



**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION AGENDA  
REGULAR CALLED MEETING  
September 20, 2021, 6:00 P.M.  
205 S. Main St.**

**WATCH THE LIVE BROADCAST**

This meeting will be broadcast live through the City's website. 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."

**I. PRELIMINARY MATTERS**

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

**II. REORGANIZATION OF COMMISSION**

- A. Election of Chairman
- B. Election of Vice-Chairman
- C. Election of Secretary

**III. 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.

#### **IV. PUBLIC HEARING**

- A. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a variance request from Scott and Donna Justiss from Section 65-72 of the Farmersville Code and the requirement to construct an eight-inch (8") diameter water line and instead allow the applicant to construct a four-inch (4") diameter water line from the nearest connection point to provide safe domestic water service only to their property located in the W.B. Williams Survey, Sheet 2, Tract 268, Abstract 952, more commonly referred to as 1351 County Road 610, Farmersville, Collin County, Texas.
- B. Public hearing to consider, discuss and act upon text amendments to Chapter 77, "Zoning," of the Farmersville Code through the amendment of Section 77-52, "Residential Zoning District Regulations," by amending Paragraph (g) "MF-1 – Multifamily Residence-1" and Paragraph (h) "MF-2 – Multifamily Residence-2" by amending the respective Subparagraphs (3) entitled "Area, Yard and Bulk Requirements" for each of those zoning districts.
- C. Public hearing to consider, discuss and act upon an application requesting a change in zoning on approximately 5.050 acres of land, more or less, from A – Agricultural District Uses to HI – 2 - Heavy Industrial District– 2 Uses with a Specific Use Permit to allow a Concrete/Asphalt Batching (Not Temporary). The property is generally situated at 91 County Road 699, and located in the W.B. Williams Survey, Abstract A - 954, of Farmersville, Collin County, Texas.

#### **V. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

- A. Consider, discuss and act upon minutes from July 19, 2021.
- B. Consider, discuss and act upon a concept plan for Kingston Apartments.
- C. Consider, discuss and act upon a preliminary plat for Kingston Apartments.

#### **VI. 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 September 17, 2021, by 6:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

**Dated this the 17<sup>th</sup> day of September, 2021.**



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Sandra Green, TRMC  
City Secretary



## **I. Preliminary Matters**

## **II. REORGANIZATION OF COMMISSION**

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

#### **IV. PUBLIC HEARING**

- A. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a variance request from Scott and Donna Justiss from Section 65-72 of the Farmersville Code and the requirement to construct an eight-inch (8") diameter water line and instead allow the applicant to construct a four-inch (4") diameter water line from the nearest connection point to provide safe domestic water service only to their property located in the W.B. Williams Survey, Sheet 2, Tract 268, Abstract 952, more commonly referred to as 1351 County Road 610, Farmersville, Collin County, Texas..

**August 11, 2021**

**Ben White  
City Manager  
City of Farmersville  
205 S. Main  
Farmersville, TX. 75442**

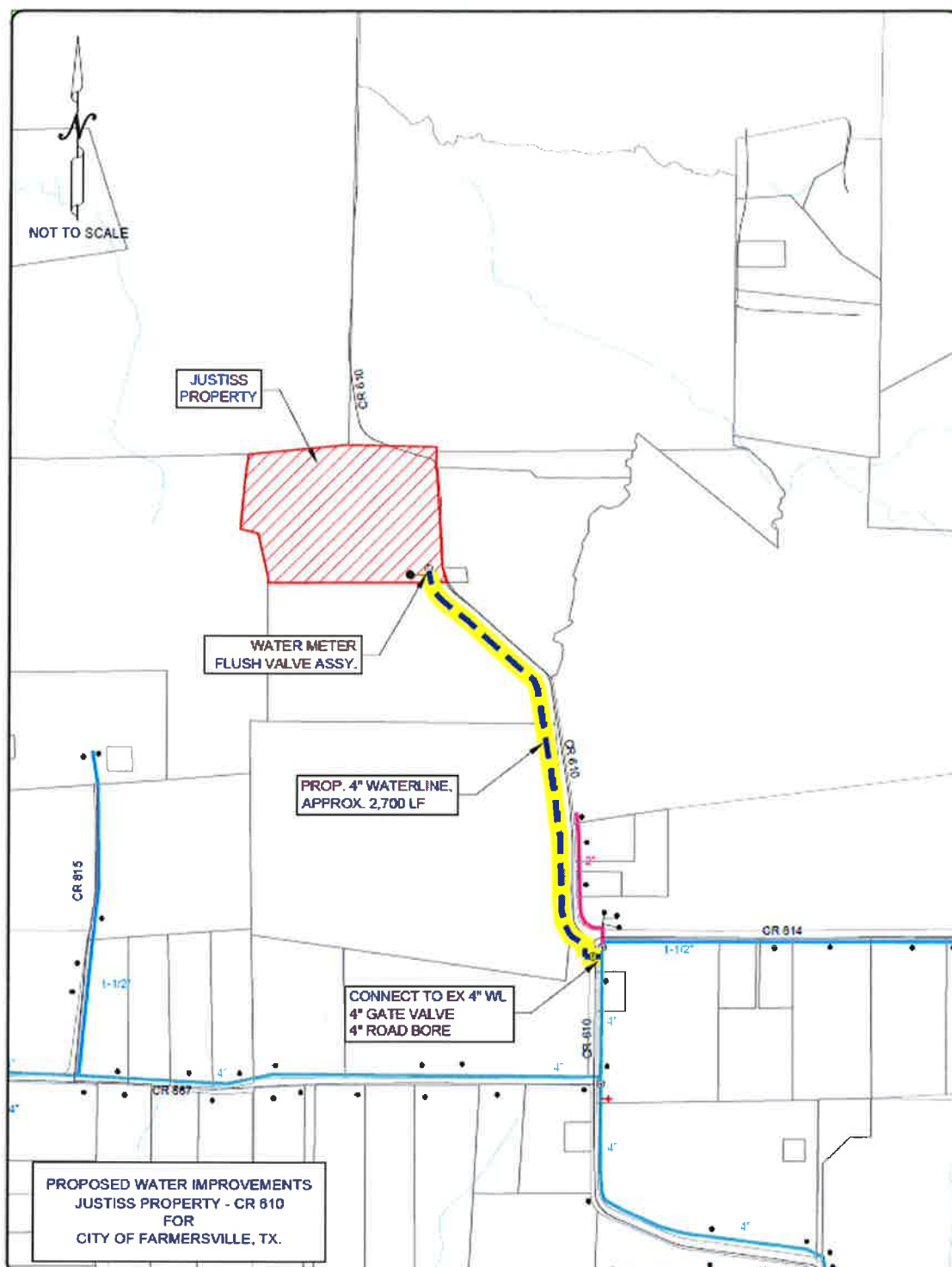
**Mr. White,**

**I'm requesting a variance from installing an 8" water line to our property located at 1351 CR610 Farmersville, TX 75442 from the end point of the current 2" waterline terminating at the south property line of Mr. Bob Collins.**

**I'm proposing installing a 4" water line starting @ the Southeast corner of CR610 & CR 814 running parallel along CR610 to the Southeast corner of our property. This would alleviate the restricting 2" water line that runs from CR 814 to Mr. Bob Collins property.**

**We appreciate your prompt consideration.**

**Scott & Donna Justiss  
6305 Flagstone Drive  
McKinney, TX. 75070  
(214)908-2364  
[s\\_justiss@yahoo.com](mailto:s_justiss@yahoo.com)**



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**Sec. 65-72. Water and wastewater requirements.**

- (a) *General requirements.* No final plat shall be approved for any subdivision within the city or its extraterritorial jurisdiction until the applicant has made adequate provision for a water system and a sanitary sewer system of sufficient capacity to adequately provide service to all tracts and lots within the area to be subdivided. The design and construction of the water system and of the sanitary sewer system to serve the subdivision shall be in conformance with the city's master plans for water and wastewater facilities and with the city's design manuals and standard construction details, and shall be approved by the city engineer (see also section 65-48).
- (b) *Size and location.* A water system with mains of sufficient size and having a sufficient number of outlets to furnish adequate and safe domestic water supply and to furnish fire protection to all lots shall be provided. Water lines shall extend to the property line to allow future connections into adjacent undeveloped property, and a box for the water meter(s) for each lot shall be installed either in the right-of-way or immediately adjacent to the right-of-way in an easement. Services for utilities shall be made available to the property line of each lot in such a manner as will minimize the necessity for disturbing the street pavement and drainage structures when connections are made.
- (c) *Fire protection.* Fire protection shall be provided in accordance with section 65-48, the city's design manuals and standard construction details manual, and any other city policy or ordinance pertaining to fire protection or suppression. The fire chief shall have the authority to approve the locations and placement of all fire hydrants and fire lanes and he or she may, at his or her discretion, modify fire hydrant spacing or fire lane placement based upon special design or distance circumstances.

(Ord. No. 2018-0508-002, § 3, 5-8-2018)

## II - WATER MAINS

In general, water mains are placed on the north and west sides of a street, as shown in the Standard Construction Details, or otherwise as directed by the City Engineer. Where applicable, line sizes will comply with the Water Distribution System Master Plan and shall be adequate to convey a fire flow. Fire flow analysis will be required on lines that are questioned by City staff. Starting pressures shall be obtained from the nearest junction node as stated in the City's Water Distribution Master Plan computer printouts or shall be provided by the City.

- A. Minimum 8-inch pipe required in residential areas.
- B. Minimum 12-inch pipe required on commercial, retail and industrial areas.
- C. The length of live water dead-end mains shall not exceed 150 feet. A 2-inch blow-off valve will be required at the end of the main.
- D. No water main shall be located closer than 5-feet from any tree or structure.
- E. Crosses shall not be used without permission from the City Engineer or authorized representative.
- F. Water Main Specifications:
  - 1) City mains shall have a minimum diameter of 8-inches, unless a larger line size is required by the Comprehensive Plan, Water Master Plan or to meet fire protection needs as determined by analysis. All water lines shall meet the requirements of AWWA and NCTCOG under the following specifications:

Line Size	NCTCOG Item	AWWA Standard	Description
8" thru 12"	2.12.20	C900 DR18	PVC
Greater than 12" Pipe	2.12.5	C301 & C303	Reinforced Concrete Cylinder Pipe
	2.12.20	C905 DR18	PVC
	2.12.8	C151 Class 50	Ductile Iron Pipe

- 2) All mains supplying fire sprinkler systems outside of utility easements shall be minimum 200-PSI working pressure and U.L. listed.

- 3) All water pipe shall be designed for a working pressure of 150-PSI unless otherwise directed by the City Engineer or authorized representative.
- G. Valves 12-inches and under shall be placed on or near street property lines not over 800 feet apart in residential, duplex and apartment districts and not over 500 feet apart in all other districts: and in such a manner as to require preferably two, but not more than three valves to shut down each City block, or as may be required to prevent shutting off more than one fire hydrant. On cross-feed mains without services, a maximum of four valves shall be used to shut down each block. Also, valves shall be placed at or near the ends of mains in such manner that a shutdown can be made for a future main extension without causing loss of service on the existing main. Main line valves shall be placed at all fire hydrant leads. The location of valves larger than 12-inches will be as approved by the City Engineer or authorized representative. Valves 12-inches and under will be Gate Valves meeting requirements of AWWA C500 or AWWA C509 (NCTCOG Item 2.13.1) with non-rising stems. Valves over 12-inches will be Butterfly Valves meeting requirements of AWWA C504 (NCTCOG Item 2.13.4). All valves over 14-inches shall be provided with a valve vault over the valve operator assembly to provide ease of access for routine maintenance.

#### H. Fire Hydrants

A sufficient number of fire hydrants shall be installed to provide hose stream protection for every point on the exterior wall of the building with the lengths of hose normally attached to the hydrants. There shall be sufficient hydrants to concentrate the required fire flow, as recommended by the publication "GUIDE FOR DETERMINATION OF REQUIRED FIRE FLOW" published by the Insurance Service Office, around any building with no hose line exceeding the distances hereinafter established and with an adequate flow available from the water system to meet this required flow. In addition, the following guidelines shall be met or exceeded:

- 1) **SINGLE FAMILY AND DUPLEX RESIDENTIAL** - As the property is developed, fire hydrants shall be located at all intersecting streets and at intermediate locations between intersections at a maximum spacing of 500 feet between fire hydrants as measured along the route that fire hose is laid by a fire vehicle.
- 2) **MULTIFAMILY RESIDENTIAL** - As the property is developed, fire hydrants shall be located at all intersecting streets and at intermediate locations between intersections at a maximum spacing of 400 feet as measured along the length of the centerline of the roadway, and the front of any structure at grade shall be no further than 500 feet from a minimum of two fire hydrants as measured along the route that a fire hose is laid by a fire vehicle.
- 3) **OTHER DISTRICTS** - As the property is developed, fire hydrants shall be located at all intersecting streets and at intermediate locations between intersections at a maximum spacing of 300 feet as measured along the length of the centerline of the roadway, and the front of any building at grade shall be no farther than 300 feet from a minimum of two fire hydrants as measured along the route that the fire hose is laid by a fire vehicle.
- 4) **PROTECTED PROPERTIES** - Fire hydrants required to provide a supplemental water supply for automatic fire protection systems shall be within 100 feet of the Fire Department connection for such system.
- 5) **BUILDINGS FIRE SPRINKLED** - An 8-inch fire line stub-out with valve shall be provided for all buildings to be sprinkled. A smaller stub-out can only be used with Fire Department approval.

- 6) Fire hydrants shall be installed along all fire lane areas as follows:
  - a. Non-Residential Property or Use
    - Within 150 feet of the main entrance.
    - Within 100 feet of any Fire Department connection.
    - At a maximum intermediate spacing of 300 feet as measured along the length of the fire lane.
  - b. Apartment, Townhouse' or Cluster Residential Property or Use
    - Within 100 feet of any Fire Department connection.
    - At maximum intermediate spacing of 400 feet as measured along the length of the fire lane.
- 7) Generally, no fire hydrant shall be located closer than 50-feet to a non-residential building or structure unless approved by the Engineering and Fire Departments.
- 8) In instances where access between the fire hydrant and the building that it is intended to serve may be blocked, extra fire hydrants shall be provided to improve the fire protection. Railroads, divided thoroughfares, expressways and blocks that are subject to buildings restricting movement, and other man-made or natural obstacles are considered as barriers.
- I. Fire Hydrant Restrictions
  - 1) All required fire hydrants shall be of the national standard 3-way breakaway type no less than 5¼-inches in size and shall conform to the provisions of the latest AWWA Standard C502 and shall be placed upon water mains of no less than 8-inches in size. Fire hydrants shall have a bury depth of five feet.
  - 2) Valves shall be placed on all fire hydrants leads. Valves shall be flanged by mechanical joint.
  - 3) Required fire hydrants shall be installed so the breakaway point will be no less than 2-inches, and no greater than 6-inches above the grade surface.
  - 4) Fire hydrants shall be located a minimum of 2-feet and a maximum of 6-feet behind the curb line, based on the location of the sidewalk. The fire hydrant shall not be in the sidewalk.

- 5) All required fire hydrants placed on private property shall be adequately protected by either curb stops or concrete posts or other methods as approved by the City Engineer and Fire Chief and shall be in easements. Maintenance of such stops or posts to be the responsibility of the landowner on which the said fire hydrant is placed.
- 6) All required fire hydrants shall be installed so that the steamer connection will face the fire lane or street, or as directed by the Fire Department.
- 7) Fire hydrants, when placed at intersections or access drives to parking lots, when practical, shall be placed so that no part of the fire truck will block the intersection or parking lot access when connections to the fire hydrant are made.
- 8) Fire hydrants, required by this article, and located on private property, shall be accessible to the Fire Department at all times.
- 9) Fire hydrants shall be located at street or fire lane intersections, when feasible.
- 10) A Blue Stimsonite, Fire-Lite reflector (or approved equal) shall be placed in the center of the drive lane on the side of the fire hydrants.
- 11) In non-residential developments an 8-inch lead will be required on all fire hydrants that are located more than 50-feet from the looped main.

- J. Four-inch mains used for hydrant supply in existing construction shall be replaced with new construction and dead-ends shall be eliminated where practical. Six-inch lines shall be connected so that not more than one hydrant will be between intersecting lines and not more than two hydrants on an eight-inch main between intersecting lines.
- K. The minimum cover to the top of the pipe must vary with the valve stem. In general, the minimum cover below the top of the street subgrade should be as follows: 6-inch and smaller, 3.5 feet; 8-inch, 4.0 feet; 12-inch, 4.5 feet to 5 feet; 16-inch, 5.0 feet to 5.5 feet. Lines larger than 16-inch shall have a minimum of 6 feet of cover, or sufficient cover to allow water and sewer and other utilities to go over the large main. Increase the cover as required for water lines to be constructed along county-type roads commonly built with a high crown about the surrounding property, to allow for future paving grade and storm sewer changes.
- L. A service with a meter box is constructed from the main to a point just behind the curb line, usually in advance of paving. The location of the meter box is at or near the center of the front of the lot to be served. On multiple apartments and business properties, the Owner or Architect usually specifies the desired size and location. Minimum requirements for water service sizes are as follows:
- 1) One-inch copper services are required to serve all residential lots including townhouse lots and patio homes. Separate services shall be provided for each of the family units.
  - 2) The size of apartment, condominium, or multi-family services will depend on the number of units served with a minimum of one meter per building.
  - 3) Fittings shall include mega-lugs and shall be polywrapped.
- M. A domestic service connection shall not be allowed on fire hydrant leads.

- B. Public hearing to consider, discuss and act upon text amendments to Chapter 77, "Zoning," of the Farmersville Code through the amendment of Section 77-52, "Residential Zoning District Regulations," by amending Paragraph (g) "MF-1 – Multifamily Residence-1" and Paragraph (h) "MF-2 – Multifamily Residence-2" by amending the respective Subparagraphs (3) entitled "Area, Yard and Bulk Requirements" for each of those zoning districts.

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**Sec. 77-52. Residential zoning district regulations.****(a) A — Agricultural.**

- (1) *Purpose.* The A district is primarily intended to accommodate agricultural uses, such as the keeping of livestock, dairy farming, pasturage and horticulture and the incidental uses necessary to support agricultural activities. It is anticipated that all A districts will be changed to other zoning classifications as the city proceeds toward full development.
- (2) *Permitted uses.* See section 77-46, Schedule of Permitted Uses for a complete listing.
- (3) *Area, yard and bulk requirements.*

Description		Requirements
Minimum Lot Area		2 acres
Minimum Lot Width		150 feet
Minimum Lot Depth		250 feet
Minimum Front Yard		40 feet
Minimum Side Yard	<i>Interior Lot</i>	20 feet
	<i>Corner Lot</i>	See section 77-63
Minimum Rear Yard		10 feet
Maximum Lot Coverage		20%
Maximum Height		Two stories, 40 feet
Minimum Floor Area per Dwelling Unit		750 square feet

- (4) See article IV, Development standards, for additional requirements and exceptions.

**(b) ED — Estate Development.**

- (1) *Purpose.* The ED district is intended primarily for the development of semi-rural, low density, single-family residential detached development and in areas where topography and/or utility capacities limit the use of the land.
- (2) *Permitted uses.* See section 77-46, Schedule of permitted uses for a complete listing.
- (3) *Area, yard and bulk requirements.*

Description		Requirements
Minimum Lot Area		One acre
Minimum Lot Width		150 feet
Minimum Lot Depth		200 feet
Minimum Front Yard		40 feet
Minimum Side Yard	<i>Interior Lot</i>	10% of lot width; minimum 15 feet
	<i>Corner Lot</i>	See section 77-63
Minimum Rear Yard		10 feet
Maximum Lot Coverage		20%
Maximum Height		Two stories, 40 feet
Minimum Floor Area per Dwelling Unit		750 square feet

- (4) See article IV, Development standards, for additional requirements and exceptions.

**(c) SF-1 — Single Family Dwelling-1.**

- (1) *Purpose.* The SF-1 district is primarily intended to provide for single-family development on large lots, in addition to religious facilities, schools and other institutional uses. The SF-1 district may also serve as a transitional zone between the ED district and urban uses or activities.
- (2) *Permitted uses.* See section 77-46, Schedule of permitted uses for a complete listing.
- (3) *Area, yard and bulk requirements.*

Description		Requirements
Minimum Lot Area		12,000 sq. ft.
Minimum Lot Width		80 feet
Minimum Lot Depth		125 feet
Minimum Front Yard		30 feet
Minimum Side Yard	<i>Interior Lot</i>	10% of lot width; minimum 10 feet
	<i>Corner Lot</i>	See section 77-63
Minimum Rear Yard		10 feet
Maximum Lot Coverage		40%
Maximum Height		Two stories, 35 feet
Minimum Floor Area per Dwelling Unit		750 square feet

- (4) See article IV, Development standards, for additional requirements and exceptions.
- (d) *SF-2 — Single Family Dwelling-2.*
- (1) *Purpose.* The SF-2 district is primarily intended to provide for single-family development on medium-sized lots, in addition to religious facilities, schools and other institutional uses.
  - (2) *Permitted uses.* See section 77-46, Schedule of permitted uses for a complete listing.
  - (3) *Area, yard and bulk requirements.*

Description		Requirements
Minimum Lot Area		7,200 sq. ft.
Minimum Lot Width		60 feet
Minimum Lot Depth		100 feet
Minimum Front Yard		30 feet
Minimum Side Yard	<i>Interior Lot</i>	10% of lot width; minimum 6 feet
	<i>Corner Lot</i>	See section 77-63
Minimum Rear Yard		10 feet
Maximum Lot Coverage		45%
Maximum Height		Two stories, 35 feet
Minimum Floor Area per Dwelling Unit		750 square feet

- (4) See article IV, Development standards, for additional requirements and exceptions.
- (e) *SF-3 — Single Family Dwelling-3.*
- (1) *Purpose.* The SF-3 district is primarily intended to provide for single-family development on smaller lots, in addition to religious facilities, schools and other institutional uses.
  - (2) *Permitted uses.* See section 77-46, Schedule of permitted uses for a complete listing.
  - (3) *Area, yard and bulk requirements.*

Description		Requirements	
Minimum Lot Area		Single-family (detached)	5,000 sq. ft.
		Zero lot line	4,000 sq. ft.
		Single-family (attached)	2,500 sq. ft.
Minimum Lot Width		Single-family (detached)	50 feet
		Zero lot line	50 feet
		Single-family (attached)	25 feet
Minimum Lot Depth		Single-family (detached)	90 feet
		Zero lot line	80 feet
		Single-family (attached)	100 feet
Minimum Front Yard		25 feet	
Minimum Side Yard	Interior Lot	Single-family (detached)	5 feet
		Zero lot line	0 feet on one side and 10 feet on other side
		Single-family (attached)	N/A
	Corner Lot	15 feet	
Minimum Rear Yard		10 feet	
Maximum Lot Coverage		Single-family (detached)	50%
		Zero lot line	55%
		Single-family (attached)	65%
Maximum Height		Two stories, 35 feet	
Minimum Floor Area per Dwelling Unit		750 square feet	

(4) See article IV, Development standards, for additional requirements and exceptions.

