan Lathrom stated the Commission could disapprove the plat with conditions.

    - Motion to conditionally disapprove the Final Plat of the Farmersville Veterinary Addition, Lot, 1 & 2, Block 1, subject to the applicant addressing and curing or correcting the comments identified in Jacob Dupuis' letter dated April 13, 2020, plus providing water, sewer, and electrical easement and extensions necessary to serve the subject property made by John Klostermann
    - 2nd to approve made by Brian Brazil
    - All members voted in favor

IV. ADJOURNMENT

Meeting was adjourned at 7:04 p.m.

ATTEST:

_____
Sandra Green, City Secretary

APPROVE:

_____
Michael Hesse, Chairman

V. Adjournment