



**CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION AGENDA
REGULAR CALLED MEETING
May 17, 2022, 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. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)

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

III. PUBLIC HEARING

- A. Public Hearing to consider discuss and act upon a request to change the zoning on approximately 53.274 acres of land, more or less, from A – Agricultural District uses to SF-3 Single-Family Dwelling-3 District uses for the development of 231 single-family residential lots. The property is generally situated at 703 Merit Street, and

located in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.

- B. Public Hearing to consider discuss and act upon a request to change the zoning on approximately 8.153 acres of land, more or less, to LI – Light Industrial District uses. The property is generally located at the northeast corner of East Audie Murphy Parkway (U.S. Highway 380) and County Road 653, Collin County, Texas, and is situated within the William Hemphill Survey, Abstract No. A 0448, Sheet 3 Tract 20, Collin County, Texas. The land is the subject of a petition for annexation.
- C. Public Hearing to consider, discuss and act upon a request to change the zoning on approximately 26.0183 acres of land more or less, to SF 3, Single Family Dwelling 3 District uses for the development of approximately 111 single-family residential lots. The property is generally located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas, and situated within the Elijah B. Reed Survey, Abstract No. 739, Collin County, Texas. The land is the subject of a petition for annexation.

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss and act upon P&Z minutes from the March 15, 2022, meeting.
- B. Consider, discuss, and act upon a recommendation to City Council regarding Ordinance #O-2022-0524-001, amendment of Chapter 77 “Zoning” by amending Section 77-46. Entitled “Schedule of Uses”.

V. WORKSESSION

Consider, discuss, and act upon further recommendations from the Planning and Zoning Commission regarding the proposed Historic Overlay District Ordinance.

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 Work Session, Special or Regular Session agenda items requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed) listed on the agenda, as authorized by Texas Government Code Section 551.071(a) (“Consultation with Attorney, Closed Meeting”).

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 May 13, 2022, by 12:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Dated this the 13th day of May 2022.


Tabatha Monk, City Secretary



I. Preliminary Matters

II. Public Comment on Agenda Items

III. PUBLIC HEARING

III.A. Zoning Nerwich 53 (53.2 Acres)

20222208



DEVELOPMENT APPLICATION

- | | | |
|---|--|--|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Replat |
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Minor Plat | <input type="checkbox"/> Development Plat |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Specific Use Permit | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Annexation | | <input checked="" type="checkbox"/> 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 Nerwich 53
2. Total Acreage 53.2 acres
3. Current Zoning Classification(s) AG
4. Proposed Zoning Classification(s) PD - PLANNED DEVELOPMENT based upon SF-3 zoning w/ modifications for 20' Front Yard setback and Single-family (detached) maximum lot coverage of 60%.
5. Total Number of Lots, by Type 231
6. Proposed Use of Property Single-family residential
7. Location of Property 703 Merit St. Farmersville, TX 75442
8. Geographic (Tax) ID Number R- 6952-005-1710-1 R- 6952-005-1640-1

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

- | | | |
|---|--|--|
| NERWICH FAMILY LIMITED PARTNERSHIP | | Craig Calhoun - Sweet Cow Holdings, LLC. |
| 1. Owner By: <u>Nerwich Family General Partner, LLC</u> | 2. Applicant/Representative | |
| Address <u>PO Box 857</u> | Address <u>2301 Vail Dr.</u> | |
| City, State, Zip <u>Farmersville, TX 75442-0857</u> | City, State, Zip <u>McKinney, TX 75070</u> | |
| Phone _____ | Phone _____ | |
| Email _____ | Email _____ | |

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: *John L. [Signature]*

Date: 4-22-22

All that certain lot, tract or parcel of land situated in the W.B. Williams Survey, Abstract No. 952, Collin County, Texas, and being known as that tract of land described in a Deed to Nerwich Family Limited Partnership as recorded in Doc. No. 20090211000147930 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 1), and being part of that tract of land described in a Deed to Nerwich Family Limited Partnership as recorded in Doc. No. 20090211000147920 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 2), and being all of that tract of land described in a Deed to Nerwich Loving Trust Dated October 9, 1990 as recorded in Doc. No. 20090211000147940 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 3) and being all of a tract of land described in a Deed to J.L. Nerwich as recorded in Doc. No. 20130509000638130 and Doc. No. 20130509000638140 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 4) and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner near a fence corner post at the Northwest corner of said Tract 1;

THENCE N. 89 deg. 33 min. 53 sec. E. with the North line of said Tract 1 and along a fence line, a distance of 850.47 feet to a 1/2" iron rod found for corner at a fence corner post at the Southwest corner of a called 8.9526 acre tract of land described in a Deed recorded in Vol. 5694, Pg. 2921 of the Official Public Records of Collin County, Texas;

THENCE N. 89 deg. 39 min. 24 sec. E. with the South line of said 8.9526 acre tract, passing 0.57 feet North of a 1/2" iron rod found at a distance of 623.97 feet and continuing for a total distance of 651.21 feet to a 3/8" iron rod found in the centerline of Merit Street and being at the Southeast corner of said 8.9526 acre tract and at the Northeast corner of said Tract 1;

THENCE S. 00 deg. 06 min. 51 sec. E. along the centerline of said street, a distance of 584.98 feet to a PK nail found in the East line of said Tract 4;

THENCE S. 00 deg. 21 min. 55 sec. E. along the centerline of said street, a distance of 671.97 feet to a 1/2" iron rod found for corner at the Southeast corner of said Tract 2 and being in the Northwest line of a tract of land described in a Deed to the City of Farmersville as recorded in Vol. 5201, Pg. 398 of the O.P.R.C.C.T.;

THENCE in a Southwesterly direction with the Northwest line of said City of Farmersville tract as follows:
S. 55°44'05"W. 266.00 feet;
S. 54°26'05"W. 300.00 feet;
S. 52°10'49"W. 77.68 feet to a 1/2" iron rod with cap stamped "Owens" found for corner at the Northeast corner of a called 3.754 acre tract of land described in a Deed recorded in Doc. No. 20160505000551490 of the O.P.R.C.C.T.;

THENCE N. 88 deg. 05 min. 40 sec. W. along a fence line and with the North line of said 3.754 acre tract, a distance of 354.72 feet to a fence corner post found for corner at a turn in the North line of said 3.754 acre tract;

THENCE N. 87 deg. 19 min. 48 sec. W. along a fence line and with the North line of said 3.754 acre tract, a distance of 636.37 feet to a fence corner post found for corner at the Northwest corner of said 3.754 acre tract;

THENCE N. 00 deg. 38 min. 59 sec. E. along a fence line, a distance of 144.81 feet to a 3/4" iron rod found for corner at the Southwest corner of a tract of land deeded from W.L. Gunnell, Sr. to the City of Farmersville on July 22, 1961, said point also being a corner in the East line of a called 2.233 acre tract of land described in a Deed recorded in Doc. No. 20120319000312930 of the O.P.R.C.C.T.;

THENCE S. 89 deg. 19 min. 11 sec. E. along a fence line, a distance of 98.54 feet to a 1/2" iron rod found for corner at the Southeast corner of said City of Farmersville tract;

THENCE N. 01 deg. 07 min. 38 sec. E. along a fence line, a distance of 100.18 feet to a 1/2" iron rod found for corner at the Northeast corner of said City of Farmersville tract;

THENCE N. 89 deg. 19 min. 11 sec. W. along a fence line, a distance of 100.00 feet to a 1/2" iron rod found for corner at the Northwest corner of said City of Farmersville tract and being in the East line of said 2.233 acre tract;

THENCE N. 00 deg. 17 min. 26 sec. E. with the East line of said 2.233 acre tract and along a fence line, a distance of 450.43 feet to a 1/2" iron rod found for corner at a fence corner post at the Northeast corner of said 2.233 acre tract;

THENCE N. 00 deg. 15 min. 16 sec. E. along a fence line and with the West line of said Tract 2, Tract 4 and Tract 1, a distance of 881.63 feet to the POINT OF BEGINNING and containing 53.274 acres of land more or less.