(f) **2F — Two Family Residence (Duplex).**

(1) **Purpose.** The 2F district is primarily intended to provide for areas of two-family development that are consistent in design and in development patterns with typical single-family detached development. This district may provide a transitional zone between lower density residential areas and higher density or non-residential areas.

(2) **Permitted uses.**

- a. See section 77-46, Schedule of permitted uses for a complete listing.
- b. Single family residential, zero lot line, and townhome development shall comply with the standards set forth in the SF-3 District.

(3) **Area, yard and bulk requirements.**

Description		Requirements	
Minimum Lot Area		8,000 sq. ft.	
Minimum Lot Width		70 feet	
Minimum Lot Depth		100 feet	
Minimum Front Yard		25 feet	
Minimum Side Yard	Interior Lot	10% of lot width; minimum 5 feet	
	Corner Lot	See section 77-63	
Minimum Rear Yard		15 feet	
Maximum Lot Coverage		50%	
Maximum Height		Two stories, 35 feet	

Minimum Floor Area per Dwelling Unit	750 square feet
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(4) See article IV, Development standards, for additional requirements and exceptions.

**(g) MF-1 — Multifamily Residence-1.**

(1) *Purpose.* The MF-1 district is primarily intended to accommodate condominiums and apartments at medium densities with usable open space and landscaping. MF-1 districts should be located along or near major thoroughfares and should not have principal access to standard residential streets.

(2) *Permitted uses.*

- a. See section 77-46, Schedule of permitted uses for a complete listing.
- b. Single family residential, zero lot line, townhome, and duplex development shall comply with the standards set forth in the SF-3 and 2F Districts.

(3) *Area, yard and bulk requirements.*

Description		Requirements
Minimum Lot Area		7,500 sq. ft. (1—3 dwelling units)
		1,500 sq. ft. each additional dwelling unit
Minimum Lot Width		70 feet
Minimum Lot Depth		120 feet
Minimum Front Yard		25 feet
Minimum Side Yard	<i>Interior Lot</i>	8 feet
	<i>Corner Lot</i>	15 feet
Minimum Rear Yard		15 feet
Maximum Lot Coverage		50%
Maximum Height		Three stories, 45 feet
Minimum Floor Area per Dwelling Unit	Studio	500 sq. ft.
	1 bedroom	600 sq. ft.
	2 bedroom	900 sq. ft.
	Each additional bedroom	150 sq. ft.
Maximum Residential Density		18 units per gross acre

(4) See article IV, Development standards, for additional requirements and exceptions.

**(h) MF-2 — Multifamily Residence-2.**

(1) *Purpose.* The MF-2 district is primarily intended to accommodate condominiums and apartments at higher densities and taller heights in a park-like setting with usable open space and landscaping. MF-2 districts should be located along or near major thoroughfares and should not have principal access to standard residential streets.

(2) *Permitted uses.*

- a. See section 77-46, Schedule of permitted uses for a complete listing.
- b. Single family residential, zero lot line, townhome, and duplex development shall comply with the standards set forth in the SF-3 and 2F Districts.

(3) *Area, yard and bulk requirements.*

Description	Requirements
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Minimum Lot Area		7,500 sq. ft. (1—3 dwelling units)
		1,500 sq. ft. each additional dwelling unit
Minimum Lot Width		70 feet
Minimum Lot Depth		120 feet
Minimum Front Yard		25 feet
Minimum Side Yard	<i>Interior Lot</i>	8 feet
	<i>Corner Lot</i>	15 feet
Minimum Rear Yard		15 feet
Maximum Lot Coverage		50%
Maximum Height		Four stories, 55 feet
Minimum Floor Area per Dwelling Unit	Studio	500 sq. ft.
	1 bedroom	600 sq. ft.
	2 bedroom	900 sq. ft.
	Each additional bedroom	150 sq. ft.
Maximum Residential Density		24 units per gross acre

(4) See article IV, Development standards, for additional requirements and exceptions.

(Ord. No. 2018-0508-001, § 3, 5-8-2018)



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
For  
June 8, 2021, 6:00 P.M.**

**I. PRELIMINARY MATTERS**

- Mayor Wiebold called the meeting to order at 6:00 p.m. Council members Craig Overstreet, Ted Wagner, Lance Hudson, Terry Williams and Mike Henry were in attendance. City staff members Ben White, Sandra Green, Rick Ranspot, Kim Morris, Marsha Phillips, Charles Kirk, Daphne Hamlin and City Attorney Alan Lathrom were also present.
- Prayer was led by Craig Overstreet followed by the pledges to the United States and Texas flags.
  - Announcements
    - Calendar of upcoming holidays and meetings.
    - Applications for Boards and Commissions are now being accepted. An application can be downloaded on the website or picked up at City Hall.

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

- Marty Paul Garza who runs a business at 206 McKinney Street addressed Council regarding the Chamber of Commerce markets. He stated the markets have been great for his business and during the times of the market his business sales increase.
- Donna Williams who resides at 1985 State Highway North addressed Council regarding the markets. She said since the Chamber of Commerce took over the markets her sales have increased on those days. She said the biggest complaint she hears, and not just on market days, is about the lack of parking downtown.
- Allison Mathers who lives at 109 College Street stated she was on the Main Street Board at one time and she went to the training in Georgetown. She said

when she was on the board she tried to implement the way the State of Texas Historical Program said they should operate and to include economic development. She said the state of the Main Street Board and the program is sad today. She explained there have been three Main Street Manager's in three years and there is obviously a problem. She said she does not feel 4B should fund the position if they cannot keep someone employed as the Main Street Manager.

- Diane Piwko who resides and owns a business at 200 McKinney Street stated she has been fighting code compliance battles since August of last year. She said she had submitted a complaint to the Police Department that an illegal sign had been erected downtown. She stated now there are several illegal signs in the downtown area, and many of them did not receive permits. She said there is a clause in the sign ordinance that states if the city issues a permit in error the permit can be revoked and it would be the responsibility of the business owner to correct the noncompliance. She said they spent ten years trying to get the historical designation and the signs are taking away from the historical aspects of the downtown. She explained she does not feel the sign ordinance needs to be changed for a few when it has been working up to this point.
- Marry Berry who lives at 404 Haughton explained she owns a business downtown and she is concerned about parking. She said the Chamber of Commerce markets are detrimental to her business because her patrons and students have nowhere to park. She said some have called and told her there was nowhere to park so they just went home instead of attending her class. She explained at one point the city had a very effective Main Street Manager. She said one of the things the Main Street Manger needs to do is to find a way to bring additional businesses to town and get rid of the spaces that are currently being used for storage downtown. She said she would like to see a powerful Main Street Manager.
- Elise Bobitt who resides at 207 Summit Street stated there are a lot of developmental opportunities right now and they are not only looking for a Main Street Manager, but someone to run other developmental efforts. She said she feels they are missing opportunities and suggested a small of group of 4A, 4B, Main Street and City Council meet together to come up with a way to pull their resources together to get someone with the powerful representation that is needed. She said the structure of who they report to and who pays them needs to be considered so they are not reporting to three different people or boards.

### **III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

- No one came forward to speak.

#### IV. 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. City Council Minutes
- B. Public Works Report
- C. City Manager's Report
  - o Motion to approve made by Mike Henry
  - o 2<sup>nd</sup> was made by Terry Williams
  - o All council members voted in favor

#### V. INFORMATIONAL ITEMS

These Informational Items are intended solely to keep the City Council apprised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members who serve as a liaison to a particular board or commission may report to the City Council regarding that body's most recent and/or upcoming meetings and activities. Council members may also 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. **Matters that require City Council action shall be considered and acted on only if an item related thereto is included in the Consent Agenda or the Regular Agenda.**

Consideration and discussion regarding the following matters, minutes and reports, which consideration and discussion may also include or pertain to individual items and projects set forth in such matters, minutes and reports, as well as related background information and plans for future completion, performance or resolution as may be necessary to understand such individual items and projects and the City's related operation:

- A. City Amenities Board
  - 1. Minutes
  - 2. Possible Council Liaison Report

- B. Farmersville Community Development Board (Type B)
  - 1. Possible Council Liaison Report
- C. FEDC Farmersville Economic Development Board (Type A)
  - 1. Possible Council Liaison Report
- D. Main Street Board
  - 1. Possible Council Liaison Report
- E. Parks & Recreation Board
  - 1. Possible Council Liaison Report
- F. Planning & Zoning Commission
  - 1. Possible Council Liaison Report
- G. TIRZ Board
  - 1. Possible Council Liaison Report
- H. City Manager's Verbal Report
  - Update on Collin Parkway and Farmersville Parkway
    - Ben White stated we have had a lot of rain that has not allowed us to work on the project. He said the next step is to put the lime on the ground for the road, but there is too much moisture on the ground right now. He explained there is some work taking place on the signal light.
    - Craig Overstreet stated August 21<sup>st</sup> was the contractual end date for the project and wanted to know if that was something that Ben White and the City Attorney came up with.
    - Ben White said he spoke to the city engineer and received the contractual end date from him, but he would be happy to have Alan Lathrom look at the contract as well.
    - Craig Overstreet stated the road should be the highest priority the city has.
  - Update on the permit for Nelson Bros. Concrete
    - Ben White stated they have not applied for rezoning at this point and the property is still zoned AG – Agricultural. He said they were originally waiting on the transfer of ownership before applying for rezoning. He stated Tony Strickland is no longer working for Nelson Bros. at this time, but he has a meeting scheduled with the new representative next week.

- Craig Overstreet explained the development agreement is not being followed. They have had three ownership changes for the property and we put in a water line for them. He said we are not even sure if the city is receiving sales tax at this point because of the ownership change. He said none of it is acceptable and we should be checking to see if they are paying sales taxes to the city.
- Update on boundary agreements
  - Ben White stated Mayor Holt from the City of Josephine indicated they were not going to approve a boundary agreement at this time because they have a split Council. He said Caddo Mills is next on the list and he will approach them, but there is a chance they will not even touch the future city boundary. He explained the City of Blue Ridge has rejected the boundary agreement.

## **VI. REGULAR AGENDA**

- A. Presentation by Kevin Meguire regarding the activities and status of the Chamber of Commerce.
  - Kevin Meguire went over a Power Point presentation and explained how the Chamber of Commerce is growing and how the different events, Lisa Crowder and Lisa Eastman, the markets and the volunteers have contributed to the success of the Chamber.
- B. Consider, discuss and act upon Resolution #R-2021-0608-001 regarding submission of an application to become a Reservation System Participant for "Home" funds with the Texas Department of Housing and Community Affairs.
  - Ben White explained this would be a great resolution to have in regards to the home renovation program the city is considering. He said it is for reconstruction projects, and not for remodeling and explained it would be to help low income individuals that own their home to demo and rebuild a better structure. He said there could not be any liens on the property, except a mortgage, and no taxes could be owed. He explained the city would have to match \$40,000 and that would be reimbursable, except for approximately \$6,000. He stated the grant could not support anything more than \$150,000 and he does not know if the program will increase that amount in the future. He stated he is concerned that citizens would not get a quality structure for \$150,000.
  - Mike Henry stated he read in the resolution and understood it was also for the rehabilitation of homes.

- Ben White stated the Texas Program would only allow reconstruction. He said he does not think having the wording for rehabilitation of the house in resolution would hurt anything in case the state changed the program in the future.
- Terry Williams asked if we knew of any other cities that were using the grant program.
- Ben White stated our grant writer, Charles Edwards, indicated it has been used in Paris, Texas, but he just thought it might be something we would like to consider.
- Lance Hudson said his only concern would be what type of house could be built for \$150,000, especially with the material costs right now.
- Ben White stated the total project cost has to run through the city. He feels it would be hard to build a quality structure in the environment today for \$150,000.
- Craig Overstreet asked how the \$40,000 would be reimbursable.
- Ben White stated there are components of it that would be reimbursable. However, the parts that are not reimbursable, approximately \$6,000 could be done in-kind. He said we could do that by waiving permit fees and other similar things. He stated when the house is rebuilt, the ad valorem would increase on the property as well.
  - Motion to table until it can be studied more made by Craig Overstreet
  - 2<sup>nd</sup> was made by Lance Hudson
  - All council members voted in favor

C. Consider, discuss and act upon recommendations for city audit services.

- Ben White stated he and Daphne Hamlin have been working on the Request for Qualification's (RFQ) for city audit services. It was placed on the website, placed in the newspaper and Daphne Hamlin personally invited several firms to send in qualifications. He said the city goes out for qualifications every five years. He explained two companies responded to the RFQ, and the review committee scored them and is recommending BrooksWatson & Co., PLLC for the city auditor.
- Craig Overstreet stated he feels a five year contract is too long. He said he feels that if the contract is too long people could get comfortable working together and it would not be productive for the city. He said a new partner of the firm may have to conduct the audit instead of the same people all the time.
- Mike Henry agreed that five years is too long and switching things up keeps people honest.
- Sandra Green read from the RFQ and it stated the contract for audit services based upon City Council approval of the proposal will be for the fiscal year ending September 30, 2020 through September 30, 2021. Following satisfactory delivery of the services specified in the proposal and engagement letter, the City may, at its option, request to

extend the agreement for up to three (3) additional one-year terms through fiscal year ending September 30, 2024.

- Alan Lathrom stated the contract would be for an initial one year term and then three additional terms. He said that also limits it to where you can only fund one year at a time because you cannot enter into a contract that is not funded.
- Mike Henry and Craig Overstreet stated they would like the contract for audit services to come back to them every year for review.
  - Motion to approve BrooksWatson & Co., PLLC with an annual revisit of contract made by Lance Hudson
  - 2<sup>nd</sup> was made by Terry Williams
  - All council members voted in favor

D. Discussion of matters relating to code enforcement.

- Ben White explained that when the Covid pandemic hit last year code enforcement activity stopped. At that time, Karen Dixon was our Code Enforcement Officer and she was with the Police Department. He said Charles Kirk was hired as the Building Inspector and Code Enforcement Officer and activity has been going up the last few months. He stated the focus has been on quality, not quantity. He indicated that some citizens have shown a willingness to work with the city and as time goes on Council should see more activity.
- Terry Williams asked if we are relying on people complaining or Charles Kirk going out and targeting areas of the city.
- Ben White stated it is not all complaint driven.
- Terry Williams asked how much of his time is dedicated to building inspections compared to code enforcement.
- Ben White stated in the fall inspections were almost full time, but over the last few weeks he has taken on more code enforcement.
- Lance Hudson asked if he also does plan review.
- Ben White explained he does plan review and inspects buildings and infrastructure.
- Lance Hudson asked if Ben White saw a time when a full time code enforcement officer would be hired.
- Ben White stated as the city grows there will be another full time person hired. He said he believes a new software program would help Charles Kirk be more efficient.
- Ted Wagner said he has lived in the city for seven years and sees the same code issues that were here seven years ago. He believes the areas that are entry ways to the city should be addressed first.
- Ben White stated there are times we will issue a ticket and the owner will comply, but then the violation occurs again. He explained he wanted Charles Kirk to work with people to get the issues resolved.

- Ted Wagner asked if the city needed someone part-time to help Charles Kirk.
- Charles Kirk stated he is busy and has a lot of hats to wear. He said everyone in the city needs help right now. He explained he just needs time to complete the work and indicated new software would help him become more efficient. He indicated the city needs to bring in more money so more staff can be hired.
- Mayor Wiebold asked what the cost of citations generally are.
- Charles Kirk stated \$200 to \$500.
- Ben White explained that appeals on tickets could be thrown out at Collin County and then the city has no teeth. The only thing to do at that point is a law suit against the citizen which would involve more costs. He said in the long run it benefits us to work with people without the tickets and the fines.
- Mayor Wiebold stated as a city we need to start a narrative about the beautification of our town and using volunteers can help. He said the city has to set the standard of what the town to be.
- Craig Overstreet said we can have all the laws and all the ordinances, but if we do not enforce them it will not matter.
- Terry Williams said we need to work on McKinney Street and Main Street because that is how people come into the city. He stated if we need to get volunteers then that is what we need to do.
- Craig Overstreet said he is not happy with what is happening with code enforcement. He said we are not enforcing the ordinances.
- Ben White suggested that we revisit this in a month to see if Council likes the direction staff is taking.

**E. Discussion and possible direction of matters related to zoning standards and regulations for MF-1 - Multifamily Residence – 1 and MF – 2 -Multifamily Residence – 2.**

- Mike Henry suggested the following for MF-2 – Multifamily Residence-2:
  - Height from four stories max to three stories max
  - Reducing it down to 18 units per acre instead of 24

He also, suggested the following for MF-1 – Multifamily Residence-1:

- Height from three stories max to two stories max
  - Reducing it down to 12 units per acre instead of 18
- Sandra Green stated they would have to send the recommendation to the Planning & Zoning Commission and it would require notice and public hearings before it could be heard.
- Council agreed to send it back down to P&Z for review.

- F. Discussion and possible direction regarding duties, funding and supervision of the Main Street Manager position.
- Mike Henry asked if this topic has gone before 4B yet to approve the expenditure of a Main Street Manager.
  - Ben White stated it is already in their budget and they are about to start the new budget process. He said in the past the City Manager goes through the applications and then chooses a candidates to interview and includes a representative from the Main Street Board and 4B to be on the interview panel.
  - Mike Henry recommended that City Council have a representative involved in the interview process to ensure they are hiring the type of person we want in that position.
  - Craig Overstreet stated he thought it would be wise because there are several moving parts in the Main Street Manager position. He said the current process of hiring a Main Street Manager is not working. He said that some businesses claim they have never seen a Main Street Manager in the past several years.
  - Bryon Wiebold stated the two previous Main Street Managers had health issues that would hurt their performance. He said he is a huge believer in the Main Street Program and it is critical to find the right person for the job. They will need a detailed job description that lines up with the national and state level Main Street Program.
  - Ben White explained people apply and the City Manager reviews the applications with staff and then runs the qualified applicants before the 4B member and Main Street member. He said with the last three mangers that were hired the review team agreed on the person that was hired. He asked if Council was wanting the review team to be a member of 4B, a member of the Main Street Board and a representative from Council.
  - Craig Overstreet said he believes there are too many people involved. The Main Street Manager has to report to several people and it has not been successful in the past doing it that way.
  - Ben White stated the position in the past has reported to him. He extended the interview process to Main Street and 4B because they needed to be included in the process. He explained he wished the whole program was funded through the city.
  - Craig Overstreet said it is not fair for someone to come into the job the away it is set up.
  - Ben White stated the setup has created conflict and we cannot seem to get over that. He said if the city made the hire we would not have the conflict and jealousy between the city and 4B.
  - Mayor Wiebold asked why there is jealousy between 4B and the city because it all comes from tax money.
  - Ben White said since 4B is paying for the employee they believes it should be done a different way.

- Craig Overstreet stated he believes we should go out for introspective before we start accepting applications for the Main Street Manager position.
- Mayor Wiebold stated he is perplexed that people are upset or angry that they do not have complete control over the Main Street Manager. We are all working toward the same goal. Everybody has to do what is best for the city.
- Mike Henry stated a lot of the problem is lack of communication. If we all just understood everyone's role then it should be fine.
- Mayor Wiebold stated we are going to hold off on applications until we revisit this in the future.
- Council decided they wanted to hold a joint meeting with the Main Street Board and 4B to discuss the position.

## **VII. EXECUTIVE SESSION**

- Mayor Wiebold stated the Council would go into executive session at 7:59 p.m. to discuss the following:

DISCUSSION OF MATTERS PERMITTED BY TEXAS GOVERNMENT  
CODE CHAPTER 551 AS FOLLOWS:

### **A. SECTION 551.074, DELIBERATION REGARDING PERSONNEL MATTERS AS FOLLOWS:**

1. Discussion regarding the job performance and compensation/benefits package of the City Manager.

## **VIII. RECONVENE FROM EXECUTIVE SESSION**

- Mayor Wiebold stated the Council would reconvene from executive session at 8:51p.m.

## **IX. DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

- A. Any matters related to and arising out of the discussion of the job performance and compensation/benefits package of the City Manager.
  - Motion to direct Council to revise the City Manager's contract and bring it back to a future meeting for review made by Mike Henry.
  - 2<sup>nd</sup> was made by Lance Hudson
  - All council members voted in favor


**X. REQUESTS TO BE PLACED ON FUTURE AGENDAS**

- Mike Henry wanted an update on when they would hold a joint meeting with 4B and the Main Street Board.
- Terry Williams wanted an update on the gazebo located on McKinney Street, discuss parking downtown and discuss vacant buildings downtown being used for storage and what we need to do to get business in those locations.
- Craig Overstreet wanted an update on Collin Parkway and an update on the Development Agreement with Nelson Bros. Ready Mix.


**XI. ADJOURNMENT**

Meeting was adjourned at 8:53 p.m.

APPROVE:

  
Bryon Wiebold, Mayor

ATTEST:

  
Sandra Green, TRMC  
City Secretary



- C. Public hearing to consider, discuss and act upon an application requesting a change in zoning on approximately 5.050 acres of land, more or less, from A – Agricultural District Uses to HI – 2 - Heavy Industrial District– 2 Uses with a Specific Use Permit to allow a Concrete/Asphalt Batching (Not Temporary). The property is generally situated at 91 County Road 699, and located in the W.B. Williams Survey, Abstract A - 954, of Farmersville, Collin County, Texas.



## DEVELOPMENT APPLICATION

- ☐ Preliminary Plat  
☐ Amended Plat  
☐ Concept Plan  
☐ Annexation

- ☐ Final Plat  
☐ Minor Plat  
☐ Specific Use Permit

- ☐ Replat  
☐ Development Plat  
☐ Site Plan  
☒ Rezoning

### Fees:

A retainer fee of \$1,000.00 is required for submittal. Once the plans have been reviewed the money will be refunded back to the applicant if all the \$1,000.00 is not used and will be billed if the amount exceeds the initial \$1,000.00. (Note: All engineering inspection fees will be billed at the time of service.)

The application fee of \$1,000.00, to be paid to the City of Farmersville, is enclosed with this application.

### A. Description of Property

1. Addition Name NELSON BROS. READY MIX ADDITION  
2. Total Acreage 5.05  
3. Current Zoning Classification(s) AGRICULTURAL  
4. Proposed Zoning Classification(s) HEAVY INDUSTRIAL -II  
5. Total Number of Lots, by Type 1  
6. Proposed Use of Property CONCRETE BATCH PLANT OPERATIONS, BY SUP  
7. Location of Property 91 COUNTY ROAD 699  
8. Geographic (Tax) ID Number R-6954-00-0350-01 PROP ID#: 2780292

### B. Applicants: (List those persons you wish to be contacted about this request.) **PLEASE PRINT**

1. Owner R O PROPERTIES, LTD.  
Address P O BOX 338  
City, State, Zip LEWISVILLE, TX 75067  
Phone 972-436-9800  
Email D. SHUFFIELD@HBREADYMIX.COM
2. Applicant/Representative THOMAS A. EYEINGTON, JR PE  
Address 3912 JULIAN ST  
City, State, Zip KELLER TX 76244  
Phone 817-360-0750  
Email thomas.eyington.pe@verizon.net

- C Variance Request: ☐ Yes ☒ No If yes, describe: SUP TO BE SUBMITTED

"I hereby certify that I am the owner, or duly authorized agent of the owner for the purposes of this application, of the property herein described, that all information submitted herein is true and correct."

Applicant/Owner:

Date:

7/22/2021



20210604001140170 06/04/2021 04:08:04 PM D1 1/4  
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON,  
YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING  
INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN  
REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS:  
YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: June 4, 2021

Grantor: Listocon Group, LLC, a Texas limited liability company

Grantee: RO Properties, Ltd., a Texas limited partnership

Grantee's Mailing Address:

PO Box 338  
Lewisville, TX 75067

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and  
sufficiency of which are hereby acknowledged.

Property (including any improvements):

See attached Exhibit "A"

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

See Exhibit "B" attached hereto and incorporated herein by this reference. Grantee is responsible  
for payment for taxes for the year 2021 and subsequent years only.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the  
Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with  
all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to  
Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs  
and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs,  
successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any  
part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and  
Warranty.

When the context requires, singular nouns and pronouns include the plural.

Listocon Group, LLC, a Texas limited liability company

By: [Signature]  
Walter A Huerta, member and director

By: [Signature]  
Augusto Huerta Jr., member and director

STATE OF TEXAS )

COUNTY OF DENTON )

This instrument was acknowledged before me on June 4, 2021, by Walter A Huerta and Augusto  
Huerta Jr., as members and directors of of Listocon Group, LLC, a Texas limited liability company,  
on behalf of said limited liability company.



Notary Public, State of Texas  
My commission expires: 01/20/2024

PREPARED IN THE OFFICE OF:  
BLACK MANN & GRAHAM LLP  
2905 Corporate Circle  
Flower Mound, TX 75028

MAIL TAX PAYMENTS TO:  
AFTER RECORDING RETURN TO:

RO Properties, Ltd.  
PO Box 338  
Lewisville, TX 75067

2118NBR FOR CITY APPROVAL REV.0	
NO.	DATE
1	12/20/2021
2	12/20/2021
3	12/20/2021
4	12/20/2021
5	12/20/2021
6	12/20/2021
7	12/20/2021
8	12/20/2021
9	12/20/2021
10	12/20/2021
EYEINGTON ENTERPRISES, INC. APPLIED ENGINEERING AND DESIGN SOLUTIONS ONE HENNINGMAN PARKWAY SUITE 100 KELLER, TEXAS 75424 THOMAS A. EYEINGTON, JR., P.E. V. EIT 17177 1984-07-15/2021	
FILE ZONING CASE SUBMITTAL	
DANIEL J. H. 12/20/2021 JAMES M. 12/20/2021 JAMES M. 12/20/2021 JAMES M. 12/20/2021 JAMES M. 12/20/2021	
RO PROPERTIES, LTD WARRANTY DEED NELSON BROS. READY MIX 91 CO ROAD 899 FARMERSVILLE, TX	
2 OF 3	

File No: 1230660

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

File No.: 1230660

Page 1 of 1

## EXCEPTIONS TO CONVEYANCE AND WARRANTY

1. Right of Way Easement dated July 16, 1970, from Glynn Dodson and Mary L. Dodson to Hopewell Water-Supply Corporation, recorded in Volume 766, Page 502 of the Deed Records of Collin County, Texas.
2. Easement dated October 25, 1996, from William E. Wray and Kenneth U. Sims to County of Collin, recorded under County Clerk's File No. 96-098597 of the Real Property Records of Collin County, Texas.
3. Development Agreement dated January 23, 2018, with the City of Farmersville, Texas, recorded under County Clerk's File No. 20180403000409470 of the Real Property Records of Collin County, Texas, being amended and restated by instruments, recorded under County Clerk's File No. 20181130061464790, 20181227001563910 and 20190328000327510 of the Real Property Records of Collin County, Texas, together with all terms, provisions, stipulation rights, reservations and restrictions contained therein.
4. Terms, conditions and stipulations set forth and evidenced in Ordinance #0-2019-0611-001 by the City of Farmersville, relating to annexation of 5.050 acre tract of land, filed for record on July 23, 2019, recorded under County Clerk's File No. 20190723000867350 of the Real Property Records of Collin County, Texas.
5. Minerals and/or royalties, boussois, rentals and all other rights in connection with same as set forth in deed dated December 29, 1958, recorded in Volume 546, Page 418, Deed Records of Collin County, Texas.
6. Oil, Gas and Mineral Lease dated May 27, 1952, recorded in Volume 454, Page 114 of the Deed Records of Collin County, Texas.
7. Oil and Gas Lease dated April 28, 1952, recorded in Volume 459, Page 315 of the Deed Records of Collin County, Texas.
8. Oil, Gas and Mineral Lease dated August 11, 1979, recorded in Volume 1208, Page 575 of the Deed Records of Collin County, Texas.



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
06/04/2021 04:08:04 PM  
\$38.00 ALLASEK  
202106040011-0170

3 OF 3	LEGAL DESCRIPTION EXHIBIT "A" & EXCEPTIONS TO CONVEYANCE AND WARRANTY EXHIBIT "B" NELSON BROS. READY MIX 91 CO ROAD 899 FARMERSVILLE, TX	CONFIDENTIAL THIS DOCUMENT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE IN THE MARGINS OF THIS DOCUMENT. DATE 07/23/2021 BY 60322/UC/BAW	ORDER BY NELSON BROS. READY MIX DATE 12/22/2021 PHILIP KUTCHEROW N/A	FOR ZONING CASE SUBMITTAL THOMAS A. EYEINGTON & P.C. 315 JULIAN STREET SUITE 106 AUSTIN, TEXAS 78705-5421 T 512.343.8434 F 512.343.8518 E TAEYE@EYEINT.COM W WWW.EYEINT.COM	EYEINGTON ENTERPRISES, INC. APPLIED ENGINEERING AND DESIGN SOLUTIONS 15000 WINDYBROOK DRIVE HOUSTON, TEXAS 77060-2821	NO. DATE DESCRIPTION OF REVISION 1 7/23/2021 FOR REVIEW ONLY 2 7/23/2021 FOR REVIEW ONLY 3 7/23/2021 FOR CITY APPROVAL 4 7/23/2021 FOR CITY APPROVAL	21188181 FOR CITY APPROVAL, REV 0
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Farmersville  
DISCOVER A TEXAS TREASURE

## DEVELOPMENT APPLICATION

- ☐ Preliminary Plat  
☐ Amended Plat  
☐ Concept Plan  
☐ Annexation

- ☐ Final Plat  
☐ Minor Plat  
☒ Specific Use Permit

- ☐ Replat  
☐ Development Plat  
☐ Site Plan  
Rezoning

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The application fee of \$1,000.00, to be paid to the City of Farmersville, is enclosed with this application.

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4. Proposed Zoning Classification(s) HEAVY INDUSTRIAL -II  
5. Total Number of Lots, by Type 1  
6. Proposed Use of Property CONCRETE BATCH PLANT OPERATIONS, BY SUP  
7. Location of Property 91 COUNTY ROAD 699  
8. Geographic (Tax) ID Number R-6954-00-0350-01 PROP ID#: 2780292

### B Applicants: (List those persons you wish to be contacted about this request.) **PLEASE PRINT**

1. Owner R O PROPERTIES, LTD.  
Address PO BOX 338  
City, State, Zip LEWISVILLE, TX 75067  
Phone 972-436-9800  
Email D.SHUFFIELD@HOREADYMIX.COM
2. Applicant/Representative THOMAS A. EYEINGTON, JR PE  
Address 3912 JULIAN ST.  
City, State, Zip KELLER TX 76244  
Phone 817-368-0790  
Email thomas.eyington,pe@verizon.net

C Variance Request: ☐ Yes ☐ No If yes, describe:

"I hereby certify that I am the owner, or duly authorized agent of the owner for the purposes of this application, of the property herein described, that all information submitted herein is true and correct."

Applicant/Owner:

Date:

08/06/2021



## FARMERSVILLE OPERATIONS

Located at 91 County Road 699

Farmersville, TX 75442

# SPECIAL USE PERMIT PROPOSED CONDITIONS STATEMENT

Prepared for the City of Farmersville



August 6, 2021  
For SUP Application Submittal

Prepared By: Thomas A. Eyeington, PE

Eyeington Enterprises, Inc.



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37. VEHICLE SERVICING ..... 13

38. EXHIBIT A ..... 14

39. EXHIBIT B .....16



## 1. SUMMARY

The enclosed Specific Use Permit Proposed Conditions Statement defines the operating parameters outlined by Nelson Bros. Ready Mix for their Farmersville Operations Facility located at 91 County Road 699, Farmersville 75442, Collin County Texas. The site is on 5.05 acres that is owed by RO Properties, Ltd, a limited Texas partnership as per the Collin County Clerk's File Number 20210604001140170. Principal offices for Nelson Bros. Ready Mix are at 170 West Main Suite #200, Lewisville, Texas 75057. Figure No. 1 shows a recent view of the property and the surrounding properties. Figure No. 2 show current zoning of the property which is Agricultural, plus and land tract to the west which is zoned Light Industrial. It should be noted that a concurrently submitted Re-Zoning Petition for the site to change the zoning from Agriculture to Heavy Industrial-2 has been delivered to the City offices for review. The Specific Use Permit approval of the Nelson Bros. Ready Mix Farmersville Operations property will match the future zoning of Heavy Industrial -2 which is slated for the Highway 380 corridor, going east out of Farmersville and to the north of the Kansas City Southern Railroad Line. The approval of this SUP will allow the facility to be in compliance with current City of Farmersville ordinances.



Figure No. 1: Photo of Property at 91 County Road 699 looking NE



Figure No. 2: Current Zoning Map of Property = Hatched RED Area

## 2. INTRODUCTION

RO Properties, Ltd., a Texas limited partnership, with an operating entity as Nelson Bros. Ready Mix, acquired the property at 91 County Road 699 Farmersville, Texas 75442, from Listocon Group, LLC., a Texas limited liability company on June 4, 2021. In July of 2021, Nelson Bros. Ready Mix engaged the services of Eyeington Enterprises, Inc. (Registered Engineering Firm F-8189) to petition for re-zoning of the site from Agricultural to Heavy Industrial -2, plus submit a SUP application and supporting documentation to permit a permanent concrete batch plant as permitted use. Once both the Re-zoning and SUP are approved by the City of Farmersville, the next phase will be the submittal of a Site Plan and associated steps to Plat the 5.05 acre site.

## 3. SUP PROPOSED CONDITIONS TO BE MENU

The proposed SUP will adhere to the following global SUP Conditions as part of the application submittal. The following eight mandated SUP Conditions are as follows:

- 1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity. ***Response: The current zoning of Heavy Industrial 2 and the future planned zoning for the corridor east of Farmersville and north of the Kansas City Southern Railroad Line is slated to be Light Industrial / Heavy Industrial and is in line with this condition.***



- 2) That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property. **Response: The zoning of the site to Heavy Industrial – 2 allows for fixed concrete batch plant as permitted use under an SUP as per the City of Farmersville Code of Ordinances Chapter 77-49(m) and is agreement with this condition.**
- 3) That adequate utility, access roads, drainage and other necessary supporting facilities have been or will be provided. **Response: The accompanying Conceptual Site Plan addresses all infrastructure concerns and the site has existing Texas Commission on Environmental Quality (TCEQ) permits for water and air which are in place and in good standing.**
- 4) The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development. **Response: The Conceptual Site Plan has allowed for adequate employee and company vehicle parking. There are two drive approaches off of CR 699 to enter the facility. Entry to the site is for company personnel and vehicle only and is not open to public traffic.**
- 5) That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration. **Response: The site must meet minimum standards as per their air and water permits as granted and enforced by the Texas Commission on Environmental Quality (TCEQ).**
- 6) That directional lighting will be provided so as not to disturb or adversely affect neighboring properties. **Response: All plant lighting will be directed inward to the confines of the facility. A photometric light plan is available upon request.**
- 7) That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property. **Response: The site, at a minimum, will comply with the Landscaping Standards as per the City of Farmersville Municipal Codes and Ordinances, Chapter 77-71.**
- 8) That the proposed use is in accordance with the Comprehensive Plan. **Response: We respectfully request that Planning and Zoning verify that the Highway 380 corridor east of Farmersville and to the north of the Kansas City Southern Railroad Line to be zoned Light Industrial / Heavy Industrial up to the far eastern ETJ line.**

#### 4. USE

The only use authorized by this specific use permit is a concrete batching plant, the storage of raw materials, and site stored company transportation equipment as explained below.

The plant site contains ground storage areas with a maximum storage height of 8 feet for of pea gravel, limestone, light-weight aggregate, manufactured and natural sand. The ground storage



areas varying in size and are made adjustable by the use of large, cast in-place segmental concrete blocks that are used as divider walls. There are two current above ground vertical silos, with one (1) proposed with the addition of the new plant. There are three (3) above ground vertical storage silos for cement with capacities ranging from 650 to 1100 barrels. The site is also used to store company transport vehicles, trans-load material onto over-the-road haul units, and receives raw material for storage vertical in silos (cementitious material) or is ground stockpiled (aggregates). The Property will also have a proposed mobile equipment shop, in-ground concrete-lined water storage system for water re-cycling for concrete production, a 12,000 gallon capacity storage tank for diesel, a 1,000 gallon capacity storage tank for red dye diesel, various plastic tanks for DEF and admixtures, plus several sea-storage containers. Both fuel tanks are double-lined above ground tanks that do not require additional containment. Approximately thirty (30) company- owned transport vehicles will be housed on the property.

## **5. CONCEPTUAL SITE PLAN**

Use and development of the Property must comply with the attached Conceptual Site Plan. Nelson Bros. Ready Mix has engaged Eyeington Enterprises, Inc. to produce a Site Plan and well as submit the appropriate submittals for preliminary and final plat work for City review.

## **6. TIME LIMIT**

The specific use permit (SUP) shall be for an initial period of 15 years (the "initial term") with one automatic five-year extension (the "automatic extension period") of the SUP. The extension and renewal period is to follow the City of Farmersville Code of Ordinances as per Chapter 77, Section 49m (2 - 5).

## **7. LANDSCAPING**

The site will be required to follow the City of Farmersville Code of Ordinances as per Chapter 77, Section 71 and specifically Items (h) 1 to 7.

## **8. MAINTENANCE**

The Property must be properly maintained in a state of good repair and neat appearance.



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## **9. GENERAL REQUIREMENTS**

Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Farmersville.

## **10. AIR QUALITY & WATER PERMITS**

The Property is currently registered (permit number 14489) with the Air Pollution Division of the Texas Commission on Environmental Quality. See Exhibits A for a copy of registration with Texas Commission on Environmental Quality. The site also has a Notice of Intent for wastewater / storm water discharge from concrete operation for the site (TXG112881) and this can be viewed in Exhibit B.

## **11. CITY UTILITIES & ELECTRICAL SERVICE**

Currently the site is only serviced by city water (meter ID# 13106142). Plans are to drill a water well near the existing concrete batch plant to supplement city water usage for both the existing and new facility. An in-ground concrete pit system with boat ramp settling bays will also be constructed to capture process and storm water which will be recycled and used in the plant batching operations.

No city sewer is available and the nearest connection is approximately 2100 feet to the west along Highway 380. A future sewer line casing (100 foot long, 20 inch diameter steel pipe) is shown to have been installed as per the DBI Engineer drawing set with a seal date of March 14, 2018. The property currently has 3 portable toilets that service the Over-the-Road aggregate haulers and concrete mixer drivers, plus plant staffing. Engineered plans are being developed to increase the number of restrooms at the current office building. These restrooms will be connected to an On-Site Septic Facility (OSSF) as no mainline City sewer is available for tie-in. The OSSF system will comply with state, county, and city registration, regulation, and inspection requirements.

Electrical service is bought to the site from an overhead power line running along CR699. Service drops down from an aerial transformer to a main service panel with a meter and disconnect along the concrete block wall running north / south along CR 699. Service then is distributed either underground or in conduit above ground to various plant structures and equipment. The site' electrical provider is Oncor Electric.



## **12. SCREENING / CURBING**

The Property is surrounded by a segmental concrete block wall as seen on the Conceptual Site Plan. The concrete wall is approximately 8 foot tall by 24 inches thick. Additional curbing will be added to control the direction and capture of process and storm water that falls on the concrete paved areas. This water will be collected and routed to an in-ground concrete lined pit system so the captured water can be recycled and re-used in the production of concrete.

## **13. DUMPSTERS**

The Property has a 2 cubic yard dumpster and a 10 cubic yard roll dumpster as seen on the site plans. Both are screened from public view by the surrounding 8-foot high perimeter concrete wall. The 2 cubic yard dumpster is maintained during the hours of 7:00 a.m. to 7:00 p.m., typically between Monday to Friday. The 10 cubic yard dumpster follows the same hours and days for pick-up, but this dumpster is only called in when it reaches capacity.

## **14. DUST CONTROL**

The following conditions must be met on an ongoing basis:

- a) Trucks must be loaded through a discharge equipped with a water ring that eliminates visible dust emissions if wind conditions dictate.
- b) All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
- c) The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate visible dust emissions.
- d) During operations, all stockpiles must be sprinkled with water or chemicals to eliminate visible dust emissions.
- e) The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.
- f) During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions.
- g) To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.
- h) Spillage of cement must be cleaned up and contained or dampened within thirty minutes so that emissions from wind erosion and vehicle traffic are minimized.



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## **15. EMPLOYEES**

The number of full-time employees is expected to be at 30. These include 5 fixed employees, which consist of a batch man, plant manager, front end loader operator, two on-site mechanics, and miscellaneous laborers. There are also 25 mobile employees including ready-mix and over-the-road aggregate haulers. The labor force fluctuates yearly depending on the production rate of the facility.

## **16. FENCING**

The parking area must be totally enclosed by an average 8-foot-high concrete perimeter wall, as shown, on the attached site plan.

Entrances to the parking lot must be gated.

## **17. FLOOR AREA**

The current maximum floor area is 2,800 square feet of permanent structures.

New construction at this point in time is limited to approximately 3,400 square feet of floor area. For purposes of this ordinance, "new construction" means any construction started under a valid building permit issued after the effective date of this ordinance.

The following table shows the various structures uses and locations:

Existing Two-Story Batch Office = 2,600 square feet

Batch Office Conex = 320 square feet

New Repair & Maintenance Shop = 3,400 square feet

## **18. GATES**

A minimum six-foot-high solid gate must be maintained in the locations shown on the attached site plan. The gates must remain closed except when the facility is in use.



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## **19. HEIGHTS OF STRUCTURES**

The Property will have vertical storage silos at a height of approximately 85' - 0". The use authorized by this specific use permit has not height limitations.

## **20. HOURS OF OPERATION**

The concrete batching plant is permitted to operate 24 hours a day, 7 days a week. However, typical hours of operation for the facility for a given workday are approximately 16 hours a day.

## **21. INGRESS-EGRESS**

Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.

There are two primary entrances; the south being 75 foot wide and the north being 55 ft wide are both concrete paved and gated entrance off of County Road 699.

## **22. LIGHTING**

The Property currently has 4 outdoor lights attached to the storage silos approximately 75 feet in height, 2 wall packs approximately 20 feet in height, 1 wall pack approximately 10 feet in height, 8 lights attached to metal poles approximately 25 feet in height, and 4 pole lights at the concrete mixer truck slump racks that are approximately 16 feet in height. Additional perimeter lighting will be installed around the proposed maintenance shop and perimeter pole lights will also be installed.

Exterior lighting must be directed away from adjoining properties.

Light fixtures must be attached to buildings, or, if mounted on metal poles, the poles are to have a height not to exceed 45 feet above grade.

A lighting plan must be provided in accordance with City of Farmersville lighting standards.

The structure may be illuminated by ground-level lighting.



## 23. LOT COVERAGE

The maximum lot coverage for this use has no limitation. The proposed site is 83% covered by reinforced concrete paving / gravel base (impervious) and the balance is 17% which includes landscaping and a green space as a buffer plus the OSSF greenfield.

## 24. LOUDSPEAKERS

The property has no loudspeakers and is therefore exempt from loudspeaker regulations.

## 25. OUTSIDE SPEAKERS

Outside speakers must be located a minimum of 30 feet inside the screening fence, and must be directed toward the interior of the Property.

## 26. PARKING

A minimum of 20 - 9'x18' standard-size parking spaces and two ADA-compliant (one van-accessible) spaces must be provided in the locations shown on the attached site plan to satisfy the 1 space per 600 sf of covered building. The enclosed site plan exceeds this total.

Parking areas must be constructed before issuance of other building permits or a certificate of occupancy.

As per the Conceptual Site Plan, the following parking spaces are provided:

### PARKING TABLE

9x18 VEHICLE SPACES AVAILABLE	30
<u>12x18 ADA SPACES AVAILABLE</u>	<u>02</u>
TOTAL	32
12x30 MIXER TRUCK SPACES AVAILABLE	23
<u>12x40 OTR / MIXER TRUCK SPACES AVAILABLE</u>	<u>02</u>
TOTAL OTR / MIXER TRUCK SPACES AVAILABLE	25

## 27. CITY PERMITS

A certificate of occupancy may not be issued until all requirements are met as per the City of Farmersville's Code and Ordinances, as well as any other state, federal, or city agencies requirements.