City of Farmersville Notice of Public Hearing

The Farmersville Planning and Zoning Commission will hold a public hearing on Tuesday, May 17, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to change the zoning on approximately 53.274 acres of land, more or less, from A – Agricultural District uses to Planned Development District with a Base Zoning District of SF-3 – Single-Family Dwelling-3 District uses with certain modifications to reduce the minimum front yard setback from twenty-five feet (25') to twenty feet (20') and increase the maximum lot coverage for Single-Family (Detached) lots from fifty percent (50%) to sixty percent (60%) for the development of 231 single-family residential lots. The property is generally situated at 703 Merit Street, and located in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

City of Farmersville Notice of Public Hearing

The Farmersville City Council will hold a public hearing on Tuesday, May 24, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to change the zoning on approximately 53.274 acres of land, more or less, from A – Agricultural District uses to Planned Development District with a Base Zoning District of SF-3 – Single-Family Dwelling-3 District uses with certain modifications to reduce the minimum front yard setback from twenty-five feet (25') to twenty feet (20') and increase the maximum lot coverage for Single-Family (Detached) lots from fifty percent (50%) to sixty percent (60%) for the development of 231 single-family residential lots. The property is generally situated at 703 Merit Street, and located in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.



STATE OF TEXAS
COUNTY OF COLLIN

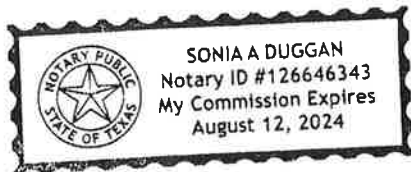
Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C&S Media, dba *The Farmersville Times* a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Farmersville
Legal Notice – Zoning Change on 53.274 Acres from “A” to “PD-SF-3”
was published in said newspaper on the following date(s), to-wit:
April 28, 2022

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 28th day of April, 2022 to certify which witness my hand and seal of office.

Notary Public in and for
The State of Texas



My commission expires 08/12/2024.

Independent Consulting Services

The City of Princeton, TX is seeking proposals from qualified firms for entering into an agreement for Independent Consulting Services.

The deadline for receipt of sealed proposals is: **Friday, May 13, 2022 at 3:00 PM.** Please submit one (1) marked original copy of your complete proposal. Sealed proposals must be received by this deadline at the following location:

**City of Princeton
Attn: DeShawyna Walker
2000 E. Princeton Drive
Princeton, TX 75407**

Submission of proposals via email is also acceptable. Emailed proposals must be received by the deadline and may be submitted to:

swalker@princeton.tx.us

Any proposal received after the date and time listed above will not be considered.

Questions pertaining to this Request for Proposal (RFP) must be communicated in writing and be received via email from **Fri-**

CITY OF FARMERSVILLE

Notice of Public Hearing

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All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

CITY OF

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22-1t-109li

CITY OF FARMERSVILLE

Notice of Public Hearing

The Farmersville Planning and Zoning Commission will hold a public hearing on Tuesday, May 17, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to change the zoning on approximately 53.274 acres of land, more or less, from A – Agricultural District uses to Planned Development District with a Base Zoning District of SF-3 – Single-Family Dwelling-3 District uses with certain modifications to reduce the minimum front yard setback from twenty-five feet (25') to twenty feet (20') and increase the maximum lot coverage for Single-Family (Detached) lots from fifty percent (50%) to sixty percent (60%) for the development of 231 single-family residential lots. The property is generally situated at 703 Merit Street, and

and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

22-1t-133li

CITY OF PRINCETON

PUBLIC HEARING IN THE COUNCIL CHAMBER OF CITY HALL LOCATED AT 2000 E. PRINCETON DRIVE, PRINCETON, TEXAS:

A request has been received from Brad Williams, GRBK Edgewood, LLC, for a rezoning of property from Agricultural "AG" to "PD" Planned Development, BEING a tract of land situated in the William D. Thompson Survey, Abstract Number 892, Collin County, Texas and being a portion of that tract of land conveyed to Millard B. Rice, according to the document filed of record in Instrument Number 20121228001652010, Official Public Record Collin County, Texas (O.P.R.C.C.T.) and being more particularly described as follows: containing 18,6046.185 square feet or 427.0933 acres of land, more or less.

703 Merit Street, and

Wright Survey, Abstract No. 957, and being out of and a part of a 42.83-acre tract described in a deed to Aloha Village Incorporated as recorded under Clerk's Document No. 20071015001415660, Collin County Deed Records, said tract or parcel of land is herein described as follows: containing 20 acres of land, more or less.

PUBLIC HEARING WILL BE HELD IN THE COUNCIL CHAMBER OF CITY HALL LOCATED AT 2000 E. PRINCETON DRIVE, PRINCETON, TEXAS:

The Princeton City Council will hold the First Public Hearing regarding this request on May 9, 2022, at 6:30 pm.

AS AN INTERESTED PROPERTY OWNER YOU ARE REQUESTED TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS.

If you have any questions or need additional information, please contact the City of Princeton at (972) 734-2416.

Amber Anderson
City Secretary

22-1t-88li

CITY OF PRINCETON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PRINCETON, TEXAS, AMENDING THE PRINCETON MUNICIPAL CODE, CHAPTER 66 "STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTY" BY REPLACING THE ENTIRETY OF ARTICLE IV "PARADES AND SPECIAL EVENTS" WITH REVISED PROVISIONS FOR PERMIT APPLICATIONS AND REQUIREMENTS; AMENDING CHAPTER 50 "PARKS AND RECREATION" OF THE CODE TO ADD CLARIFYING AND CONFORMING PROVISIONS; ESTABLISHING A CRIMINAL OF-

THE CITY COUNCIL OF THE CITY OF PRINCETON, TEXAS, AMENDING THE PRINCETON MUNICIPAL CODE, CHAPTER 66 "STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTY" BY REPLACING THE ENTIRETY OF ARTICLE IV "PARADES AND SPECIAL EVENTS" WITH REVISED PROVISIONS FOR PERMIT APPLICATIONS AND REQUIREMENTS; AMENDING CHAPTER 50 "PARKS AND RECREATION" OF THE CODE TO ADD CLARIFYING AND CONFORMING PROVISIONS; ESTABLISHING A CRIMINAL OF-

Dan Day
2747 CR 613
Farmersville, TX 75442

Matthew Daniel & Sandra A Day
2747 CR 613
Farmersville, TX 75442

Eitel Bessie M L Smith
908 N. Main St.
Farmersville, TX 75442

Farmersville Community Development
Corporation
205 S. Mian St.
Farmersville, TX 75442