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## **28. PLATTING**

A preliminary and a final plat of the Property must be completed before issuance of a building permit or a certificate of occupancy. The Property must be platted as a single lot before issuance of a building permit or a certificate of occupancy. Currently, we are in the process of preparing a have a Preliminary and a Final Plat for City review.

## **29. ROAD IMPROVEMENTS**

A fire lane of 26 feet in width must be constructed before issuance of a certificate of occupancy. Pavement markings designating the 26 foot fire lane, will be constructed before issuance of a certificate of occupancy. The above fire lane and associated lane marking will comply with 2015 International Fire Code.

## **30. ROOF EQUIPMENT**

Roof mounted mechanical equipment must be visually screened on all sides.

All cement and fly ash blower equipment and silo dust collectors are to be exempt from this screening.

## **31. SETBACKS**

Building and Equipment Setbacks will be as follows and to be measured from the property line:

North (side): 20 feet due to corner lot

South (side): 20 feet due to corner lot

East (front): 30 feet as this parallels County Road 699

West (rear): 20 feet

## **32. SIDEWALKS**

The Property currently has no sidewalks. Based on the location and current site plan, it is proposed to the City Council to have an exception to the city sidewalk requirements.



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### **33. SIGNS**

"No Loitering" signs must be prominently posted on each side of the building, and along that portion of the required screening fence that borders the parking lot.

Signs are limited to a maximum of 50 square feet in size.

Signs must be attached or located no higher than 12 feet above grade.

### **34. SQUARE FOOTAGE**

The square footage of occupied buildings for the Nelson Bros. Ready Mix Farmersville Operations is limited to approximately 6,400 square feet, as shown on the attached Conceptual Site Plan.

### **35. STREETS**

The alignment of streets must comply with the attached site plan.

### **36. TRASH PICK-UP**

Trash pick-up is limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday.

### **37. VEHICLE SERVICING**

Routine maintenance of vehicles or engines is allowed as well as major vehicle / equipment or engine repair or re-builds.



### 37. EXHIBIT A

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
*Protecting Texas by Reducing and Preventing Pollution*

May 26, 2017

MR MUAMAR ANANI  
PRESIDENT  
BIG D CONCRETE INC  
10361 BICKHAM RD  
DALLAS TX 75220-4205

Re: Air Quality Standard Permit for Concrete Batch Plants  
(As amended effective December 21, 2012)  
Standard Permit Registration Number: 144989  
Expiration Date: May 26, 2027  
Big D Concrete Inc.  
Concrete Batch Plant  
Farmersville, Collin County  
Regulated Entity Number: RN109626655  
Customer Reference Number: CN603268707

Dear Mr. Anani:

This is in response to your Form PI-1S (Air Quality Standard Permit Registration for Concrete Batch Plants) concerning the proposed construction of a permanent concrete batch plant to be located at the following directions: from the intersection of Main Street and Audie Murphy Parkway, travel east on Audie Murphy Parkway for 3.75 miles, turn left onto County Road 699, the entrance is on the left, Farmersville, Collin County. Also, this will acknowledge that your application for the above-referenced registration is technically complete as of March 7, 2017.

After evaluation of the information which you have furnished, we have determined that your proposed construction is authorized under Title 30 Texas Administrative Code § 116.611 (30 TAC § 116.611), as codified in the Texas Health and Safety Code § 382.05195, if constructed and operated as described in your registration. This standard permit is authorized by the Texas Commission on Environmental Quality (TCEQ) in accordance with 30 TAC Chapter 116. The standard permit for concrete batch plants was amended and became effective on December 21, 2012.

Copies of the standard permit general conditions and air quality standard permit for concrete batch plants with an effective date of December 12, 2012 are enclosed. You must begin construction or modification of these facilities in accordance with the standard permit no later than 18 months after the date of this letter. After completion of construction or modification, the appropriate TCEQ Regional Office must be notified prior to commencing operation and the facility shall be operated in compliance with all applicable conditions of the claimed standard permit (enclosed).

You are reminded that regardless of whether a permit is required, these facilities must be in compliance with all rules and regulations of the TCEQ and of the U.S. Environmental Protection Agency at all times.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

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Rev. 0\_080621



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**37. EXHIBIT A, CONT.**

Mr. Muamar Anani  
Page 2  
May 26, 2017

Re: Standard Permit Registration Number: 144989

You are advised that your previous registration is void upon relocation of your facility to another plant site. If you desire to move back to any previous site, it will be necessary to register for either a standard permit or obtain a regular air permit to operate at that site.

If you need further information or have any questions, please contact Mr. Donald D. Nelon at (512) 239-0894 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Wilson', is written over a light blue horizontal line.

Michael Wilson, P.E., Director  
Air Permits Division  
Office of Air  
Texas Commission on Environmental Quality

Enclosure

cc: Mr. Jim Sayles, Consultant, Logos Environmental, Leander  
Air Section Manager, Region 4 - Dallas/Fort Worth

Project Number: 264416



**38. EXHIBIT B**



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Texas Pollutant Discharge Elimination System  
Concrete Production Water General Permit**

The Notice of Intent (NOI) for the facility listed below was received on July 2, 2021. The intent to discharge wastewater and/or stormwater associated with concrete production into or adjacent to water in the state under the terms and conditions imposed by the concrete production generate permit TXG110000 is acknowledged. Your facility's general permit number is:

**TXG112881**

Coverage Effective: July 02, 2021

TCEQ's Concrete Production general permit requires certain monitoring and reporting, and periodic inspections. As facility authorized to discharge wastewater and/or stormwater into or adjacent to water in the state under the Concrete Production general permit, all terms and conditions must be complied with to maintain coverage and avoid possible penalties.

**Project/Site Information:**

RN111109328  
Nelson Bros Farmersville  
91 County Road 699  
Farmersville, TX 75442  
Collin County

**Permittee(s):**

Owner Operator: CN600482467  
Nelson Bros. Ready Mix, Ltd.  
721 E Main St  
Lewisville, TX 75057

This permit expires on November 7, 2021, unless otherwise amended. For additional information, see the TCEQ website at <https://www.tceq.texas.gov/goto/wq-dpa> or contact the Industrial Permits Team by telephone at (512) 239-4671.

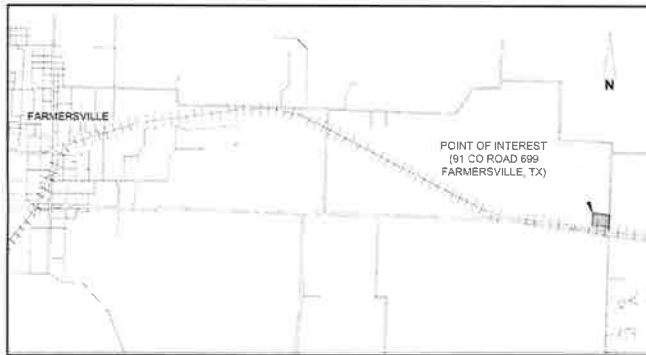
Issued Date: July 02, 2021

A handwritten signature in black ink, appearing to be 'T. B. Baker', written over a horizontal line.

FOR THE COMMISSION

# SPECIFIC USE PERMIT (SUP) PLAN SUBMITTAL PACKAGE FOR NELSON BROS. READY MIX FACILITY

LOCATED AT  
91 COUNTY ROAD 699  
FARMERSVILLE, TEXAS 75442



VICINITY MAP  
NTS

SHEET LIST TABLE

SHEET NUMBER	SHEET TITLE
COV	COVER SHEET SUP SUBMITTAL PACKAGE
ESP	EXISTING SITE PLAN
SP-1	SITE PLAN FOR SUP SUBMITTAL
SP-2	PERIMETER WALL PLAN
SP-3	PERIMETER WALL ELEVATIONS
CBP-1	EXPLODED PLAN VIEW OF DUAL CONCRETE BATCH PLANTS
CBP-2	NORTH DUAL CONCRETE BATCH PLANT ELEVATION
CBP-3	SOUTH DUAL CONCRETE BATCH PLANT ELEVATION
CBP-4	EAST DUAL CONCRETE BATCH PLANT ELEVATION
CBP-5	WEST DUAL CONCRETE BATCH PLANT ELEVATION
OFC-1	EXISTING BATCH OFFICE FIRST FLOOR PLAN
OFC-2	EXISTING BATCH OFFICE SECOND FLOOR PLAN
OFC-3	EXISTING BATCH OFFICE ROOF PLAN
OFC-4	NORTH EXISTING BATCH OFFICE ELEVATION
OFC-5	SOUTH EXISTING BATCH OFFICE ELEVATION
OFC-6	EAST EXISTING BATCH OFFICE ELEVATION
OFC-7	WEST EXISTING BATCH OFFICE ELEVATION
PEMB-1	PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP PLAN
PEMB-2	PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP ROOF PLAN
PEMB-3	PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP NORTH & SOUTH ELEVATION
PEMB-4	PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP EAST & WEST ELEVATION
LD-1	PROPOSED LANDSCAPING PLAN FOR SUP SUBMITTAL

**EEi**

EYEINGTON ENTERPRISES, INC.  
THOMAS A. EYEINGTON, P.E.  
3912 JULIAN ST. SUITE 100  
KELLER, TEXAS 76244  
817-368-0750  
thomas.eyeington.pe@verizon.net  
TBPE FIRM No. F-8189

**STOP!**  
**CALL BEFORE YOU DIG**  
DIG TESS  
1-800-DIG-TESS  
(@ least 72 hours prior to digging)

**SEPTEMBER 2021**



2118 NBR, RELEASED FOR CITY REVIEW ONLY, REV. 1

EEi EYEINGTON ENTERPRISES, INC. APPLIED ENGINEERING AND DESIGN SOLUTIONS

THOMAS A. EYEINGTON, JR., P.E.  
3912 JULIAN STREET, SUITE 100  
KELLER, TEXAS 76244  
817-368-0750  
F-8189

COVER SHEET  
SUP SUBMITTAL PACKAGE

NELSON BROS. READY MIX  
91 COUNTY RD 699  
FARMERSVILLE, TEXAS 75442

COV

RELEASED FOR CITY REVIEW ONLY

DATE: 09/16/2021  
DESCRIPTION OF REVISION:  
A. 09/16/2021 RELEASED FOR REVIEW ONLY  
C. 09/16/2021 RELEASED FOR CITY REVIEW ONLY  
1. 09/16/2021 FIXED COVER

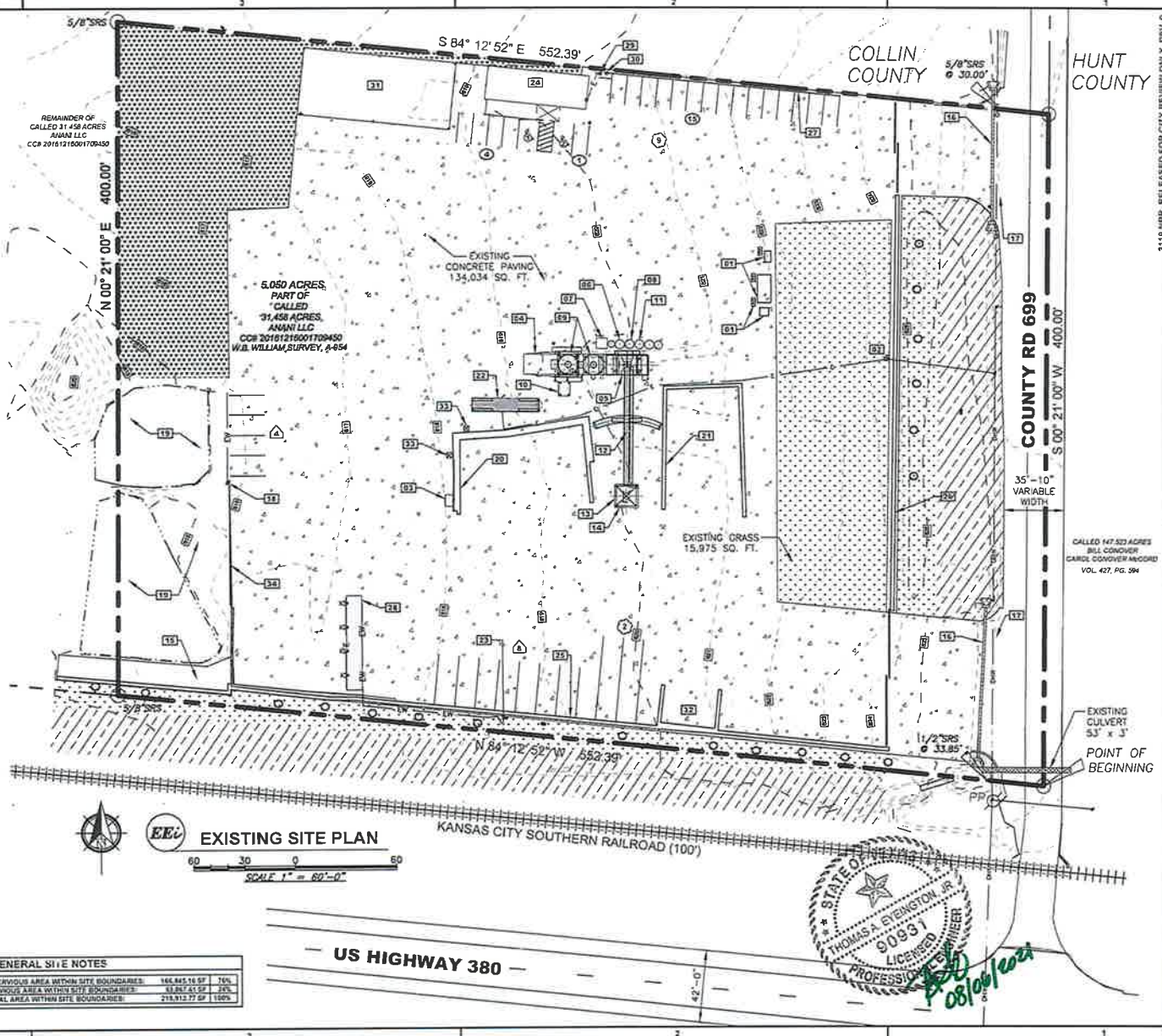
EXISTING	
[Symbol]	EXISTING SITE LIGHTING (4 PLACES)
[Symbol]	EXISTING OVERHEAD WIRE LINE
[Symbol]	EXISTING ON-SITE WATER LINE
[Symbol]	EXISTING SITE MAJOR CONTOUR ELEVATIONS
[Symbol]	EXISTING SITE MINOR CONTOUR ELEVATIONS
[Symbol]	SITE BOUNDARY
[Symbol]	EXISTING ELECTRIC
[Symbol]	LIVE OAK
[Symbol]	UNDISTURBED GRASSY AREA
[Symbol]	NON-IRRIGATED AREA WITH ST. AUGUSTINE 500 & LIVE OAKS
[Symbol]	NON-IRRIGATED AREA WITH ST. AUGUSTINE 500

EXISTING SITE DETAILS	
01	8,000 & 500 GAL DIESEL ASTs + 250 GAL DEF TOTE W/CONCRETE BLOCKS FOR VEHICLE PROTECTION
02	ELECTRICAL PRIMARY MODIFIED METERING EQUIPMENT
03	2 CY ROLL-OFF WASTE CONTAINER
04	CONCRETE MIXER LOADING POINT, BACK-IN
05	BATCH PLANT AGGREGATE BINS
06	NON-POTABLE BATCH WATER SURGE TANKS
07	METAL FRAME ADMIX PUMP BUILDING
08	12" x 12" x 15,000 GAL WATER TANK
09	BATCH PLANT CEMENT AND FLY ASH SILOS
10	CENTRAL DUST COLLECTOR
11	BATCH PLANT ADMIXTURE STORAGE TANKS (5 TOTAL AND PLASTIC)
12	BATCH PLANT RADIAL CONVEYOR
13	BATCH PLANT MATERIAL LOADING HOPPER
14	BATCH PLANT LOADING HOPPER
15	RAMP - CONCRETE CONSTRUCTION
16	8' WIDE x 550' SLOPED IN-GROUND RECYCLED WATER FLUME - CONCRETE CONSTRUCTION
17	18" x 18" REEF CLUES W/ WITH TYPE 8' HEADWALLS EACH END - LENGTH VARIES
18	COUNTY ROAD 699 APPROACH
19	BATCH PLANT RECLAIM WATER PUMP AND PIPING SYSTEM
20	RECYCLED WATER COLLECTION PIT - EARTHEN CONSTRUCTION
21	176 LF x 8" TALL x 48" WIDE CONCRETE BLOCK STOCKPILE WALL
22	304 LF x 8" TALL x 48" WIDE CONCRETE BLOCK STOCKPILE WALL TO BE RE-CONFIGURED AND RELOCATED
23	40' ADMIX CONEX
24	4" x 6" CITY WATER SERVICE TAP & 4" WATER METER VAULT
25	60' x 21' x 18" TALL 2,520 SF 2-STORY
26	BATCH OFFICE - MASONRY FINISH
27	545 LF x 8" TALL x 24" WIDE CONCRETE BLOCK WALL
28	248 LF x 8" TALL x 24" WIDE CONCRETE BLOCK WALL
29	110 LF x 8" TALL x 24" WIDE CONCRETE BLOCK WALL
30	SLUMP STAND STATION-ELEVATED W/POLE LIGHTS TO BE DEMOLISHED
31	40KV ELECTRIC LARGE GENERAL PURPOSE TRANSFORMER
32	60 LF x 8" TALL x 24" MATERIAL BUNKER
33	PORTABLE TOILETS
34	TRUCK WATER FILL RACK

SITE DATA	
OVERALL SITE AREA	219,912.77 SF
12' x 15' ADA ACCESSIBLE SPACE	
5' x 15' STANDARD (STB) SPACE	
12' x 30' CONCRETE MIXER SPACE	
12' x 55' OVER-THE-ROAD (OTR) SPACE	

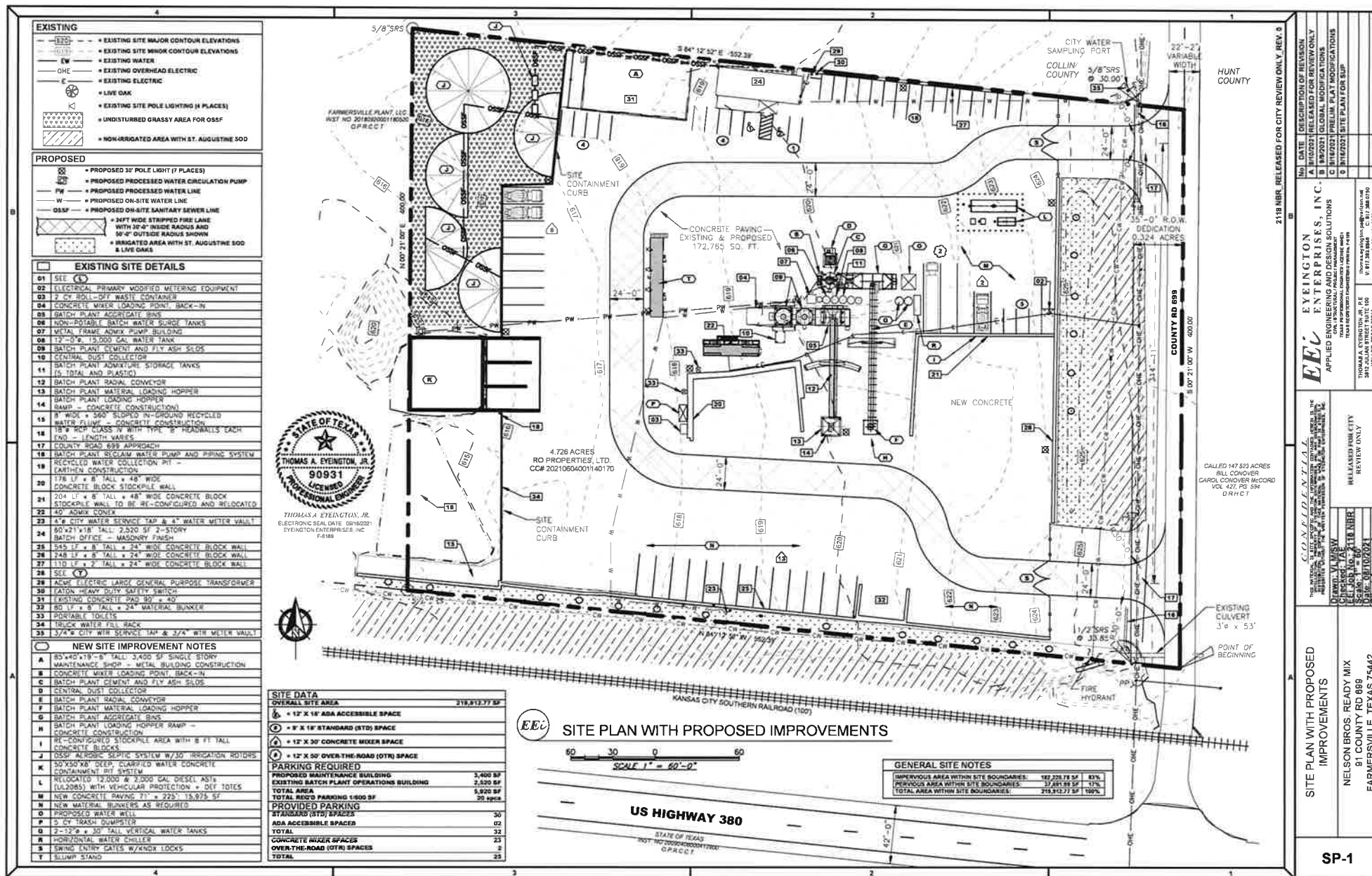
PARKING REQUIRED	
EXISTING BATCH PLANT OPERATIONS BUILDING	2,820 SF
TOTAL AREA	2,820 SF
TOTAL REQ'D PARKING 1000 SF	28,500 SF
PROVIDED PARKING	
STANDARD (STB) SPACES	02
ADA ACCESSIBLE SPACES	02
TOTAL	04
CONCRETE MIXER SPACES	12
OVER-THE-ROAD (OTR) SPACES	02
TOTAL	14

GENERAL SITE NOTES	
PERVIOUS AREA WITHIN SITE BOUNDARIES:	146,445.16 SF 70%
PERVIOUS AREA WITHIN SITE BOUNDARIES:	41,867.61 SF 20%
TOTAL AREA WITHIN SITE BOUNDARIES:	219,912.77 SF 100%



<b>EXISTING SITE PLAN</b>  NELSON BROS. READY MIX 91 COUNTY RD 699 FARMERSVILLE, TEXAS 75442	No. DATE DESCRIPTION OF REVIEW A 1/20/2021 RELEASED FOR REVIEW ONLY B 8/8/2021 RELEASED FOR CITY REVIEW ONLY
	<b>CONFIDENTIAL</b> THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE 07/20/2021 BY 1118 MBK
	EYEKINGTON ENTERPRISES, INC. APPLIED ENGINEERING AND DESIGN SOLUTIONS 12345 PROFESSIONAL ENGINEERING FIRM 311 JULIA STREET SUITE 100 KELLER, TEXAS 76448 PHONE: 817.341.8700 FAX: 817.341.8700
	RELEASED FOR CITY REVIEW ONLY DATE 07/20/2021 BY 1118 MBK CLIENT APPROVED

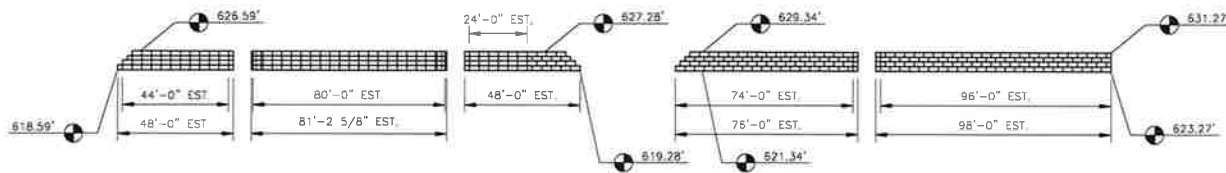
ESP



THOMAS A. EYENGTON JR., P.E.  
3512 JULIAN STREET SUITE 100  
MELLEN, TEXAS 78244

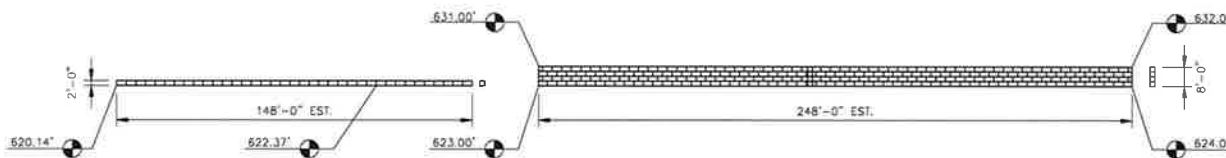
\*ALL CONC. WALL BLOCKS TO BE 2'x4'x2'  
TALL

\*WALL BLOCKS TO BE MODIFIED & SPACED  
AS REQUIRED



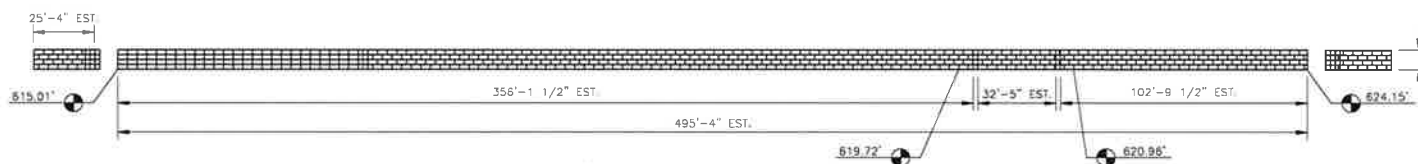
**WEST STOCKPILE WALL**

**EAST STOCKPILE WALL**



**NORTH PERIMETER WALL**

**EAST PERIMETER WALL**



**SOUTH PERIMETER WALL**



THOMAS A. EYNINGTON, JR.  
ELECTRONIC SEAL DATE: 08/06/2021  
EYNINGTON ENTERPRISES, INC.  
F-8110

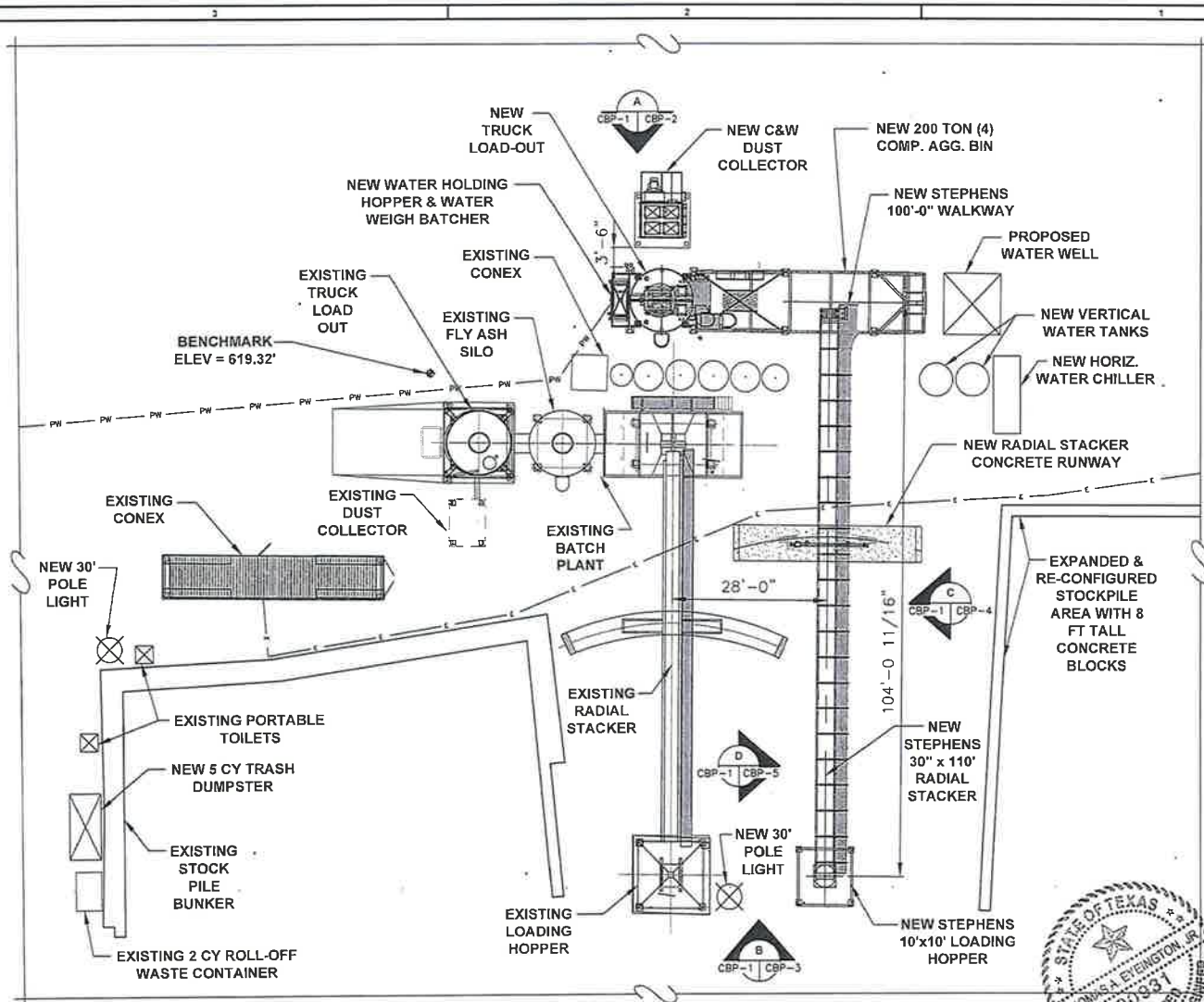
2116 NBR. RELEASED FOR CITY REVIEW ONLY, REV. 0	
DATE	DESCRIPTION OF REVISION
08/06/2021	RELEASED FOR REVIEW ONLY
08/06/2021	RELEASED FOR CITY REVIEW ONLY
<b>EYNINGTON ENTERPRISES, INC.</b> APPLIED ENGINEERING AND DESIGN SOLUTIONS CIVIL & MECHANICAL PROJECT MANAGEMENT THOMAS A. EYNINGTON, JR., P.E. 3073 JELLY ROAD, SUITE 100 FARMERSVILLE, TEXAS 75442 V: 817.382.8888 C: 817.388.0750 F: 817.381.8888	
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DRAWN BY: J. K. K... CHECKED BY: J. K. K... DATE: 08/06/2021 SCALE: 1" = 20'-0" SHEET: 080607021 CLIENT: JAMES W. NELSON	RELEASED FOR CITY REVIEW ONLY
<b>PERIMETER WALL ELEVATIONS</b>  NELSON BROS. READY MIX 91 COUNTY RD 699 FARMERSVILLE, TEXAS 75442	
<b>SP-3</b>	

# EXISTING

EW = EXISTING WATER  
E = EXISTING ELECTRIC

# PROPOSED

PW = PROPOSED PROCESSED WATER LINE  
W = PROPOSED ON-SITE WATER LINE  
X = PROPOSED 30' POLE LIGHT (7 PLACES TOTAL ON SITE)

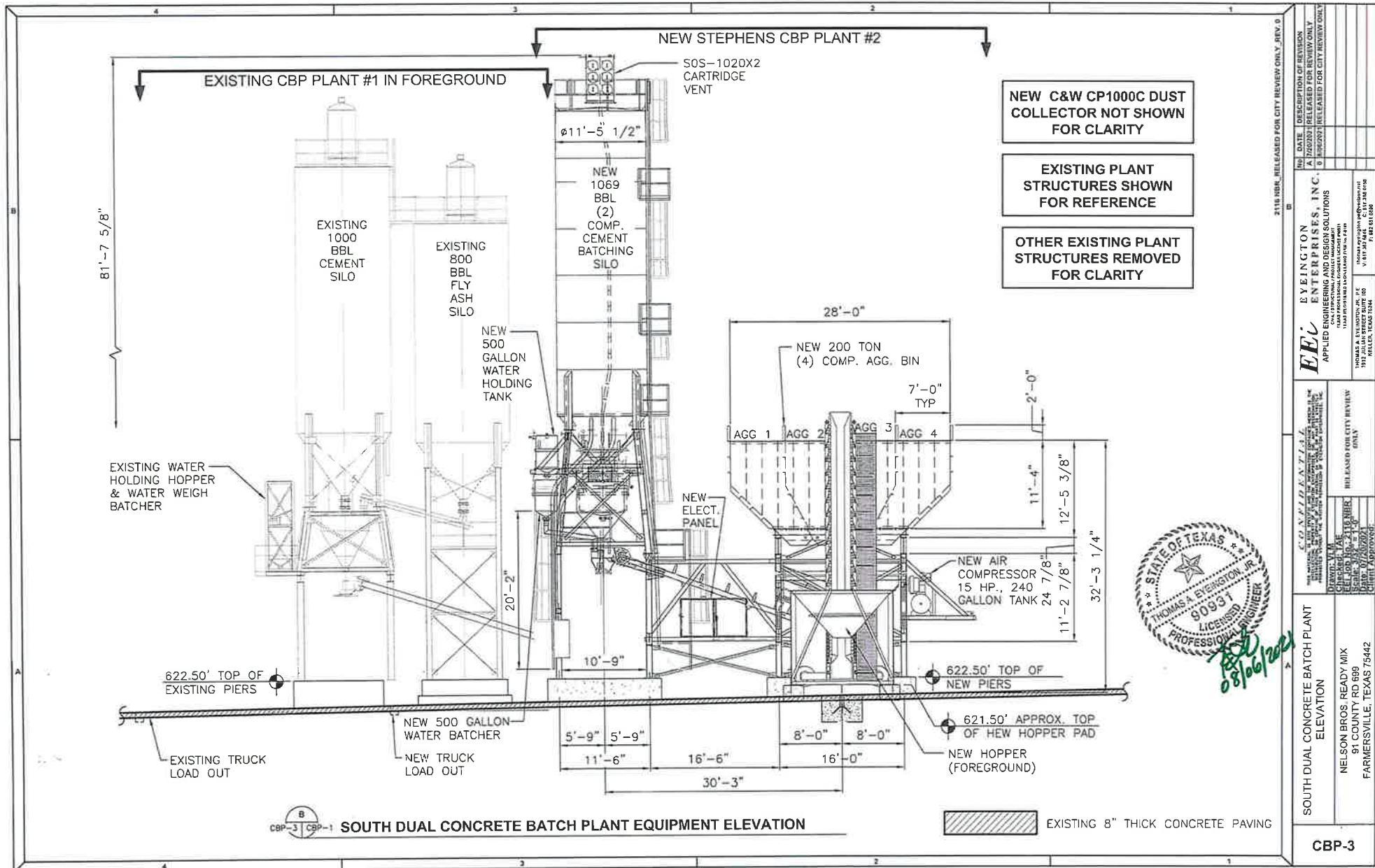


## EXPLODED PLAN VIEW OF DUAL CONCRETE BATCH PLANTS

SCALE 1" = 20'-0"

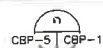
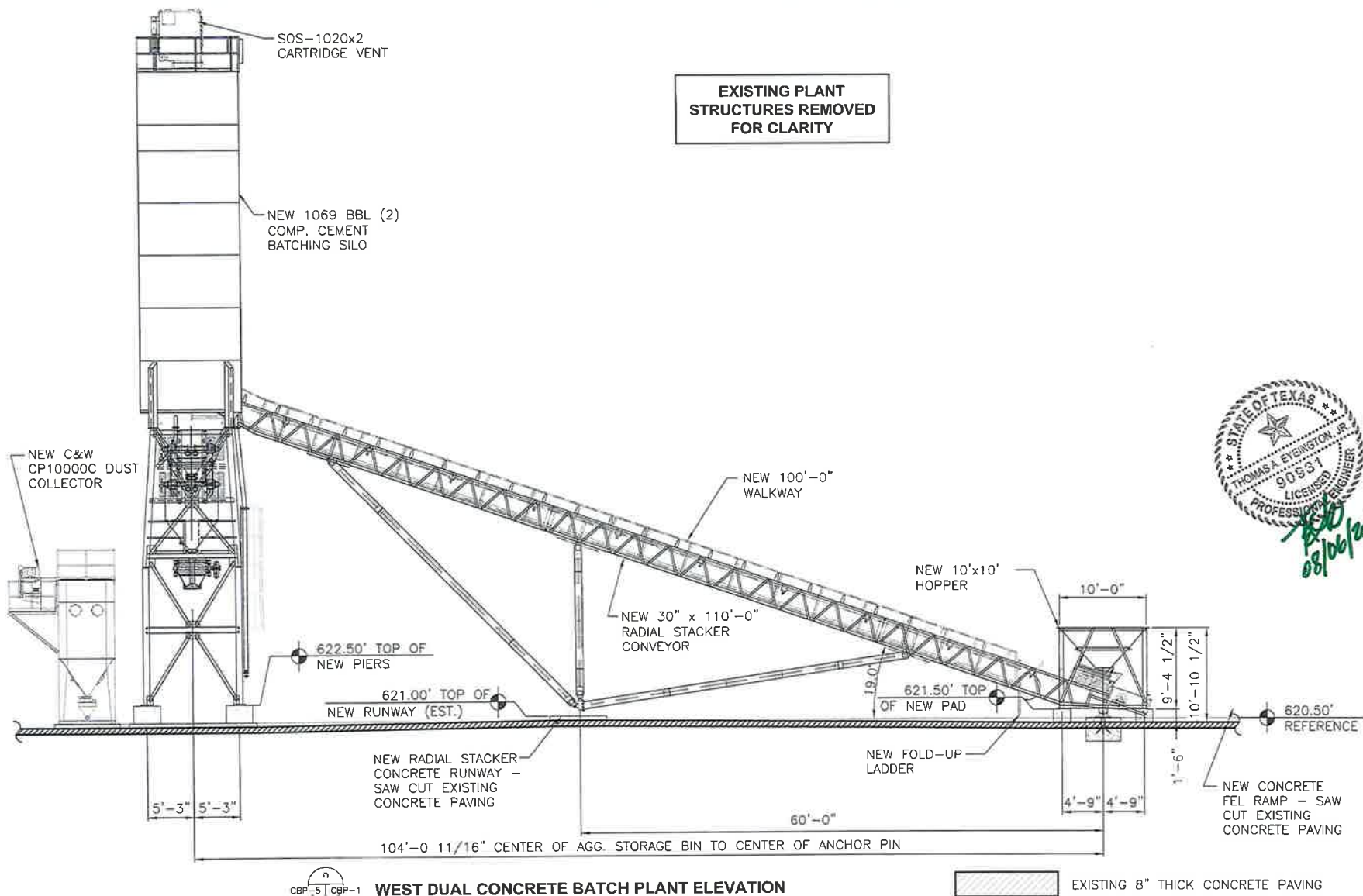


DATE: 07/20/2021 DESCRIPTION OF REVISION: A (MODIFIED) RELEASED FOR REVIEW ONLY 5 (MODIFIED) RELEASED FOR CITY REVIEW ONLY	EYEINGTON ENTERPRISES, INC. APPLIED ENGINEERING AND DESIGN SOLUTIONS 15244 FARMERSVILLE, DALLAS, TEXAS 75244 PHONE: 972.331.1444 • FAX: 972.331.1445 3117 JULIAN STREET, SUITE 100 KELLER, TEXAS 76244 F: 817.881.8800
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EXPLODED PLAN VIEW OF DUAL CONCRETE BATCH PLANT NELSON BROS. READY MIX 91 COUNTY RD 689 FARMERSVILLE, TEXAS 75442	CBP-1









**WEST DUAL CONCRETE BATCH PLANT ELEVATION**



2112 NHR RELEASED FOR CITY REVIEW ONLY, REV. 0

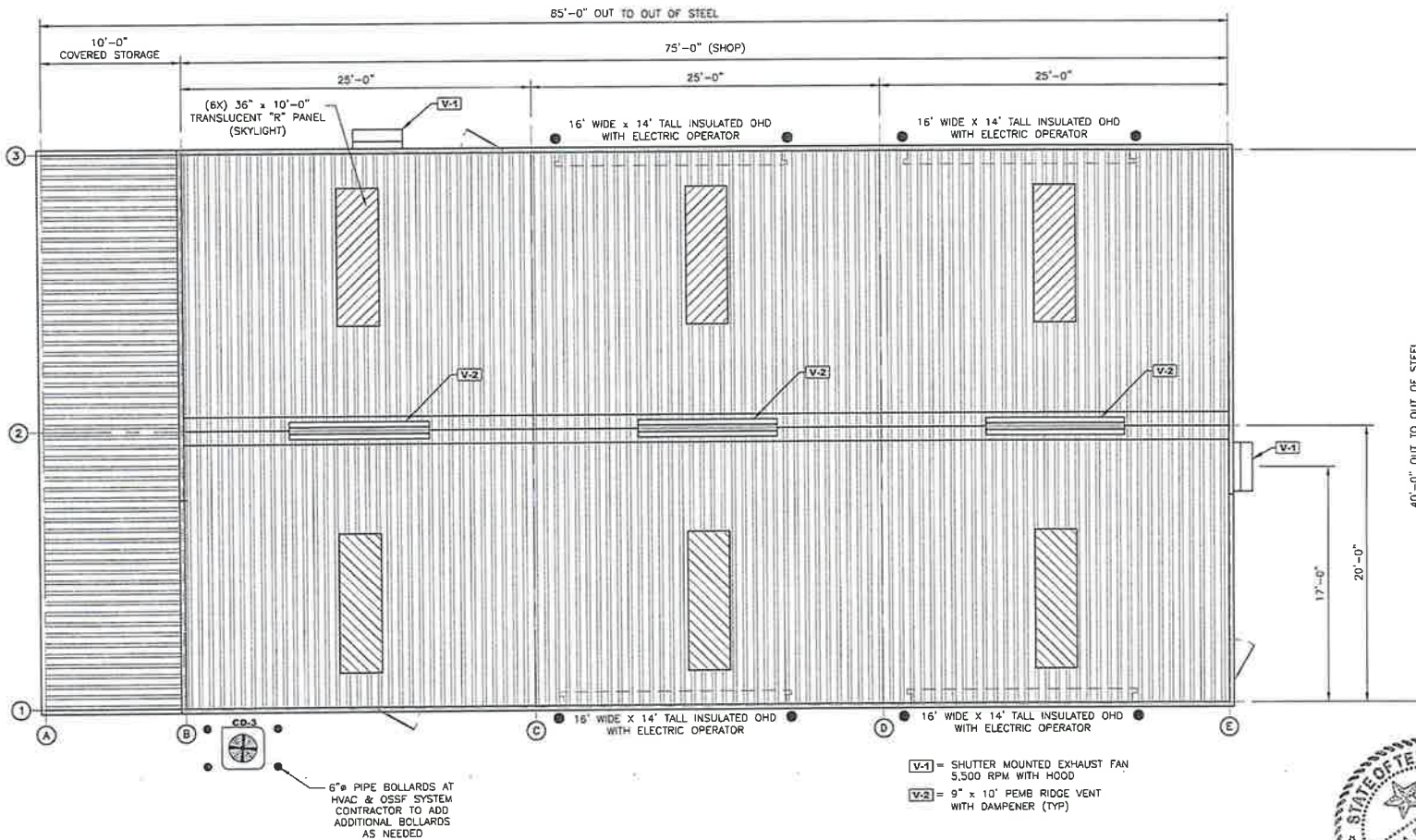
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3		REVISION FOR REVIEW ONLY	4		REVISION FOR REVIEW ONLY
5		REVISION FOR REVIEW ONLY	6		REVISION FOR REVIEW ONLY
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99		REVISION FOR REVIEW ONLY	100		REVISION FOR REVIEW ONLY

**EEI**  
**EYEVINGTON ENTERPRISES, INC.**  
 APPLIED ENGINEERING AND DESIGN SOLUTIONS  
 10000 N. FARMERSVILLE RD. SUITE 100  
 FARMERSVILLE, TEXAS 77442  
 TEL: 817.281.1000  
 FAX: 817.281.1001  
 WWW.EYEVINGTON.COM

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 PROJECT: WEST DUAL CONCRETE BATCH PLANT ELEVATION  
 DRAWING NO.: 2112 NHR  
 SCALE: 1/8" = 1'-0"  
 DATE: 08/06/2021  
 DESIGNED BY: TAE  
 CHECKED BY: TAE  
 APPROVED BY: TAE  
 CLIENT: NELSON BROS. READY MIX

**WEST DUAL CONCRETE BATCH PLANT ELEVATION**  
 NELSON BROS. READY MIX  
 91 COUNTY RD 899  
 FARMERSVILLE, TEXAS 77442  
**CPB-5**





- NOTES:
1. SEE P4 FOR PRE-ENGINEERED METAL BUILDING NOTES.
  2. PEMB TO HAVE 6" PVR INSULATION AT ALL WALLS AND ROOF.