Kamy Real Property Trust
P.O. Box 50593
Denton, TX 76206-0593

Tim Arthur Murchison
278 FM 2194
Farmersville, TX 75442

Nerwich Family Limited Partnership
P.O. Box 857
Farmersville, TX 75442

Nerwich LJ
P.O. Box 857
Farmersville, TX 75442

Robbys Nest Equestrian Center &
Rescue Foundation
610 Robbys Nest
Farmersville, TX 75442

Charles & Marvine Shelton
801 Merit St.
Farmersville, TX 75442

Farmersville ISD
Attn: Admin Office
501-A Hwy. 78 N.
Farmersville, TX 75442

*Mailed 4/27/22
TJM*



Dan Day
2747 CR 613
Farmersville, TX 75442



Matthew Daniel & Sandra A Day
2747 CR 613
Farmersville, TX 75442

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CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

Eitel Bessie M L Smith
908 N. Main St.
Farmersville, TX 75442



CITY OF FARMERSVILLE
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Farmersville Community Development
Corporation
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0006037447
APR 27 2022



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

Kamy Real Property Trust
P.O. Box 50593
Denton, TX 76206-0593



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

Tim Arthur Murchison
278 FM 2194
Farmersville, TX 75442

FIRST-CLASS



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FIRST-CLASS



US POSTAGE IMMEDIATE **PITNEY BOWES**
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02 7H APR 27 2022
0006037447



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

Nerwich Family Limited Partnership
P.O. Box 857
Farmersville, TX 75442



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

Nerwich L
P.O. Box 857
Farmersville, TX 75442

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CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

Robbys Nest Equestrian Center &
Rescue Foundation
610 Robbys Nest
Farmersville, TX 75442



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

Charles & Marvine Shelton
801 Merit St.
Farmersville, TX 75442

FIRST-CLASS



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FIRST-CLASS



US POSTAGE TM **PITNEY BOWES**
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Farmersville ISD
Attn: Admin Office
501-A Hwy. 78 N.
Farmersville, TX 75442

FIRST-CLASS



US POSTAGE IMPIPITNEY BOWES

ZIP 75442
02 7H
0006037447

\$ 000.53⁰
APR 27 2022

III.B. Zoning Thomas Dodge Company (8.153 acres)



Farmersville

DISCOVER A TEXAS TREASURE

DEVELOPMENT APPLICATION

- | | | |
|--|--|--|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Replat |
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Minor Plat | <input type="checkbox"/> Development Plat |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Specific Use Permit | <input type="checkbox"/> Site Plan |
| <input checked="" type="checkbox"/> Annexation | | <input checked="" type="checkbox"/> 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 ABS AC448 William Hemphill Survey, Sheet 3, Tract 20
2. Total Acreage 8.153
3. Current Zoning Classification(s) ETT
4. Proposed Zoning Classification(s) Industrial
5. Total Number of Lots, by Type 1
6. Proposed Use of Property Light Industrial
7. Location of Property E Audie Murphy Parkway
8. Geographic (Tax) ID Number R- 6448-003 0200-1 R- _____

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

1. Owner Thomas Dodge Company
2. Applicant/Representative _____
Address _____
City, State, Zip _____
Phone _____
Email tdodge@tdodgecompany.com

C.

"I, _____, 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: 4/8/12

pres Thomas Dodge Company

BEGINNING at a 5/8 iron rod with cap stamped "Jones Carter" set for the southwest corner of said 8.153 acre tract and the north right-of-way line of U. S. Highway No. 380, and the center of County Road No. 653;

THENCE North 01 Degrees 02 Minutes 25 Seconds East, along the center of County Road No. 653, a distance of 862.63 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

THENCE departing the center of County Road No. 653, over and across said 8.153 acre tract and the, the following courses:

South 84 Degrees 10 Minutes 05 Seconds East, a distance of 26.41 feet to a 5/8" iron rod with cap stamped "Jones Carter" set at the beginning of a non-tangent curve to the left;

Southeasterly, along said non-tangent curve to the left having a central angle of 30 Degrees 52 Minutes 30 Seconds, a radius of 806.78 feet, an arc distance of 434.75 feet and a chord bearing and distance South 34 Degrees 26 Minutes 43 Seconds East, 429.51 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

South 49 Degrees 52 Minutes 58 Seconds East, a distance of 405.94 feet to 5/8" iron rod with cap stamped "Jones Carter" set at the beginning of a tangent curve to the left;

Southeasterly, along said tangent curve to the left having a central angle of 12 Degrees 03 Minutes 23 Seconds, a radius of 806.78 feet, an arc distance of 169.77 feet and a chord bearing and distance of South 55 Degrees 54 Minutes 39 Seconds East, 169.45 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

South 04 Degrees 53 Minutes 51 Seconds East, a distance of 181.30 feet to a 5/8" iron rod with cap stamped "Jones Carter" set in the north line of said U. S. Highway No. 380;

THENCE along the south line of said 103.534 acre tract and the north line of said U. S. Highway No. 380, the following courses:

South 80 Degrees 41 Minutes 54 Seconds West, a distance of 29.98 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

North 89 Degrees 29 Minutes 25 Seconds West, a distance of 672.01 feet to a TxDOT aluminum disc found for corner;

North 44 Degrees 19 Minutes 25 Seconds West, a distance of 42.30 feet to a TxDOT aluminum disc found for corner;

North 89 Degrees 29 Minutes 25 Seconds West, a distance of 20.00 feet to the POINT OF BEGINNING and containing 355,138 square feet or 8.153 acres of land more or less."



STATE OF TEXAS
COUNTY OF COLLIN

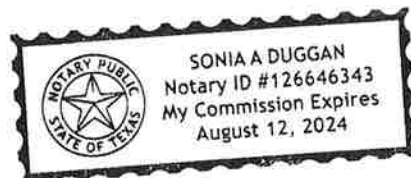
Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C&S Media, dba *The Farmersville Times* a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Farmersville
Legal Notice – Public Hearings
8.153 acres (East Audie Murphy Pkwy & CR 653) zoning change to LI
was published in said newspaper on the following date(s), to-wit:
April 21, 2022

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 21st day of April, 2022 to certify which witness my hand and seal of office.

Notary Public in and for
The State of Texas



My commission expires 08/12/2024.

classifieds & real es

972-442-5515 x21 class

Legal Notice

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s is not required
the bid. The
ESSFUL BID-
will be required
out the included
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to the Owner
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) **"BID EN-
D - Sheamar
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r- DO NOT
UNTIL 10:00
MAY 19TH,**

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check, or an
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ade payable
conditions to
of Princeton,
an amount of
han five per-
) of the total
f the bid sub-
ust accompa-
id as a guar-
t if awarded
act, the bid-
promptly en-
contract and
such bonds
equired and
evidence of
d insurance

#100, McKinney, Tex-
as 75069 or on the Civ-
Cast website at www.
CivCastUSA.com.

The Owner reserves
the right to accept the
bid which, in its judg-
ment provides the most
value to the Owner; to
reject any or all bids;
and to waive irregu-
larities or informalities
in any bid received,
deemed to be in the
best interest of the
Owner. Conditional or
qualified bids will not
be accepted. In case
of ambiguity or lack
of clearness in stat-
ing prices in the bid,
the Owner reserves
the right to accept the
most advantageous
construction thereof to
the Owner or to reject
the bid. No officer or
employee of the Owner
shall have a financial
interest, direct or in-
direct, in any contract
with the Owner. No
bid may be withdrawn
within one-hundred
twenty (120) days af-
ter the Closing Time
without prior written
approval of the Owner.