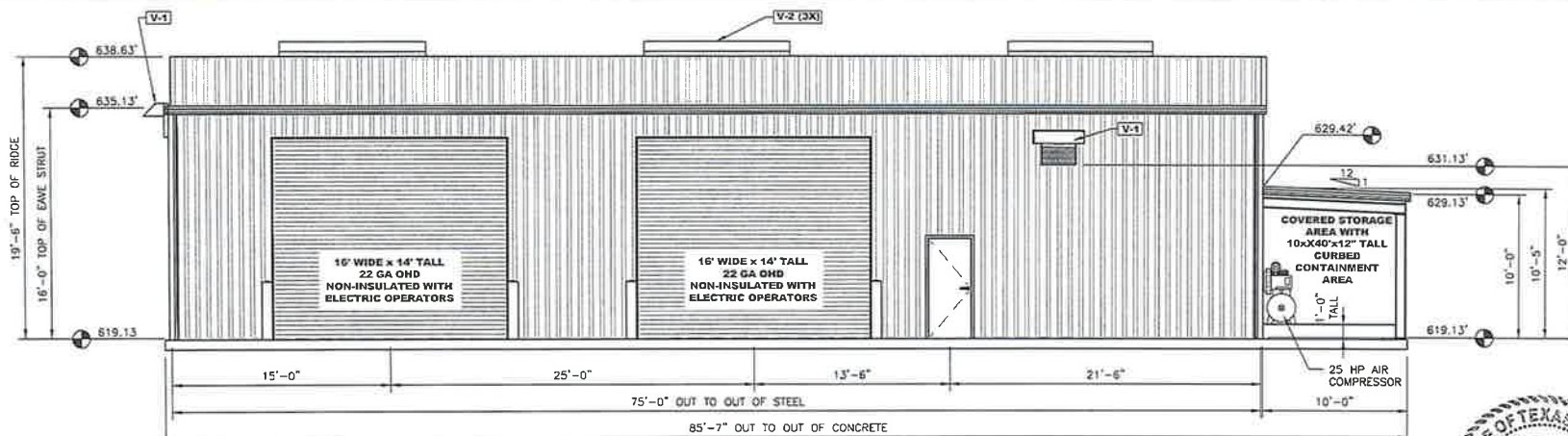


**PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP ROOF PLAN**

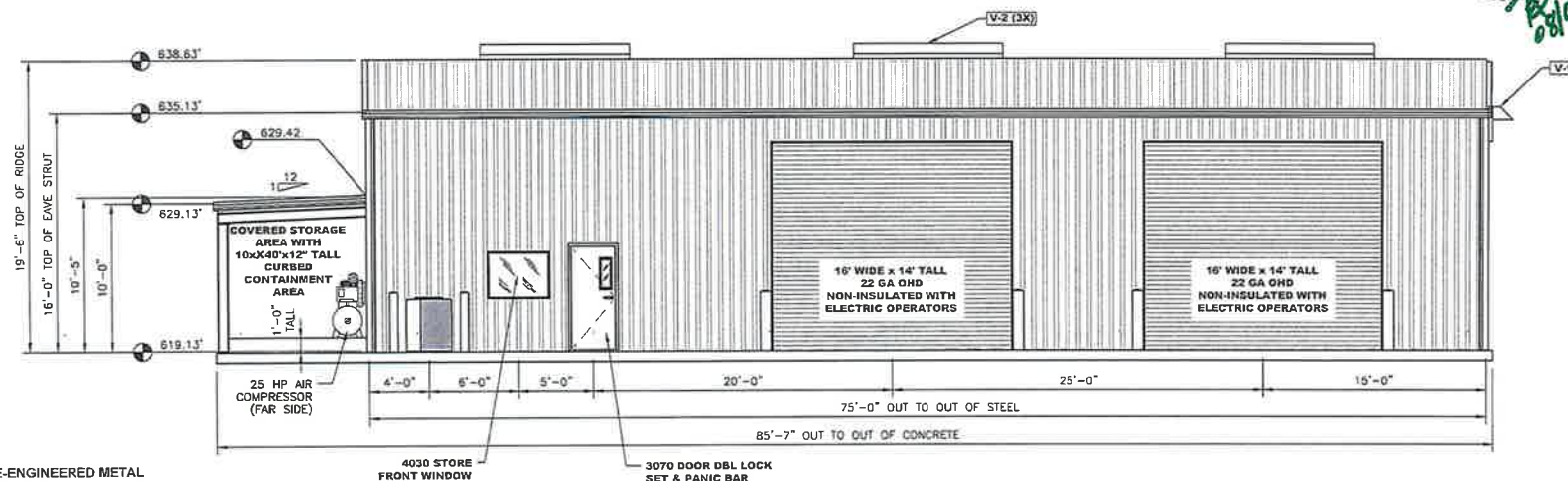
SCALE: 1/8" = 1'-0"



2116 NHR, RELEASED FOR CITY REVIEW ONLY, REV. 0	
NO. DATE DESCRIPTION OF REVIEW	NO. DATE DESCRIPTION OF REVIEW
1 08/06/2021 RELEASED FOR REVIEW ONLY	2 08/06/2021 RELEASED FOR CITY REVIEW ONLY
<b>EEC EYEINGTON ENTERPRISES, INC.</b> APPLIED ENGINEERING AND DESIGN SOLUTIONS 11000 FARMERSVILLE ROAD, SUITE 100 FARMERSVILLE, TEXAS 75442 PHONE: (940) 293-1100 FAX: (940) 293-1101 WWW.EYEINGTON.COM	
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PREPARED BY: TAE CHECKED BY: TAE DATE: 08/06/2021 PROJECT NO.: 2116 NHR SHEET NO.: 001 OF 001 CITY: FARMERSVILLE	
RELEASED FOR CITY REVIEW ONLY	
PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP ROOF PLAN NELSON BROS. READY MIX 91 COUNTY RD 899 FARMERSVILLE, TEXAS 75442	
PEMB-2	



PEMB-3 PEMB-1 SHOP NORTH EXTERIOR ELEVATION



PEMB-3 PEMB-1 SHOP SOUTH EXTERIOR ELEVATION

- NOTES:
1. SEE P4 FOR PRE-ENGINEERED METAL BUILDING NOTES.
  2. PEMB TO HAVE 6" PVR INSULATION AT ALL WALLS AND ROOF.
  3. STEEL BOLLARDS AT OVERHEAD DOORS ARE 8"Ø

- V-1 = SHUTTER MOUNTED EXHAUST FAN  
5,500 RPM WITH HOOD
- V-2 = 9" x 10" PEMB RIDGE VENT  
WITH DAMPENER (TYP)



2116 NBR, RELEASED FOR CITY REVIEW ONLY, REV. 0

CONFIDENTIAL

PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP NORTH & SOUTH ELEVATIONS

NELSON BROS. READY MIX  
91 COUNTY RD 699  
FARMERSVILLE TEXAS 75442

DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

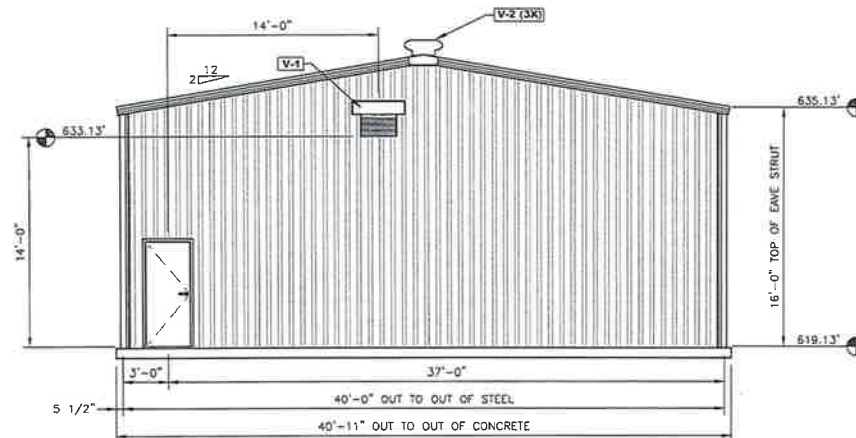
DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

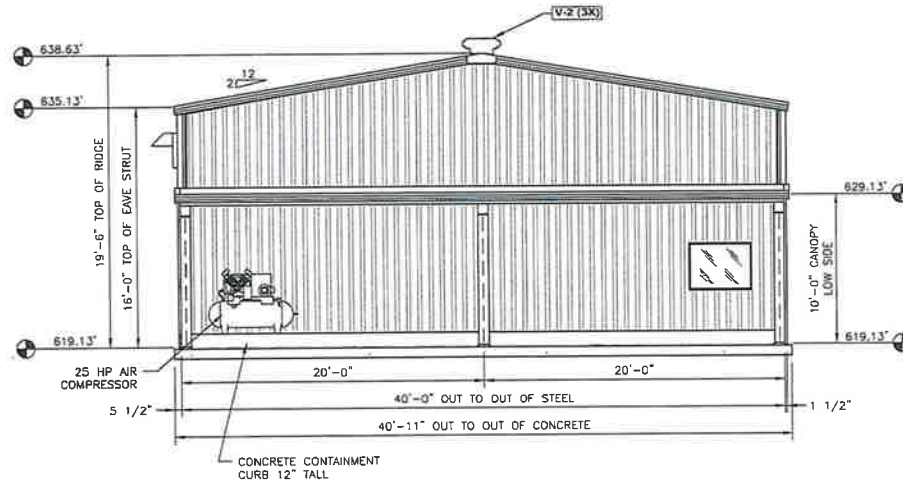
DATE: 07/20/2021  
TIME: 11:40  
BY: J. L. HARRIS

1. PRE-ENGINEERED METAL BUILDING (PEMB) TO BE DESIGNED PER LATEST MBMA SPECIFICATIONS AND IBC 2015 CODES.
2. PEMB TO HAVE 6" PVR INSULATION AT ALL WALLS AND ROOF.
3. PEMB SHOULD CLOSELY RESEMBLE EYEINGTON ENTERPRISES, INC. (EEI) GENERAL ARRANGEMENT DRAWINGS.
4. BUILDING TO BE DESIGNED FOR FARMERSVILLE, COLLIN COUNTY, TEXAS 75442.
5. ALL 4 - 16" WIDE x14' TALL OH'D'S TO BE INSULATED AND HAVE ELECTRIC OPERATORS.
6. PEMB MANUFACTURER JACK BEAM REQUIREMENTS MAY REQUIRE RAISING OF THE CANOPY TO ENSURE PERSONNEL HEAD CLEARANCE.

NBR FARMERSVILLE, COLLIN COUNTY, TEXAS PEMB PANEL / TRIM SCHEDULE				
LOCATION	GA	TYPE	COLOR	NOTES
ROOF	24	P BR	WHITE WEATHER X	
WALL	24	R	WHITE WEATHER X	
LINER	24	R	WHITE WEATHER X	
SOFFIT			CRIMSON RED WEATHER X	
TRIM			CRIMSON RED WEATHER X	
GLUTTER & DOWNSPOUTS			CRIMSON RED WEATHER X	



 **SHOP EAST EXTERIOR ELEVATION**




**SHOP WEST EXTERIOR ELEVATION**

V-1 = SHUTTER MOUNTED EXHAUST FAN  
5,500 RPM WITH HOOD

V-2 = 9" x 10' PEMB RIDGE VENT  
WITH DAMPENER (TYP)



2116 NBR\_RELEASED FOR CITY REVIEW ONLY\_REV. 0

PEMB-4	PROPOSED PRE-ENGINEERED REPAIR & MAINTENANCE SHOP EAST & WEST ELEVATIONS	CONFIDENTIAL "THIS DOCUMENT CONTAINS NEITHER RECOMMENDATIONS NOR CONCLUSIONS OF THE NATIONAL BUREAU OF STANDARDS. IT IS THE PROPERTY OF THE NATIONAL BUREAU OF STANDARDS AND IS LOANED TO YOUR ORGANIZATION; IT AND ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR ORGANIZATION."	EYEINGTON ENTERPRISES, INC. APPLIED ENGINEERING AND DESIGN SOLUTIONS 1501 N. FIVE MILE ROAD, SUITE 100 DALLAS, TEXAS 75244 TEL: 409-423-1100 FAX: 409-423-1101 TELEX: 409423 EYEINGTON INC. U.S.A.	E 1	NO	DATE	DESCRIPTION OF REVISION
					0	06/02/2021	ISSUED FOR REVIEW ONLY 06/02/2021 RELEASED FOR CITY REVIEW ONLY
	NELSON BROS. READY MIX 91 COUNTY RD 699 FARMERSVILLE, TEXAS 75442	DRAWING BY: [redacted] CHECKED BY: [redacted] 3/5/2021, 10:15 AM DATE: 07/20/2021	RELEASED FOR CITY REVIEW ONLY	TAYLOR A. EYINGTON JR. P.E. 3911 JAWAB STREET SUITE 600 V. 817.342.0765 C. 817.342.0765 taylor.a.eyington@eyent.com			

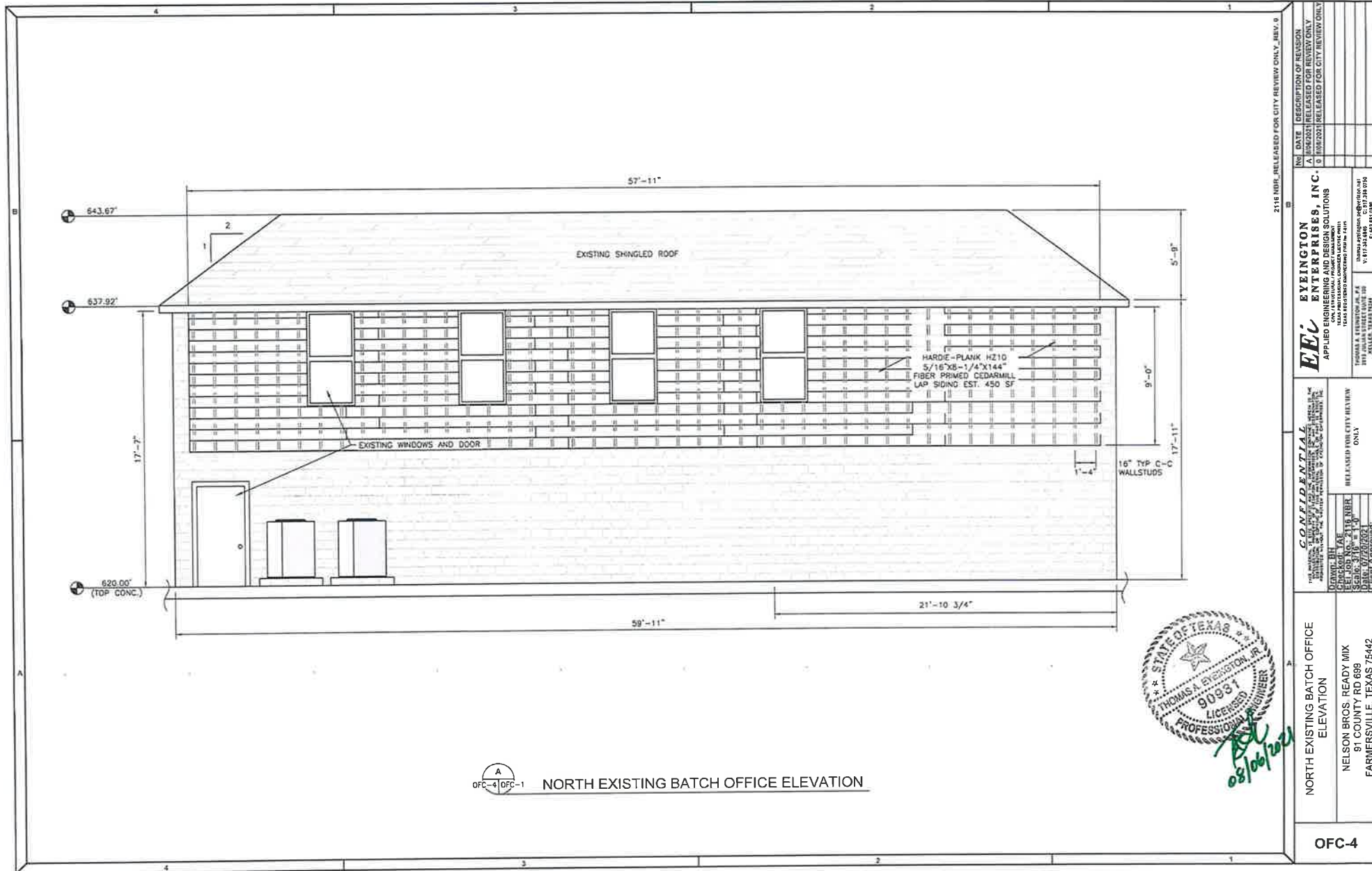




SCALE: 3/16" = 1'-0"

**OFC-2**

[illegible]



NORTH EXISTING BATCH OFFICE ELEVATION

OFC-4



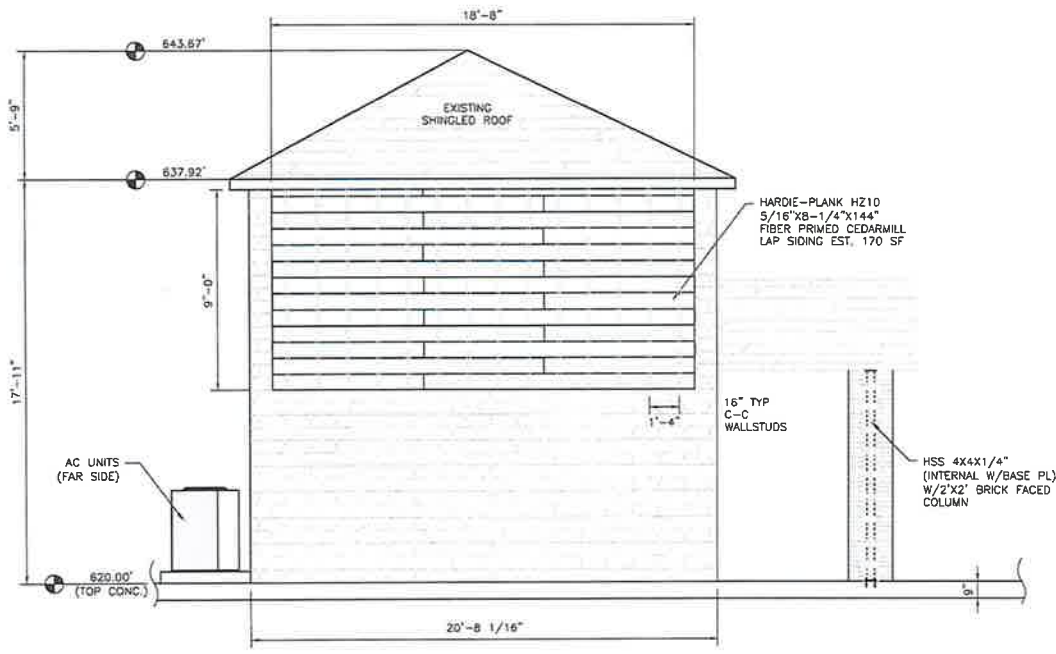
2115 NHR - RELEASED FOR CITY REVIEW ONLY - REV. 0	
<b>CONFIDENTIAL</b> NOT BE LOANED, REPRODUCED, COPIED, OR DISSEMINATED TO ANY OTHER PERSONS WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.	NO. DATE DESCRIPTION OF REVISION A 08/02/21 RELEASED FOR REVIEW ONLY B 08/02/21 RELEASED FOR CITY REVIEW ONLY
	<b>EEI EYEINGTON ENTERPRISES, INC.</b> APPLIED ENGINEERING AND DESIGN SOLUTIONS 12344 PROFESSIONAL ENGINEER LICENSE NO. 90931 12345 INDUSTRIAL ENGINEERING FIRM, P.C. 301 ALCON STREET SUITE 100 KELLER, TEXAS 76448 PHONE: 817-338-1000 FAX: 817-338-1001 WWW.EYEINGTON.COM
SOUTH EXISTING BATCH OFFICE ELEVATION NELSON BROS. READY MIX 91 COUNTY RD 699 FARMERSVILLE, TEXAS 75442	RELEASED FOR CITY REVIEW ONLY DATE: 07/28/2021 CITY APPROVAL
OFC-5	



08/06/2021

### EAST EXISTING BATCH OFFICE ELEVATION

**OFC-6**




**WEST EXISTING BATCH OFFICE ELEVATION**



2116 NBR. RELEASED FOR CITY REVIEW ONLY, REV. 3	
<b>WEST EXISTING BATCH OFFICE ELEVATION</b>  NELSON BROS. READY MIX 91 COUNTY RD 899 FARMERSVILLE, TEXAS 75442	<b>CONFIDENTIAL</b> NOT BE LOANED, REPRODUCED, COPIED, OR IN ANY MANNER DISCLOSED TO ANY OTHER PERSON WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.
	RELEASED FOR CITY REVIEW ONLY CHECKED BY: [Signature] DATE: 08/06/2021 SCALE: 1/8" = 1'-0" SHEET NO. 1 OF 1 CLIENT: APPROVED
<b>OFC-7</b>	

NO.	DATE	DESCRIPTION OF REVISION
1	08/25/2021	RELEASED FOR CITY REVIEW ONLY
2	08/25/2021	RELEASED FOR CITY REVIEW ONLY
3	08/25/2021	RELEASED FOR CITY REVIEW ONLY
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7	08/25/2021	RELEASED FOR CITY REVIEW ONLY
8	08/25/2021	RELEASED FOR CITY REVIEW ONLY
9	08/25/2021	RELEASED FOR CITY REVIEW ONLY
10	08/25/2021	RELEASED FOR CITY REVIEW ONLY

**EEI EYEINGTON ENTERPRISES, INC.**  
 APPLIED ENGINEERING AND DESIGN SOLUTIONS  
 1001 S. UNIVERSITY AVE., SUITE 100  
 AUSTIN, TEXAS 78705  
 TEL: 512.333.1100  
 FAX: 512.333.1101  
 WWW.EYEINGTON.COM

# SHEET GENERAL NOTES:

- LANDSCAPING SHALL FOLLOW REQUIREMENTS OF CITY OF FARMERSVILLE, TEXAS CODE OF ORDINANCES SECTION 77.11. LANDSCAPED AREAS SHALL BE MAINTAINED IN GOOD CONDITION AND KEPT FREE OF DEAD PLANTS, WEEDS, OR DEBRIS. FAILURE TO MAINTAIN OR REPLACE DEAD, DAMAGED OR DISEASED PLANT MATERIAL OR TO REPAIR A BROKEN WALL OR FENCE WITHIN 30 DAYS OF NOTIFICATION SHALL CONSTITUTE A VIOLATION.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM, EXCEPT FOR REQUIRED LANDSCAPING IN SINGLE-FAMILY OR TWO-FAMILY DEVELOPMENTS. ANY NEW IRRIGATION SYSTEM INSTALLED ON OR AFTER SEPTEMBER 1, 2007, MUST BE EQUIPPED WITH RAIN AND FREEZE SENSORS AND AN EVAPOTRANSPIRATION (ET) WEATHER BASED CONTROLLER. SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR AFTER RECEIVING A PERMIT. AS MAY BE REQUIRED UNDER THE CONSTRUCTION CODE, IRRIGATION SYSTEMS SHALL COMPLY WITH THE CITY'S WATER CONSERVATION ORDINANCE AS IT EXISTS OR MAY BE AMENDED.
- THE OWNER, TENANT AND HIS OR HER AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING OF GRASS SIX INCHES OR HIGHER, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND OTHER SUCH ACTIVITIES, COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT A PART OF THE LANDSCAPING. ALL PLANT MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE WITHIN THE TIME PERIOD PROVIDED BY SUBSECTION.