The date/time stamp
located in the Owner's
office serves as the of-
ficial time clock. The
Owner cannot guaran-
tee that any bids sent
priority mail will be
picked up from the

is recommended that
bid deliveries be made
either in person or via
an alternate delivery
method ensuring de-
livery to the physical
address. **Bidder bears
full responsibility for
ensuring the bid is
delivered to the speci-
fied location by the
Closing Time. The
mere fact that a bid
was dispatched will
not be considered.
Submissions received
in the office after the
Closing Time shall be
returned unopened.**

A **MANDATORY** pre-
bid meeting will be
held at 10:00 AM on
May 5th, 2022. The
meeting will be held
at the Princeton Public
Works at 255 E. Monte
Carlo Blvd., Princeton,
TX 75407.

20-21-230li

CITY OF FARMERSVILLE

Notice of Public Hearing

The Farmersville
Planning and Zon-
ing Commission will
hold a public hearing
on Tuesday, May 17,
2022, at 6:00 p.m. in
the Council Chambers
of City Hall, 205 S.
Main Street, Farmers-

LI - Light Industrial
District uses. The
property is generally
located at the northeast
corner of East Audie
Murphy Parkway
(U.S. Highway 380)
and County Road 653,
Collin County, Texas,
and is situated within
the William Hemphill
Survey, Abstract No. A
0448, Sheet 3 Tract 20,
Collin County, Texas.
The land is the subject
of a petition for annex-
ation.

All interested citizens
and property owners
are hereby notified of
their right to appear and
be heard on the matter.
Opinions, objections
and/or comments rela-
tive to this matter may
be expressed in writing
or in person at the hear-
ing.

CITY OF FARMERSVILLE

Notice of Public Hearing

The Farmersville City
Council will hold
a public hearing on
Tuesday, May 24,
2022, at 6:00 p.m. in
the Council Chambers
of City Hall, 205 S.
Main Street, Farmers-
ville, TX to consider a
request to zone approx-
imately 8.153 acres of
land, more or less to

0448, Sheet 3 Tract 20,
Collin County, Texas.
The land is the subject
of a petition for annex-
ation.

All interested citizens
and property owners
are hereby notified of
their right to appear and
be heard on the matter.
Opinions, objections
and/or comments rela-
tive to this matter may
be expressed in writing
or in person at the hear-
ing.

21-1t-107li

CITY OF JOSEPHINE

The City of Josephine
City Council will hold
three public hearings
on Monday, May 9,
2022 @ 7:00 p.m. at
the Josephine City
Hall, 201 Main Street,
Josephine, TX 75173.

First Hearing: 2.262
acres located on the
West side of FM 1777
(East St.) between
704 East St. and 804
East St. The owner
is requesting a zon-
ing change from C-2
(Commercial District -
General) to LR (Local
Retail).

Second Hearing: 0.482
acres located directly
behind 502 Yeatts

Road 642. The owner
is requesting a zoning
change from A - Ag-
ricultural District to
SF-1 (Single Family
Residential).

The public is invited to
attend and participate.

21-1t-55li

Request for Proposal (RFP) Independent Consulting Services

The City of Princeton,
TX is seeking pro-
posals from qualified
firms for entering into
an agreement for In-
dependent Consulting
Services.

The deadline for re-
ceipt of sealed propos-
als is: **Friday, May
13, 2022 at 3:00 PM.**
Please submit one (1)
marked original copy
of your complete pro-
posal. Sealed propos-
als must be received
by this deadline at the
following location:

**City of Princeton
Attn: DeShawyna
Walker
2000 E. Princeton
Drive
Princeton, TX 75407**

Submission of propos-
als via email is also
acceptable. Email to

Alamo Gulf Coast Railroad Company
P.O. Box 8040
Fort Wayne, IN 46898

KRE2 LLC
17626 Cedar Creek Canyon Dr
Dallas, TX 75252

RJMJ Holdings LLC
312 Foxwood Ln.
Wylie, TX 75098

RK Group LLC
2699 Prescott PL
Dallas, TX 75234-1244

FARMERSVILLE ISD
ATTN: ADMIN OFFICE
FARMERSVILLE, TX 75442

*Mailed 4/27/22
TJM*



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

KRE2 LLC
17626 Cedar Creek Canyon Dr
Dallas, TX 75252



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

RJM Holdings LLC
312 Foxwood Ln.
Wylie, TX 75098

FIRST-CLASS



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FIRST-CLASS



US POSTAGE IMMEDIATE **PTNEY BOWES**
ZIP 75442
02 7H
0006037447 APR 27 2022
\$ 000.530



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

RK Group LLC
2699 Prescott PL
Dallas, TX 75234-1244



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

FARMERSVILLE ISD
ATTN: ADMIN OFFICE
FARMERSVILLE, TX 75442

FIRST-CLASS



US POSTAGE IMPRINTNEY BOWES
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\$ 000.53⁰

FIRST-CLASS



US POSTAGE IMPRINTNEY BOWES
ZIP 75442
02 7H
0006037447 APR 27 2022
\$ 000.53⁰



ARMERSVILLE
11th Main Street
Armstrong, Texas 75442

Alamo Gulf Coast Railroad Company
P.O. Box 8040
Fort Wayne, IN 46898

FIRST-CLASS



US POSTAGE IMPI **PITNEY BOWES**



ZIP 75442
02 7H
0006037447 **\$ 000.53⁰**
APR 27 2022

City of Farmersville Notice of Public Hearing

The Farmersville Planning and Zoning Commission will hold a public hearing on Tuesday, May 17, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to zone approximately 8.153 acres of land, more or less, to LI – Light Industrial District uses. The property is generally located at the northeast corner of East Audie Murphy Parkway (U.S. Highway 380) and County Road 653, Collin County, Texas, and is situated within the William Hemphill Survey, Abstract No. A 0448, Sheet 3 Tract 20, Collin County, Texas. The land is the subject of a petition for annexation.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

~~~~~

## City of Farmersville Notice of Public Hearing

The Farmersville City Council will hold a public hearing on Tuesday, May 24, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to zone approximately 8.153 acres of land, more or less, to LI – Light Industrial District uses. The property is generally located at the northeast corner of East Audie Murphy Parkway (U.S. Highway 380) and County Road 653, Collin County, Texas, and is situated within the William Hemphill Survey, Abstract No. A 0448, Sheet 3 Tract 20, Collin County, Texas. The land is the subject of a petition for annexation.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

### **III.C. Zoning Sandy Landing (26.0183 acres)**



## 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 Sandy Landing
2. Total Acreage 26.0183
3. Current Zoning Classification(s) Agriculture
4. Proposed Zoning Classification(s) S3
5. Total Number of Lots, by Type 111, 50 x 110
6. Proposed Use of Property Single Family Residential
7. Location of Property 26.0183 acres in the Elijah B. Reed Survey, Abstract No. 739, Collin County, TX
8. Geographic (Tax) ID Number R- see attached metes and bounds R- \_\_\_\_\_

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

- |                                            |                                                |
|--------------------------------------------|------------------------------------------------|
| 1. Owner <u>PCRE, LLC</u>                  | 2. Applicant/Representative <u>Casey Moran</u> |
| Address <u>226 Gavon Street</u>            | Address _____                                  |
| City, State, Zip <u>Garland, TX, 75040</u> | City, State, Zip _____                         |
|                                            | Phone _____                                    |
|                                            | Email _____                                    |

C. V

escribe: \_\_\_\_\_

"I hereby  
appli

Authorized agent of the owner for the purposes of this  
information submitted herein is true and correct."

Applicant/Owner: Casey Moran  
04/18/2022

Date: April 18, 2022

Being a tract of land situated in the Elijah B. Reed Survey, Abstract No. 739, in the City of Farmersville, Collin County, Texas, being part of a called 9.99 acre tract of land described in a deed to Frank H. Moore, Jr., as recorded in Clerk's File No. 97-0043989, in the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being part of a called 33.183 acre tract of land described in deed to Frank H. Moore, Jr., as recorded in Instrument No. 20031007002016290, O.P.R.C.C.T., said tract being more particularly described as follows:

BEGINNING at a 1-inch iron pipe (controlling monument) found at the northernmost northeast corner of said Moore 33.183 acre tract and the northwest corner of a tract of land described in deed to Charles W. Stepan and wife, Sarah J. Stepan, as recorded in Volume 938, Page 766, of the Deed Records of Collin County, Texas (D.R.C.C.T.), being in the south line of a tract of land described in deed to BHMM Group Family Partnership, Ltd., as recorded in Instrument No. 20190828001055580, O.P.R.C.C.T.;

THENCE South 00 degrees 39 minutes 42 seconds West, departing the south line of said BHMM Group Family Partnership tract, with an east line of said Moore 33.183 acre tract and a west line of said Stepan tract, a distance of 186.00 feet to a 1/2-inch iron rod found at an interior corner of said Moore 33.183 acre tract and the southwest corner said Stepan tract, being the point of curvature of a non-tangent curve to the right, having a radius of 290.00 feet and a chord that bears South 43 degrees 07 minutes 32 seconds East, a distance of 410.49 feet;

THENCE with said curve to the right, through a central angle of 90 degrees 06 minutes 10 seconds and an arc distance of 456.05 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE South 01 degree 55 minutes 33 seconds West, at a distance of 79.47 feet passing the south line of said Moore 33.183 acre tract and the north line of said Moore 9.99 acre tract, continuing a total distance of 762.32 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the southeast line of said Moore 9.99 acre tract and the northwest line of a tract of land described in deed to the United States of America (USA) as recorded in Volume 756, Page 379, D.R.C.C.T., also being in the northwest line of County Road 550 (C.R. 550) (by use and occupation);

THENCE South 56 degrees 49 minutes 03 seconds West, with the southeast line of said Moore 9.99 acre tract, the northwest line of said USA tract and said C.R. 550, a distance of 97.79 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Moore 9.99 acre tract and the southeast corner of a tract of land described as Tract 1 in a deed to Meritage Homes of Texas, LLC and GRBK Edgewood LLC, as recorded in Instrument No. 20210602001110090, O.P.R.C.C.T., from which, a 5/8-inch iron rod with cap bears North 82 degrees 00 minutes 04 seconds East – 2.98 feet;

THENCE North 01 degree 55 minutes 33 seconds East, with the west line of said 9.99 acre tract and the east line of said Tract 1, a distance of 735.57 feet a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Moore 9.99 acre tract and an interior corner of said Tract 1, being in the south line of said Moore 33.183 acre tract,;



THENCE South 89 degrees 24 minutes 05 seconds West, with the south line of said Moore 33.183 acre tract and a north line of said Tract 1, a distance of 146.07 feet a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE South 87 degrees 48 minutes 35 seconds West, continuing with the south line of said Moore 33.183 acre tract and a north line of said Tract 1, a distance of 1,751.04 feet to a 1/2-inch iron rod found at the southwest corner of said Moore 33.183 acre tract and an interior corner of said Tract 1;

THENCE North 00 degrees 32 minutes 03 seconds East, with the west line of said Moore 33.183 acre tract and an east line of said Tract 1, a distance of 596.17 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Moore 33.183 acres and the southwest corner of said BHMM Group Family Partnership tract ;

THENCE North 88 degrees 42 minutes 38 seconds East, departing an east line of said Tract 1, with the north line of Moore 33.183 acre tract and the south line of said BHMM Group Family Partnership tract, a distance of 1,694.98 feet to the POINT OF BEGINNING and containing 26.0183 acres of land.

## City of Farmersville Notice of Public Hearing

The Farmersville Planning and Zoning Commission will hold a public hearing on Tuesday, May 17, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to zone approximately 26.0183 acres of land, more or less, to SF-3 – Single-Family Dwelling-3 District uses for the development of approximately 111 single-family residential lots. The property is generally located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas, and situated within the Elijah B. Reed Survey, Abstract No. 739, Collin County, Texas. The land is the subject of a petition for annexation.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

~~~~~

City of Farmersville Notice of Public Hearing

The Farmersville City Council will hold a public hearing on Tuesday, May 24, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to zone approximately 26.0183 acres of land, more or less, to SF-3 – Single-Family Dwelling-3 District uses for the development of approximately 111 single-family residential lots. The property is generally located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas, and situated within the Elijah B. Reed Survey, Abstract No. 739, Collin County, Texas. The land is the subject of a petition for annexation.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.



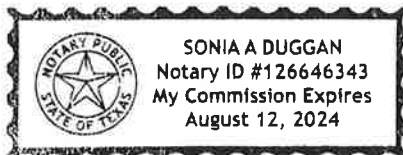
STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C&S Media, dba *The Farmersville Times* a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

City of Farmersville
Legal Notice – Request to Zone 26.0183 Acres to SF-3
was published in said newspaper on the following date(s), to-wit:
April 28, 2022

Chad Engbrock, Publisher

Subscribed and sworn before me on this, the 28th day of April, 2022 to certify which witness my hand and seal of office.


Notary Public in and for
The State of Texas

My commission expires 08/12/2024.

C&S MEDIA PUBLICATIONS
The Farmersville Times
The Princeton Herald

Call 972.442.5515 x21
to place your Classified Ad
Deadline is Noon Tuesday

classified

Hay for Sale

Hay for Sale

Square Bales \$4.50
Native Mix.
You load/haul.
Branch
214-385-9395

Legal Notice

CITY OF Request for Proposal (RFP) Independent Consulting Services

The City of Princeton, TX is seeking proposals from qualified firms for entering into an agreement for Independent Consulting Services.

The deadline for receipt of sealed proposals is: **Friday, May 13, 2022 at 3:00 PM.** Please submit one (1) marked original copy of your complete proposal. Sealed proposals must be received by this deadline at the following location:

City of Princeton
Attn: DeShawyna Walker
2000 E. Princeton Drive
Princeton, TX 75407

Princeton Drive, Princeton, TX 75407 in person on **Monday, May 23, 2022 at 6pm.**

Project will be awarded to selected candidate on **Monday, May 23, 2022 at 6pm or a later date to be announced.**

Copies of the Request for Proposal are available on the City of Princeton webpage: www.princeton.tx.gov

21-21-107li

CITY OF FARMERSVILLE

Notice of Public Hearing

The Farmersville Planning and Zoning Commission will hold a public hearing on Tuesday, May 17, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to zone approximately 26.0183 acres of land, more or less, to SF-3 – Single-Family Dwelling-3 District uses for the development of approximately 111 single-family residential lots. The property is generally located in an area west of State Highway 78 and north of County Road 550

lots. The property is generally located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas, and situated within the Elijah B. Reed Survey, Abstract No. 739, Collin County, Texas. The land is the subject of a petition for annexation.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

22-11-109li

CITY OF FARMERSVILLE

Notice of Public Hearing

The Farmersville Planning and Zoning Commission will hold a public hearing on Tuesday, May 17, 2022, at 6:00 p.m. in the Council Chambers of City Hall, 205 S. Main Street, Farmersville, TX to consider a request to change the zoning on approximately 53.274 acres of land, more or less, from A – Agricultural District uses to Planned

(25') to twenty feet (20') and increase the maximum lot coverage for Single-Family (Detached) lots from fifty percent (50%) to sixty percent (60%) for the development of 231 single-family residential lots. The property is generally situated at 703 Merit Street, and located in the W.B. Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas.