THOMAS A. EVINGTON, JR.  
ELECTRONIC SEAL DATE: 09/16/2021  
EYINGTON ENTERPRISES, INC.  
#1800

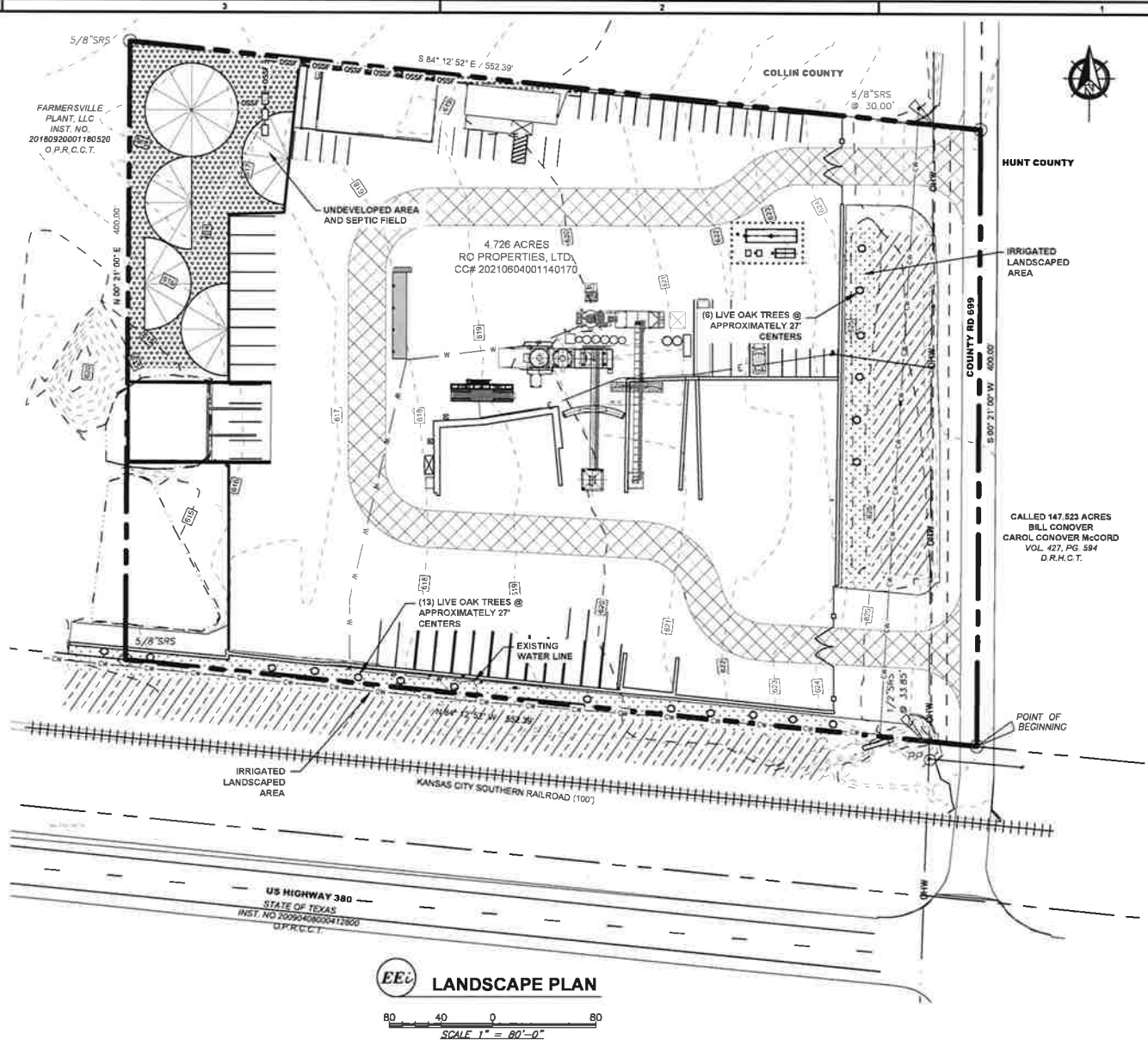
**LANDSCAPING AFFIDAVIT:**  
ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY AN IRRIGATOR LICENSED BY THE STATE.

- = LIVE OAK, 2" CALIPER MINIMUM AS PER TABLE, THIS SHEET
- = IRRIGATED AREA WITH ST. AUGUSTINE SOD & LIVE OAKS (13,421 SF)
- = NON-IRRIGATED AREA WITH ST. AUGUSTINE SOD (26,744 SF)
- = UNDISTURBED GRASSY AREA FOR OSSF (18,431 SF)

# TREES	TREE COMMON NAME / SCIENTIFIC NAME	CALIPER DBH (INCHES)	SPACING (AVG)
19	LIVE OAK (QUERCUS FUSIFORMIS)	2	27'±
NO TREES REMOVED, ONLY ADDED TO THE SITE			

## GENERAL SITE NOTES

IMPERVIOUS AREA WITHIN SITE BOUNDARIES:	182,220.78 SF	83%
PERVIOUS AREA WITHIN SITE BOUNDARIES:	37,691.99 SF	17%
TOTAL AREA WITHIN SITE BOUNDARIES:	219,912.77 SF	100%



## LANDSCAPE PLAN

SCALE 1" = 80'-0"

2118 NBR. RELEASED FOR CITY REVIEW ONLY. REV. 6

NO.	DATE	DESCRIPTION OF REVISION
A	09/02/21	RELEASED FOR REVIEW ONLY
B	09/02/21	GLOBAL MODIFICATIONS
C	09/02/21	PHASE 1A MODIFICATIONS
D	09/02/21	LANDSCAPE PLAN FOR SUP

**EYEINGTON ENTERPRISES, INC.**  
APPLIED ENGINEERING AND DESIGN SOLUTIONS  
CAROL CONOVER, P.E.  
THOMAS A. EVINGTON, JR., P.E.  
KATIE L. HARRIS, P.E.  
KATIE L. HARRIS, P.E.  
KATIE L. HARRIS, P.E.

**CONFIDENTIAL**  
THIS DOCUMENT IS THE PROPERTY OF EYEINGTON ENTERPRISES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF EYEINGTON ENTERPRISES, INC.  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 09/16/21  
SCALE: 1" = 80'  
SHEET: 1 OF 1  
PROJECT: 2118 NBR

**PROPOSED LANDSCAPING PLAN**  
NELSON BROS. READY MIX  
91 COUNTY RD 689  
FARMERSVILLE, TEXAS 75442

LS-1

## **V. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

A. Consider, discuss and act upon minutes from July 19, 2021.



**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION MINUTES  
REGULAR SESSION MEETING  
July 19, 2021, 6:00 P.M.**

**I. PRELIMINARY MATTERS**

- Chairman Joe Helmberger presided over the meeting which was called to order at 6:00 p.m. Commissioners Michael Hesse, Adam White, Leaca Caspari and John Klostermann were in attendance. Rachel Crist was not in attendance and there is one vacant seat on the Commission due to Lance Hudson being elected to City Council. Also, in attendance were City Manager, Ben White; staff liaison, Sandra Green; Council liaison, Lance Hudson; and City Attorney, Michael Martin.
- Michael Hesse 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)**

- None came forward to speak.

**III. PUBLIC HEARING**

- A. Public hearing to consider, discuss and act upon an application requesting a change in zoning on approximately 4.137 acres of land, more or less, from C – Commercial District Uses to PD – Planned Development District Uses with a base zoning designation of MF-2 – Multifamily Residence-2 District Uses for an apartment complex. The property is generally situated at 1904 Harvard Blvd., and located in the Murphy's Crossing Addition, Phase II, Lot 9, out of the W.B. Williams Survey, Abstract A-952, of Farmersville, Collin County, Texas.
- Chairman Helmberger opened the public hearing at 6:02 p.m.

- Sam Satterwhite who is employed by Engineering Concepts & Design stated they are asking for a PD – Planned Development with a base zoning of MF – 2 – Multifamily District. He said they are asking for a special district use for a PD – Planned Development because they want to limit the units to 72 rather than 96 that would be allowed per the Zoning Ordinance. He said he realized last time they came before the city density was a concern, so they reduced the number of units because they believe this is a great use for the site. He said the Future Land Use Map shows the site to be mixed use and multifamily would fit into that. He explained that Palladium Apartments to the south is at 100% capacity and they feel the need for multifamily is warranted. He said they would have a total of four buildings. He said three buildings would be multifamily units and the other would be an office. He indicated it would be a great market rate apartment complex for individuals and people who cannot afford a house. He said the office would employ five, full time staff members. The complex would have a pool, dog park and play ground. He stated the dog park is not guaranteed because of possible detention pond requirements. He said they will have to build over and above to be compatible with the market. He emphasized that his client is committed to excellence, so they want to use 100% masonry and have covered parking even though it is not required. He said when they plat the property they would correct the dedicated right-of-way issues on Harvard Drive. He indicated the project would be limited to three stories and would have a positive economic impact on the city. He stated he remembered there were concerns about sewer capacity and indicated if the city says a lift station has to be upgraded they would do that. He said he knows some are concerned about traffic, but with Collin Parkway having a stop light he believes that would alleviate some concerns.
- Joe Helmberger asked if anyone else wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 6:14 p.m.
- Leaca Caspari asked Sam Satterwhite why he wrote commercial on the application.
- Sam Satterwhite stated because they are currently zoned commercial and they are requesting a zoning change from C – Commercial to PD – Planned Development with a base zoning of MF – 2 – Multifamily – 2.
- Michael Hesse asked if the owner has a lot of experience building multifamily.
- Sam Satterwhite stated his family builds multifamily and this would be his first stand alone project. He is currently in the technology business. He said the owner understands he has to employ people to run the office and handle the maintenance of the facility.
- Leaca Caspari stated it looks like a quality development, but she does have concerns about changing zoning on the property. She indicated that one reason she is concerned is how they are using the PD – Planned Development designation. She does not want the city using the mixed use

designation to cram a lot of apartments in those area. She said she does not see enough commercial on the Future Land Use Map as it is.

- John Klostermann stated if the city houses more people the commercial will follow behind it.
- Leaca Caspari said she does not believe that is a valid argument anymore. She said we always have to look at each case and ask what it would do for the city.
- Joe Helmberger stated he is in favor of the apartment complex because the city needs more places for people to live and a lot of people cannot afford even a starter home. He believes there is a need for nice apartments in the city and thinks it is a good buffer from the residential.
- John Klostermann stated a lot of people do not want to maintain a yard anymore and do not have the time.
- Leaca Caspari stated she is just concerned because we have a lot of mixed use shown on the Future Land Use Map. She asked at what point would the city stop allowing apartments in mixed use. She said we seem to accommodate the people requesting the change more than we are considering the citizens. She indicated if the land use map stays the way it is they just have to be careful of what they approve. She said if you have a single use and use a PD – Planned Development zoning she has a problem with that because she does not feel that is what a PD – Planned Development is for and it almost seems like spot zoning.
- Sam Satterwhite stated he worked as a staff member for the Economic Development Department at another city and he understands their points. He said you are not going to get the commercial businesses without the density. If the property was directly on U.S. Highway 380 then he would say it should be commercial, but since this property is off of U.S. Highway 380 a bit he feels apartments would be good. He stated it could be offices or other uses because it is zoned commercial. He said they believe they are not going to have traffic issues because they are reducing the units from 96 to 72 and that saves several cars from driving. He knows that a market rate apartment complex could be a top tax payer to the city once built.
- Leaca Caspari stated she did not address the traffic issue and she knows that most everyone will use Collin Parkway once it is complete. She asked city staff if there is sufficient sewer capacity to handle the apartments if approved.
- Michael Hesse asked if they are on our electric grid or Texas-New Mexico.
- Ben White stated they would be on Texas-New Mexico.
- Joe Helmberger asked Sam Satterwhite if he received a will serve letter from the city indicating water and sewer would serve the property with no issues.
- Sam Satterwhite stated they did not.
- Joe Helmberger asked Ben White what the capacity of the sewer plant is.

- Ben White stated we are sitting at 40% to 50%, but we do have infiltration issues that come up.
- Michael Hesse asked if the sewer plant was fixed.
- Ben White stated it is currently being fixed.
  - Motion to approve made by Adam White
  - 2<sup>nd</sup> was made by John Klostermann
  - All members voted in favor, except Leaca Caspari and Michael Hesse who voted no

#### **IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

##### **A. Consider, discuss and act upon minutes from May 17, 2021.**

- Motion to approve made by Leaca Caspari
- 2<sup>nd</sup> was made by Michael Hesse
- All members voted in favor

##### **B. Consider, discuss and act upon a concept plan for Camden Park Phase 4.**

- Joe Helmberger asked if this was the property they are utilizing for single family rentals. He wanted to know why they are planning this as individual lots and not one huge parcel.
- Ben White stated they are developing the property according to the city's rules and he wants to be able to have them sold or leased on an individual basis.
- Joe Helmberger said when he sees lots like that for rent he usually sees large 10 or 12 acre parcels and not individual lots.
- Ben White explained the owner has a development in Forney like this and he also platted them as individual lots. He said the developer indicated he was renting some and selling some in Forney.
- Joe Helmberger asked if the lots had to maintain certain setbacks.
- Ben White stated they do.
- Sandra Green stated the zoning was approved as a PD – Planned Development with the base zoning as SF- 3 – Single Family Residence – 3 with 4,000 square foot lots and a reduction in width of the lot from 50 feet to 40 feet.
- Joe Helmberger asked if the concept plan matched what was approved in the PD – Planned Development zoning ordinance.
- Ben White explained the city engineer reviewed the documents and stated it did match with the zoning ordinance.

- Motion to approve made by Michael Hesse
- 2<sup>nd</sup> was made by John Klostermann
- All members voted in favor

C. Consider, discuss and act upon a preliminary plat for Camden Park Phase 4.

- Joe Helmberger stated the city engineer's letter indicated there is one issue that needs to be addressed on the plat. He said it does match the concept plan that was submitted.
  - Motion to conditionally approve the preliminary plat until all conditions are addressed as noted in the letter by Dunaway|DBI dated July 16, 2021 made by John Klostermann
  - 2<sup>nd</sup> was made by Adam White
  - All members voted in favor

D. Consider, discuss and act upon a final plat for the Oasis RV Resort.

- Joe Helmberger stated the letter from the city engineer said the applicant needed to correct three items before the plat could be filed.
- Ben White said they are connecting to our water system because they are within our water service area.
  - Motion to conditionally approve the plat until all conditions are addressed as noted in the letter by Dunaway|DBI dated July 15, 2021 made by John Klostermann
  - 2<sup>nd</sup> was made by Michael Hesse
  - All members voted in favor

## V. ADJOURNMENT

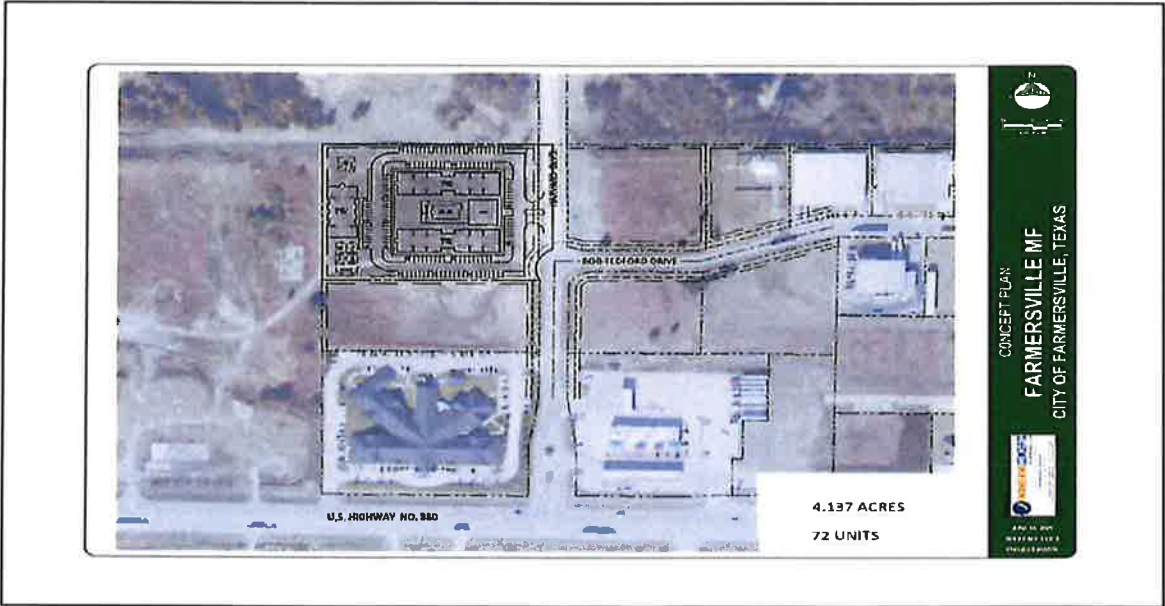
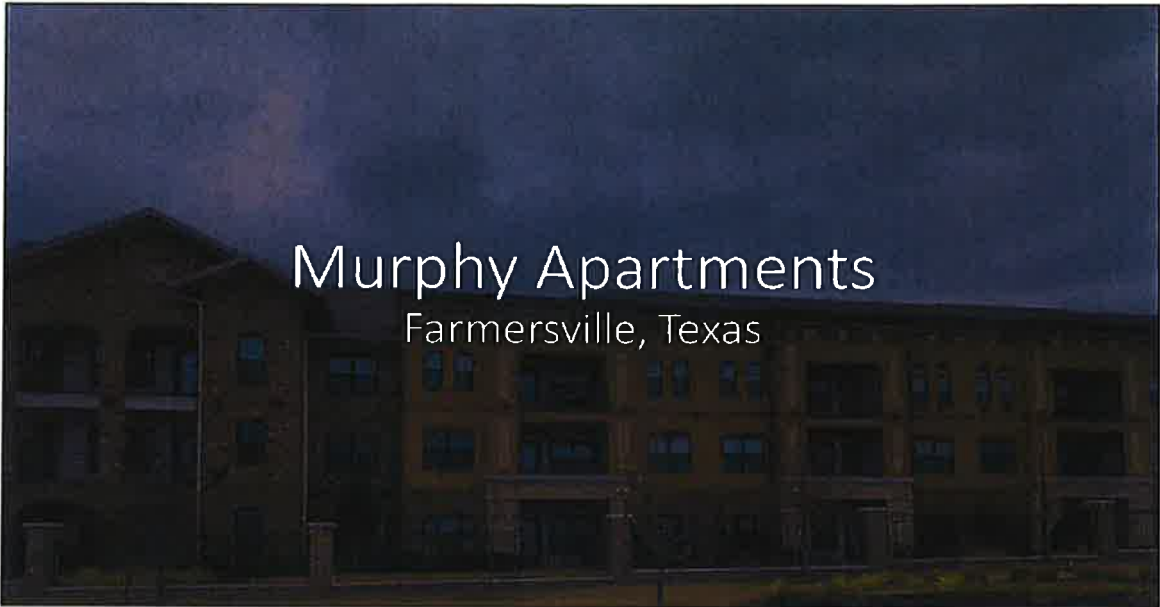
Meeting was adjourned at 6:48 p.m.