All interested citizens and property owners are hereby notified of their right to appear and be heard on the matter. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing.

22-11-133li

CITY OF PRINCETON

PUBLIC HEARING NOTICE

A request has been received from Brad Williams, GRBK Edgewood, LLC, for a rezoning of property from Agricultural "AG" to "PD" Planned Development, BEING a tract of land situated in the

BHMM GROUP FAMILY PARTNERSHIP
6507 ORCHARD LN
DALLAS, TX 75230

MANAM SUDHAKAR V&
N STATE NWY 78
FARMERSVILLE, TX 75442

MERITAGE HOMES OF TEXAS LLC
2999 COUNTY ROAD 551
FARMERSVILLE, TX 75442

FRANK H JR MOORE
3346 STATE HIGHTWAY 78 S,
FARMERSVILLE, TX 75442

CHAS W & SARAH STEPAN
3270 S STATE HWY 78
FARMERSVILLE, TX 75442

TRAVIS & TERRI THOMPSON
3190 STATE HIGHWAY 78 S
FARMERSVILLE, TX 75442

FARMERSVILLE ISD
ATTN: ADMIN OFFICE
FARMERSVILLE, TX 75442

✓ Mailed 4/27/22
Tjm



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

BHMM GROUP FAMILY PARTNERSHIP
6507 ORCHARD LN
DALLAS, TX 75230



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

MANAM SUDHAKAR V&
N STATE HWY 78
FARMERSVILLE, TX 75442

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ZIP 75442
02 7H
0006037447 APR 27 2022
\$ 000.530



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

MERITAGE HOMES OF TEXAS LLC
2999 COUNTY ROAD 551
FARMERSVILLE, TX 75442



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

FRANK H JR MOORE
3346 STATE HIGHTWAY 78 S,
FARMERSVILLE, TX 75442

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02 7H
0006037447
\$ 000.53⁰
APR 27 2022



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

CHAS W & SARAH STEPAN
3270 S STATE HWY 78
FARMERSVILLE, TX 75442



CITY OF FARMERSVILLE
205 South Main Street
Farmersville, Texas 75442

TRAVIS & TERRI THOMPSON
3190 STATE HIGHWAY 78 S
FARMERSVILLE, TX 75442

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FARMERSVILLE

10th Main Street
Farmersville, Texas 75442

FARMERSVILLE ISD
ATTN: ADMIN OFFICE
FARMERSVILLE, TX 75442

FIRST-CLASS



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ZIP 75442

02 7H

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\$ 000.53⁰

APR 27 2022

IV A. MINUTES



**CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION MINUTES
REGULAR SESSION MEETING
March 15, 2022, 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 Leaca Caspari, John Klostermann and Michael Hesse were present and there is one vacant seat on the Commission. Commissioner Adam White and Commissioner James Riley II were not in attendance. Also in attendance were City Secretary Tabatha Monk and City Attorney Alan Lathrom.
- Commissioner Hesse led the prayer and Chairman Helmberger led the pledges to the United States and Texas flags.

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

- No one came forward to speak.

III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. "Consider, discuss and act upon the P&Z minutes from the February 15, 2022 meeting."

Commissioner Leaca Caspari made a motion to approve as written.

Commissioner John Klostermann seconded the motion to approve.

The motion carried unanimously.

- B. "Consider, discuss, and act upon a replat of Mosley 2194 Addition (Lot 1A & 1B; Block 1)."

- Chairman Helmberger briefed the Commission that in their packet they have a copy of the replat and a letter from the City's Engineer stating that the project has been reviewed according to the Ordinances of the City of

Farmersville and has been found to be compliant and has a recommendation that the replat should be approved.

- **Commissioner Leaca Caspari made a motion to approve. Commissioner Michael Hesse seconded the motion. The motion carried unanimously (4-0).**

IV. WORKSESSION

“Consider, discuss and act upon recommendations from the Planning and Zoning Commission regarding the proposed Historic Overlay District Ordinance.”

Discussions between the P&Z Commission, City Attorney and Mr. Jim Foy (part of the committee assigned to help with the making of the Historical Overlay Ordinance).

Next P&Z meeting (4-19-22) will present another work session with the changes from this work session on that meeting's document

V. ADJOURNMENT

Chairman Joe Helmberger adjourned the meeting at 7:04 p.m.

ATTEST:

APPROVE:

Tabatha Monk, City Secretary

Joe Helmberger, Chairman

IV.B. Ordinance #O-2022-0524-001

**CITY OF FARMERSVILLE
ORDINANCE #O 2022-0524-001**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED THROUGH THE AMENDMENT OF CHAPTER 77, "ZONING," BY AMENDING SECTION 77-46 ENTITLED "SCHEDULE OF USES" BY AMENDING SUBSECTION (c) THEREOF ENTITLED "RESIDENTIAL USES" REGARDING USES ALLOWED IN "NON-RESIDENTIAL AND MIXED USE DISTRICTS," ONLY, BY DELETING THE "P PERMITTED USE" DESIGNATION AND REMOVING THE GREEN BACKGROUND FROM THE CELL FOR "TWO-FAMILY DWELLING (DUPLEX)," UNDER THE COLUMNS FOR "NS—NEIGHBORHOOD SERVICE DISTRICT," "GR—GENERAL RETAIL DISTRICT" AND "C--COMMERCIAL DISTRICT," THEREBY INDICATING THAT "TWO-FAMILY DWELLING (DUPLEX)," USES ARE A PROHIBITED USE IN THE "NS—NEIGHBORHOOD SERVICE DISTRICT," "GR—GENERAL RETAIL DISTRICT" AND "C--COMMERCIAL DISTRICT"; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDIING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

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

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

WHEREAS, the City Council, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission of the City and of all testimony and information submitted during said public hearings, has determined that in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, that Chapter 77, "Zoning," should be amended to reflect the removal of "Two-Family Dwelling (Duplex)" uses as a permitted use in the "NS—Neighborhood Service District," "GR—General Retail District" and "C--Commercial District" as described herein;

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

SECTION 1: INCORPORATION OF FINDINGS

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

SECTION 2: AMENDMENT OF CHAPTER 77, "ZONING," BY AMENDING SECTION 77-46 ENTITLED "SCHEDULE OF USES" BY AMENDING SUBSECTION (c) THEREOF ENTITLED "RESIDENTIAL USES" REGARDING USES ALLOWED IN "NON-RESIDENTIAL AND MIXED USE DISTRICTS," ONLY, BY DELETING THE "P PERMITTED USE" DESIGNATION AND REMOVING THE GREEN BACKGROUND FROM THE CELL FOR "TWO-FAMILY DWELLING (DUPLEX)," UNDER THE COLUMNS FOR "NS—NEIGHBORHOOD SERVICE DISTRICT," "GR—GENERAL RETAIL DISTRICT" AND "C—COMMERCIAL DISTRICT," THEREBY INDICATING THAT "TWO-FAMILY DWELLING (DUPLEX)," USES ARE HEREAFTER A PROHIBITED USE IN THE "NS—NEIGHBORHOOD SERVICE DISTRICT," "GR—GENERAL RETAIL DISTRICT" AND "C—COMMERCIAL DISTRICT"