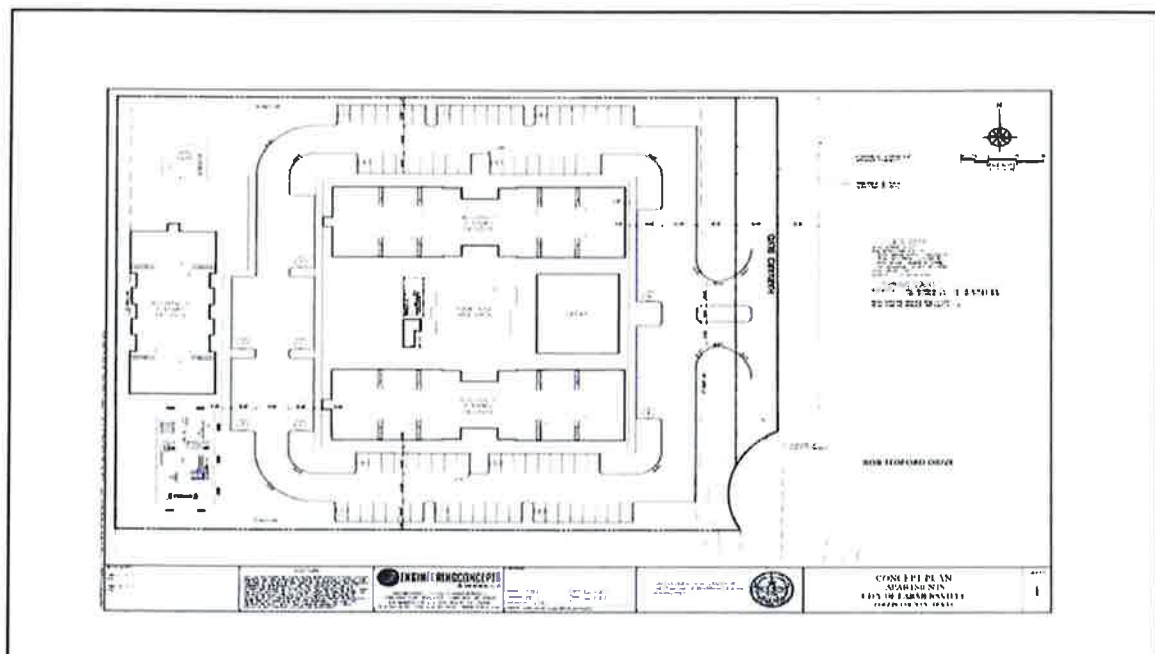
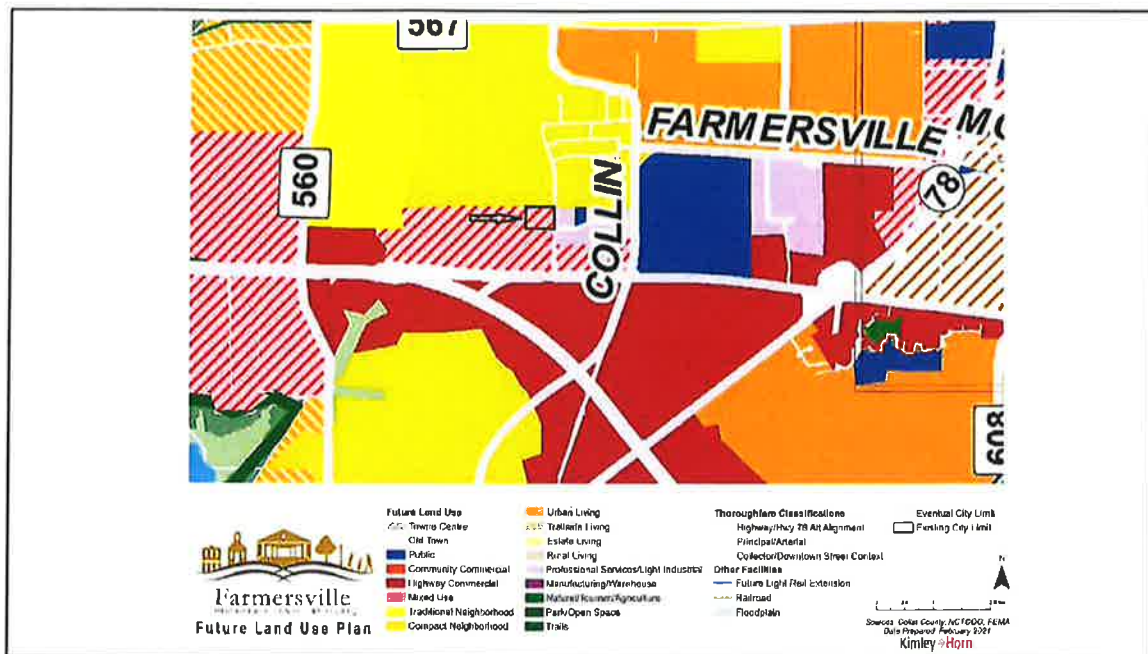
ATTEST:

APPROVE:

\_\_\_\_\_  
Sandra Green, TRMC, City Secretary

\_\_\_\_\_  
Joe Helmberger, Chairman







## *Commitment to Excellence*

- 100% Masonry with Stone Accents
- Covered Parking
- Market-Rate
- Dedicate Right-of-Way Via Plat
- Limit Structures to 3-Stories
- Economic Impact





July 16, 2021

Mr. Ben White, P.E.  
City of Farmersville  
205 S. Main St.  
Farmersville, Texas 75442

RE: Camden Park Phase 4 – Preliminary Plat  
Dated July 8, 2021

Mr. White:

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The following items will need to be addressed prior to approval.

- The subdivision in the Owner's Dedication is referenced as 'SHG Land Investments of Anna Five, LTD.' This will need to be revised to state 'of Farmersville, LTD.'

It is recommended that the Camden Park Phase 4 Preliminary Plat be conditionally approved pending completion of the above-mentioned items. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis".

Jacob Dupuis, PE  
Discipline Lead

118 McKinney Street | PO Box 606 | Farmersville, Texas 75442  
972.784.7777 | [dunaway.com](http://dunaway.com)  
Firm Registration No: F-1114



July 15, 2021

Mr. Ben White, P.E.  
City of Farmersville  
205 S. Main St.  
Farmersville, Texas 75442

RE: Oasis RV Resort  
Dated July 2021

Mr. White:

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The following items will need to be addressed prior to approval:

- 50' ROW dedication is required per the thoroughfare plan
- Plat will need to be designated as a 'Minor Plat' and title will need to be updated to reflect this
- Official name of the Plat will be 'Oasis RV Park Addition' and the title will need to be updated to reflect this

It is recommended that the Oasis RV Resort be approved pending completion of the above-mentioned items. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis".

Jacob Dupuis, PE  
Discipline Lead

118 McKinney Street | PO Box 606 | Farmersville, Texas 75442  
972.784.7777 | dunaway.com  
Firm Registration No: F-1114

B. Consider, discuss and act upon a concept plan for Kingston Apartments.



## DEVELOPMENT APPLICATION

- ☐ Preliminary Plat  
☐ Amended Plat  
☒ Concept Plan  
☐ Annexation

- ☐ Final Plat  
☐ Minor Plat  
☐ Specific Use Permit

- ☐ Replat  
☐ Development Plat  
☐ Site Plan  
☐ Rezoning

### Fees:

A retainer fee of \$1,000.00 is required for submittal. Once the plans have been reviewed the money will be refunded back to the applicant if all the \$1,000.00 is not used and will be billed if the amount exceeds the initial \$1,000.00. (Note: All engineering inspection fees will be billed at the time of service.)

The application fee of \$ \_\_\_\_\_, to be paid to the City of Farmersville, is enclosed with this application.

### A. Description of Property

1. Addition Name Kingston Apartments
2. Total Acreage 19 acre
3. Current Zoning Classification(s) PD SF-3
4. Proposed Zoning Classification(s) PD SF-3
5. Total Number of Lots, by Type 1, Multi-family
6. Proposed Use of Property multi family apartment complex
7. Location of Property S Collin Pkwy Farmersville, TX 75442
8. Geographic (Tax) ID Number R- 6952-002-2700-1 R- \_\_\_\_\_

### B. Applicants: (List those persons you wish to be contacted about this request.) **PLEASE PRINT**

- |  |  |
|--|--|
| 1. Owner <u>FVF Property, LLC</u>            | 2. Applicant/Representative <u>CCM Engineering (Jeff Crannell)</u> |
| Address <u>2150 S. Central Expy, Ste 200</u> | Address <u>2470 Justin Rd</u>                                      |
| City, State, Zip <u>Mckinney, Tx 75070</u>   | City, State, Zip <u>Highland Village, TX 75077</u>                 |
| Phone <u>214-205-8699</u>                    | Phone <u>972-691 6633</u>  |
| Email <u>bmyers@myerspicard.com</u>          | Email <u>jeff@ccm-eng.com OR luke@ccm-eng.com</u>                  |

C. Variance Request: ☐ Yes ☒ No If yes, describe: \_\_\_\_\_

"I hereby certify that I am the owner, or duly authorized agent of the owner for the purposes of this application, of the property herein described, that all information submitted herein is true and correct."

Applicant/Owner: 

Date: 7/28/2021



September 17, 2021

Mr. Ben White, P.E.  
City of Farmersville  
205 S. Main St.  
Farmersville, Texas 75442

RE: Kingston Apartments – Concept Plan  
Dated September 10, 2021

Mr. White:

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The following items will need to be addressed prior to approval:

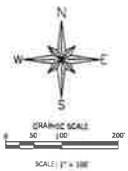
- The developer has requested a variance from screening wall regulations listed under Sec. 77-69 of the City Zoning Ordinances. The variance request will need to be reviewed and decided upon before the Concept Plan can be approved. The Concept Plan is required to show the screening according to a requirement under Sec. 65-28 of the Subdivision Ordinance.

It is recommended that the Kingston Apartments Concept Plan be denied due to the above-mentioned item. Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Jacob Dupuis".

Jacob Dupuis, PE  
Discipline Lead



VICINITY MAP

#### LEGEND

- 1/2" DS DRAINAGE GAS PRELINE SIDE
- 1/2" IR IRON ROD SET
- 1/2" IR IRON ROD FOUND
- CAP/AS CAPPED IRON ROD FOUND
- DUE DRAINAGE UTILITY EASEMENT
- SS (SM) SANITARY SEWER EASEMENT
- WIR (SM) WATER LINE EASEMENT

#### LEGAL DESCRIPTION

17.58 ACRES

Being all that certain lot, tract, or parcel of land that is situated in the W.B. Williams Survey, Abstract Number 952, Collin County, Texas, and being a remainder of 100.81-acre tract of land described in a deed to FVF PROPERTY, LLC, recorded in Instrument Number 20201231002269210, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/4 inch iron rod found, being the Southeast corner of the herein described tract, and being the most Southern-Southwestern corner of an 83.24-acre part of a tract of land described in a deed to FVF PROPERTY, LLC, recorded in Instrument Number 20060530000726050, of said Records, and being a point in the North line of Lot 9, Murphy's Crossing, Phase II, retraced in Cabinet Q, Page 432, Plat Records, Collin County, Texas;

THENCE North 88 Degrees 06 Minutes 32 Seconds West with the North line of said Lot 9, at 444.09 feet passing a 1/4 inch iron rod found bearing North 00 Degrees 31 Minutes 01 Seconds East, 1.04 feet, and continuing with the North line of Lot 1, Farmersville West, recorded in Document Number 2006011901000000, Official Public Records, Collin County, Texas, for a total distance of 1312.01 feet to a 1/4 inch iron rod found, being the Southwest corner of the herein described tract, and being the Southeast corner of a tract of land described in a deed to Thomas D. Willett, IV, recorded in Instrument Number 98-0035721, Official Property Records, Collin County, Texas;

THENCE North 00 Degree 00 Minutes 39 Seconds West with the most Easterly East line of said Midkiff tract, 555.21 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the left whose long chord bears South 51 Degrees 39 Minutes 06 Seconds East, 59.56 feet;

THENCE along said curve whose radius is 50.00 feet with an arc length of 140.09 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the right whose long chord bears North 53 Degrees 20 Minutes 47 Seconds East, 28.87 feet;

THENCE along said curve whose radius is 25.00 feet and an arc length of 30.77 feet to a capped iron rod set stamped "KAZ";

THENCE North 89 Degrees 55 Minutes 06 Seconds East, 823.74 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the left whose long chord bears North 79 Degree 31 Minutes 46 Seconds East, 197.30 feet;

THENCE along said curve whose radius is 625.00 feet with an arc length of 198.12 feet to a capped iron rod set stamped "KAZ";

THENCE North 71 Degrees 49 Minutes 21 Seconds East, 150.59 feet to a capped iron rod set stamped "KAZ";

THENCE South 18 Degrees 10 Minutes 39 Seconds East, 15.32 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the left whose long chord bears South 08 Degrees 57 Minutes 02 Seconds East, 150.14 feet;

THENCE along said curve whose radius is 570.00 feet and an arc length of 191.03 feet to a capped iron rod set stamped "KAZ";

THENCE South 01 Degree 00 Minutes 05 Seconds West, 476.32 feet to the PLACE OF BEGINNING containing 17.58 acres of land more or less.

## 1 MULTIFAMILY LOT CONCEPT PLAN Kingston Apartments

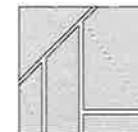
A 17.59 ACRE TRACT OUT OF THE  
W.B. WILLIAMS SURVEY, ABSTRACT NO. 952,  
LOT 1, BLOCK 1,  
CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

OWNER/DEVELOPER:

FVF PROPERTY, LLC

2150 S. Central Expressway, Suite 200  
McKinney, Texas 75070

ENGINEER:



### CCM Engineering

2570 FM 407, Suite 209  
Highland Village, Texas 75077  
Ph: 972.691.6633  
Fax: 972.691.6628  
TBPE FIRM #605

FOR REVIEW PURPOSES ONLY  
NOT FOR CONSTRUCTION OR  
RECORDING

Scale: 1"=100'

August 20, 2021

C. Consider, discuss and act upon a preliminary plat for Kingston Apartments.



## DEVELOPMENT APPLICATION

- ☒ Preliminary Plat  
☐ Amended Plat  
☐ Concept Plan  
☐ Annexation

- ☐ Final Plat  
☐ Minor Plat  
☐ Specific Use Permit

- ☐ Replat  
☐ Development Plat  
☐ Site Plan  
☐ Rezoning

### Fees:

A retainer fee of \$1,000.00 is required for submittal. Once the plans have been reviewed the money will be refunded back to the applicant if all the \$1,000.00 is not used and will be billed if the amount exceeds the initial \$1,000.00. (Note: All engineering inspection fees will be billed at the time of service.)

The application fee of \$ 400 , to be paid to the City of Farmersville, is enclosed with this application.

### A. Description of Property

1. Addition Name Kingston Apartments
2. Total Acreage 19 acre
3. Current Zoning Classification(s) PD SF-3
4. Proposed Zoning Classification(s) PD SF-3
5. Total Number of Lots, by Type 1, Multi-family
6. Proposed Use of Property multi family apartment complex
7. Location of Property S Collin Pkwy Farmersville, TX 75442
8. Geographic (Tax) ID Number R- 6952-002-2700-1 R-

### B. Applicants: (List those persons you wish to be contacted about this request.) **PLEASE PRINT**

- |  |  |
|--|--|
| 1. Owner <u>FVF Property, LLC</u>            | 2. Applicant/Representative <u>CCM Engineering (Jeff Crannell)</u> |
| Address <u>2150 S. Central Expy, Ste 200</u> | Address <u>2470 Justin Rd</u>                                      |
| City, State, Zip <u>Mckinney, Tx 75070</u>   | City, State, Zip <u>Highland Village, TX 75077</u>                 |
| Phone <u>214-205-8699</u>                    | Phone <u>972-691 6633</u>  |
| Email <u>bmyers@myerspicard.com</u>          | Email <u>jeff@ccm-eng.com OR luke@ccm-eng.com</u>                  |

C. Variance Request: ☐ Yes ☒ No If yes, describe: \_\_\_\_\_

"I hereby certify that I am the owner, or duly authorized agent of the owner for the purposes of this application, of the property herein described, that all information submitted herein is true and correct."

Applicant/Owner: 

Date: 7/27/2021



September 17, 2021

Mr. Ben White, P.E.  
City of Farmersville  
205 S. Main St.  
Farmersville, Texas 75442

RE: Kingston Apartments – Preliminary Plat  
Dated September 10, 2021

Mr. White:

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The following items will need to be addressed prior to approval:

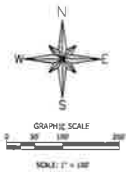
- A complete set of Engineering Plans is required under Sec. 65-29 of the City Ordinances.

It is recommended that the Kingston Apartments Preliminary Plat be denied due to the above-mentioned item. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis". The signature is written in a cursive, flowing style.

Jacob Dupuis, PE  
Discipline Lead



1. Right-of-Ways to be dedicated at time of platting.
2. Easements such as drainage, water, sanitary, access to be dedicated at time of platting.
3. Areas with natural features or structures of any historical significance are not located on this site.
4. Subject property is located within the city limits of the City of Farmersville.
5. Subject property is located within the Farmersville ISD.
6. Subject property is not located within a floodplain. Subject property is located within Zone X, per FEMA FIRM map 48085C0320J, dated June 2, 2009.

7. Two permanent monuments and one property corner to be tied to City's approved vertical control monumentation upon preparation of Final Plat.

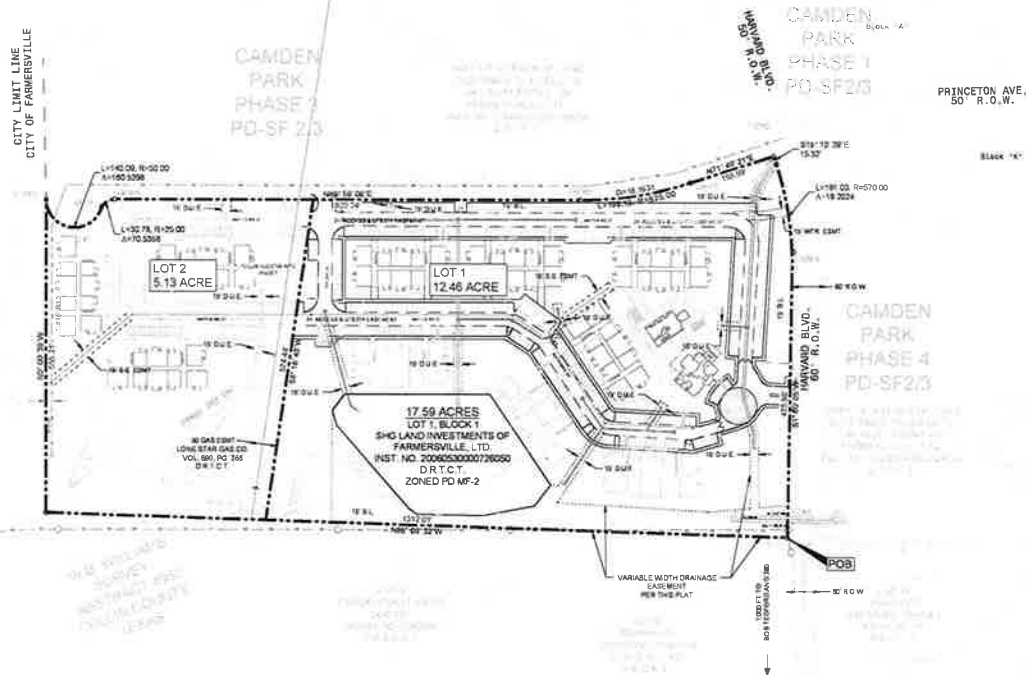
**NOTICE:**  
SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES, BUILDING PERMITS, AND/OR CERTIFICATES.



**VICINITY MAP**

LEGEND	
	DRAINAGE EASEMENT
	IRON ROD SET
	IRON ROD FOUND
	CAPPED IRON ROD FOUND
	DRAINAGE UTILITY EASEMENT
	SANITARY SEWER EASEMENT
	WATER LINE EASEMENT

Water and Sanitary Sewer: City of Farmersville  
Electricity: Texas New Mexico Power Company  
Communications: Verizon



**LEGAL DESCRIPTION**

**17.59 ACRES**

Being all that certain lot, tract, or parcel of land that is situated in the W.B. Williams Survey, Abstract Number 952, Collin County, Texas, and being a remainder of 100.81-acre tract of land described in a deed to FVF PROPERTY, LLC, recorded in Instrument Number 20001231003360210, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/4 inch iron rod found, being the Southeast corner of the herein described land, and being the most Southern Southwest corner of an 83.24-acre part of a tract of land described in a deed to SHG Investments of Farmersville, LTD., recorded in Instrument Number 200005030000726050, of said Records, and being a point in the North line of Lot 11, Murguyn's Crossing, Phase II, recorded in Cabinet Q, Page 432, Plat Records, Collin County, Texas;

THENCE North 88 Degrees 06 Minutes 32 Seconds West with the North line of said Lot 9, at 444.09 feet passing a 1/4 inch iron rod found bearing North 00 Degrees 31 Minutes 01 Seconds East, 1.04 feet, and continuing with the North line of Lot 1, Farmersville West, recorded in Instrument Number 20001116010002002, Official Public Records, Collin County, Texas, for a total distance of 1332.01 feet to a 1/4 inch iron rod found, being the Southwest corner of the herein described tract, and being the Southeast corner of a tract of land described in a deed to Thomas O. Midelf, IV, recorded in Instrument Number 98.0035721, Official Property Records, Collin County, Texas;

THENCE North 00 Degree 00 Minutes 39 Seconds West with the most Easterly East line of said Midelf tract, 555.21 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the left whose long chord bears South 81 Degrees 39 Minutes 06 Seconds East, 96.56 feet;

THENCE along said curve whose radius is 50.00 feet with an arc length of 140.09 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the right whose long chord bears North 33 Degrees 30 Minutes 47 Seconds East, 29.87 feet;

THENCE along said curve whose radius is 75.00 feet and an arc length of 30.77 feet to a capped iron rod set stamped "KAZ";

THENCE North 85 Degrees 56 Minutes 06 Seconds East, 823.24 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the left whose long chord bears North 79 Degree 31 Minutes 46 Seconds East, 197.30 feet;

THENCE along said curve whose radius is 625.00 feet with an arc length of 198.13 feet to a capped iron rod set stamped "KAZ";

THENCE North 71 Degree 49 Minutes 21 Seconds East, 155.56 feet to a capped iron rod set stamped "KAZ";

THENCE South 19 Degrees 10 Minutes 39 Seconds East, 15.32 feet to a capped iron rod set stamped "KAZ", being the beginning of a curve to the left whose long chord bears South 09 Degrees 57 Minutes 02 Seconds East, 190.14 feet;

THENCE along said curve whose radius is 570.00 feet and an arc length of 191.03 feet to a capped iron rod set stamped "KAZ";

THENCE South 01 Degrees 00 Minutes 05 Seconds West, 475.96 feet to the PLACE OF BEGINNING containing 17.59 acres of land more or less.

**1 MULTIFAMILY LOT  
PRELIMINARY PLAT  
Kingston Apartments**

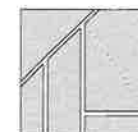
A 17.59 ACRE TRACT OUT OF THE  
W.B. WILLIAMS SURVEY, ABSTRACT NO. 952,  
LOT 1, BLOCK 1  
CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

OWNER/DEVELOPER:

FVF PROPERTY, LLC

2150 S. Central Expressway, Suite 200  
McKinney, Texas 75070

ENGINEER:



**CCM Engineering**

2570 FM 407, Suite 209  
Highland Village, Texas 75077  
Ph: 972.691.6633  
Fax: 972.691.6628  
TBPE FIRM #605

**APPROVALS**

CHAIRMAN OF THE PLANNING & ZONING COMMITTEE	DATE
CITY MANAGER	DATE
CITY ENGINEER	DATE
MAYOR	DATE
CITY SECRETARY	DATE

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

NOTARY \_\_\_\_\_ DATE \_\_\_\_\_

**FOR REVIEW PURPOSES ONLY  
NOT FOR CONSTRUCTION OR  
RECORDING**

Scale: 1"=100'

August 29, 2021

## **VI. Adjournment**