From and after the effective date of this Ordinance, Chapter 77, "Zoning," is hereby by amending Section 77-46, "Schedule of Uses," by amending Subsection (c) thereof entitled "Residential Uses" regarding uses allowed in "Non-Residential and Mixed Use Districts," only, by deleting the "P Permitted Use" designation and removing the green background from the cell for "Two-Family Dwelling (Duplex)," under the column for "C – Commercial District," thereby indicating that "Two-Family Dwelling (Duplex)," uses are hereafter a prohibited use in the "NS—Neighborhood Service District," "GR—General Retail District" and "C—Commercial District" to read, in pertinent part, as follows:

[Chart excerpt amendment begins on following page.]

“(c) *Residential uses.*

Zoning District Legend		Non-Residential and Mixed-Use Districts							Use-Specific Regulations
P	Permitted Use	NS — Neighborhood Service District	GR — General Retail District	C — Commercial District	LI — Light Industrial District	HI-1 — Heavy Industrial -1 District	HI-2 — Heavy Industrial-2 District	CA — Central Area District ¹	
S	Special Use Permit								
	Prohibited Use								
	Special Conditions Apply (see section 77-49 , Use-Specific Regulations)								
	Type of Use								
	Two-family dwelling (duplex)							S	

SECTION 3: REPEALER

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

SECTION 4: SEVERABILITY

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

SECTION 5: PENALTIES FOR VIOLATION

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

SECTION 6: INJUNCTIVE RELIEF

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

SECTION 7: PUBLICATION

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

SECTION 8: ENGROSSMENT AND ENROLLMENT

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

SECTION 9: SAVINGS

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

SECTION 10: EFFECTIVE DATE

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

PASSED on first and final reading on the _____ day of _____ 2022, at a properly scheduled meeting of the City Council of the City of

Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED THIS ____ DAY OF _____ 2022.

APPROVED:

BRYON WIEBOLD
Mayor

ATTEST:

TABATHA MONK
City Secretary

V. WORK SESSION

Hey everyone – the red and strikethroughs are the changes you all recommended at the last work session. Please read over them and make sure you are good with them and make notes of any other changes you would like to discuss at Tuesday night's work session. We did not quite make it to the end of the ordinance but we will do that Tuesday night. .

Thanks so much!

Tabatha

HISTORIC PRESERVATION OVERLAY ZONING DISTRICT

Sec. 77.501 Purpose.

The City Council of the City of Farmersville hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of landmarks and districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. This act is intended to:

- a. Protect and enhance the landmarks and districts which represent distinctive elements of Farmersville's historic architectural, and cultural heritage.
- b. Foster civic pride in the accomplishments of the past.
- c. Protect and enhance Farmersville's attractiveness to visitors and the support and stimulating the economic benefits of local commerce and tourism.
- d. Insure the harmonious, orderly, and efficient growth and development of the city that is sensitive to its historic resources.
- e. Promote economic prosperity and welfare of the community by encouraging the most appropriate use of historic properties within the City.
- f. Encourage stabilization, restoration, and improvements of such properties and their values by offering incentives.

Sec. 77.502. – Definitions.

Architectural Details shall mean the small details like moldings carved woodwork, etc. That add character to a building.

Alteration shall mean any act or process that changes one of more historic, architectural, or physical features of an area, site, place, and /or structure including, but not limited to the erection, construction, reconstruction, or removal of any structure.

Applicant means a person seeking a designation or authorization under this Chapter or the person's designated and duly authorized agent or representative. This term may include the property owner, occupant of the site, the Historic Preservation Commission (HPC) or Commission.

Appurtenant features means the features that define the design of building or property including but not limited to porches, railings, columns, shutters, steps, fences, attic vents, sidewalks, driveways, garages, carports, outbuildings, gazebos, and arbors.

Archeological property/site means any locale where is physical evidence of past human activity that is either prehistoric or historic in age.

Building shall refer to a dwelling, such as store, retail, office, house, barn church, hotel, or similar structure created to shelter any form of human activity. The term may also be used to refer to a historically and functional related unit, such as a courthouse and jail or a house and barn. The term also includes mobile homes, manufactured homes, and industrial housing.

Certificate of Appropriateness A permit obtained from the Historic Preservation Officer (HPO) for the City of Farmersville certifying the proposed improvements meet the city code requirements and have been approved by the Historic Preservation Commission of the City of Farmersville.

Certified Local Government means a local government that has been certified to carry out the purposes of national Historic Preservation Act of 1966, as amended. (The City of Farmersville is not this, they can apply. This definition can be struck.)

Contributing building shall mean a historic building that is at least 70 years old or older that retains a significant amount of its physical integrity and character defining features including location, setting, design, construction, workmanship, and /or association with historical persons or events. (We need to define what significant amount of physical integrity includes or scratch that in the definition)

Design Guidelines shall mean guidelines of appropriateness or compatibility of building design within a community or historic district. Often in the form of a handbook, design guidelines contain drawings accompanying "dos and don'ts" for a property owner. The Historic Preservation Commission has authority to administer design guidelines.

Design review shall refer to the decision-making process conducted by the Historic Preservation Commission appointed historic preservation officer that is guided by weighing design guidelines against building owner's application for a certificate of appropriateness. (Design review process needs to be spelled out as far as time lines.)

Demolition by Neglect shall mean allowing a building to fall into such a state of disrepair that it becomes necessary or desirable to demolish it.

Downtown Historic District is the Farmersville Commercial District as listed in the Nation Register of Historic Places by the U.S. Department of Interior, Reference Number 100000670 as of February 21, 2017.

Exterior Architectural Feature shall mean but not be limited to architectural style and general arrangement of such portion of the exterior of a structure as is designed to be open to the view from a public way.

Façade shall mean the entire building that is visible including the parapet. (This would include the front and rear of the buildings.)

Historic Preservation Commission (HPC) shall mean the five board members established under this ordinance and appointed by City Council.

Historic Designations means an official recognition of the significance of a building, property, or district. Designation can occur on 4 different levels.

Federal – The National Register of Historic Places (for both individual buildings and entire districts).

State – Recorded Texas Historic landmarks (only for individual buildings) and State Archeological Landmarks.

Local – Designed under a municipal historic ordinance either individually as a landmark or as a locally designated district.

County – A National Register of Historical Places – Collin County Texas, historical properties, historic district, lodging, shopping and restaurant renovation opportunities.

Historic Districts, designated by suffix “HD” shall mean any neighborhood or region designated by City Council as a historic district. (This would be the downtown overlay district – HD. This would have to be rezoned to add the HD to this.)

Historic Landmarks, designated by suffix “HL” shall mean a building, structure object or site designated by City Council as a historic landmark.

Historic Preservation means the protection, reconstruction, rehabilitation, repair and restoration of places and structures of historic, architectural, or archeological significance.

Historic Rehabilitation shall mean the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

Historic Resource shall mean any building, structure, object, or site that is 50 years or older or any resource that has been identified as high or medium priority because of its unique history or architectural characteristics.

Historic Resources survey means a systematic, detailed examination of an area designed to gather information about historic properties sufficient to evaluate them against predetermined criteria of significance.

Integrity means the authenticity of a property’s historic identity, evidenced by survival of physical characteristics that existed during the property’s historic or prehistoric period.

Inventory means a list of historic properties that have been identified and evaluated as meeting specified criteria of significance.

Local Historic District means a geographically and totally defined area that possesses a significant concentration, linkage, or continuity of buildings, objects, sites, structures, or landscapes united by past events, periods, or styles of architecture, and that, by

reason of such factors, constitute a district section of the city. Historic sites within a local district need not be contiguous for an area to constitute a district. All sites, buildings, and structures within a local historic district, whether individually contributing or not are subject to the regulations of the district.

Local Historic Landmark means any site, building, structure, or landscape of historic significance that receives designation by the city pursuant to the Chapter.

Minor Alteration shall mean the installation or alteration to awnings, fences, gutters, downspouts, and incandescent lighting fixtures; restoration of original architectural features that constitute a change from the existing condition; alterations to signs; and additions and changes not visible from any street to the rear of the main structure or to an accessory structure.

National Register of Historic Places shall mean the nation's official list of building, districts, and sites (including structures and objects) significant in American history and culture, architecture, archeology, and engineering maintained by the National Park Service and administered on a statewide basis by the Texas Historical Commission. Restrictions on these properties exist on when is an undertaking that uses federal funds or that requires a federal permit or license. (Mr. Foy suggest the last sentence of this definition be stricken. Mr. Helmberger concurred.)

Object means a physical item associated with a specific setting or environment that is movable by nature or design, such as statuary in a designed landscape. The term object is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed.

Order of Demolition shall mean an order issued by the Historic Preservation Board indicating approval of plans for demolition of a designated landmark or property within a designated district.

Ordinary Maintenance shall mean repair of any exterior or architectural feature of a landmark or property within a historic district which does not involve a change to the architectural or historic value, style, or general design. In-kind replacement or repair is included in this definition of ordinary maintenance.

Overlay district shall mean zoning, applied over one or more other districts, creates a second mapped zone that is superimposed over the conventional zoning districts. Overlay district typically provide for a higher level of regulations in certain areas such as transit station areas, downtown areas, and historic districts, but may also be used to permit exceptions or less restrictive standards (fewer parking spaces in a downtown or transit station area, or more density in an economic development area

Owner shall mean the individual, corporation, partnership, or other legal entity in whom is vested the ownership, dominion, or title of property and who is responsible for payment of ad valorem taxes on that property, including a Lessor or Lessee if responsible for payment of ad valorem taxes.

Preservation shall mean the stabilization of an historic building, its materials, and features in their present condition to prevent future deterioration. Preservation focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time. (Protection, and Stabilization have now been consolidated under this treatment.)

Preservationist shall mean someone with experience, education, or training in the field of preservation.

Reconstruction shall mean the act or process of reproducing by new construction the exact form and detail of a vanished building as it appeared at a specific period. A technique used earlier in the 20th century; reconstruction is rarely used today because of the preference to use limited financial resources to preserve existing historic buildings.

Recorded Texas Historical Landmark shall mean a state designation for buildings important for their historical associations and which have retained a high degree of their original historic fabric. They must be at least 50 years of age and retain their original exterior appearance. State historical landmarks receive greater legal protection than National Register of Historic Places designations.

Rehabilitation means the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

Restoration shall mean returning a property to a state indicative of a particular period in its history, while removing evidence of other periods.

Secretary of the Interior Standards for Rehabilitation shall mean the standards established by the Secretary of the interior for advising federal agencies on the preservation/rehabilitation of historic properties listed or eligible for listing on the National Register of Historic Places.

Site means the location of a significant event, a prehistoric or historic occupation or activity, or a building or a structure, whether standing, ruined, or vanished, where the location itself possessed historical, cultural, or archeological value regardless of the value of any existing structure.

Stabilization Proposal is a document that provides the historic preservation commission and officer a step-by-step plan to mitigate the need to demolish a building by explaining work to be done to stabilize said building. This proposal shall include the name of the contractor, a timeline, and work to be done.

State Archeological Landmark shall mean a designation made by the Texas Historical Commission and, in the case of privately owned property, with the landowner's permission. Although called "archeological" landmarks, this designation can include buildings as well as archeological sites. For a building to be designated as a State Archeological Landmark, it must first be listed on the National Register of Historic Places. Damage to a State Archeological Landmark is subject to criminal, not civil, penalties.

State Historic Preservation Office (SHPO) shall mean the State Office responsible for administering federal historic preservation programs as defined in the National Historic Preservation Act 1966 as amended and subsequent legislation. The Executive Director of the Texas Historical Commission serves as SHPO for the State of Texas.

Structure is a term used to distinguish specific types of functional constructions from buildings that are usually made for purposes other than creating shelter.

Zoning means a police power measure, enacted by a municipality, including the City, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards.

Section 77.503 Historic Preservation Commission

There is hereby created a commission to be known as the Historic Preservation Commission of the City Farmersville.

(A) **Commission Members.** The Commission shall consist of no less than 5 members appointed by the City Council. To the extent available among the residents of the community, the commission should consist of the following (shall to change to should in the first sentence):

1. A majority (3) shall own contributing buildings in the downtown district
2. At least one member should be a business owner operating in a contributing building in the downtown district
3. At least one shall be an architect, planner, or representative of a design

profession

4. One member shall be a member of the City of Farmersville Historic Society.
5. Regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the City of Farmersville. (Possibly add that a person must live in the City or in the ISD to serve on this committee. Discussion on this next meeting.)

(B) Duties of the Commission.

1. Prepare rules and procedures as necessary to carry out the business of the Commission, which shall be ratified by the City Council
2. Maintain written minutes that record all action taken by the Commission and the reasons for taking such actions
3. Adopt criteria for the designation of historic, architectural, and cultural landmarks and the delineation of historic districts, which shall be ratified by the City Council
4. Approve or deny applications for Certificates of Appropriateness pursuant to this act
5. Conduct historic property surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic district within the city
6. Recommend the designation of resources as landmarks and historic districts.
7. Recommend conferral of recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers
8. Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs
9. Make recommendations to the city government concerning utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the city
10. Prepare specific design guidelines for the review of landmarks and districts
11. Notify property owners of conditions which may place a landmark at risk or jeopardize the historic integrity of the district or landmark.

(C) Commission Terms & Appointments.

Commission members shall serve no more than two terms consisting of three years each term; with the exception that the initial term of three members shall be three years, two members shall be two years. The Chairman and Vice Chairman of the Commission shall be elected by and from the members of the Commission. In the event there are no qualifying persons available to fill the positions that would be vacated due to the term limits; at the recommendation of the remaining commissioners, the City Council should extend the expiring terms in one-year intervals.

- (D) Commission Meetings.** The Commission shall meet at least monthly if business is at hand. Special meetings may be called at any time by the Chairman or on the written request of any two Commission members. All meetings shall be held in conformance with the Texas Open meetings Act,

Texas Civil Statutes, Article 6252-17. A quorum for the transaction of business shall consist of not less than most of the full-authorized membership.

(E) **Authority.** the HPC shall be empower to:

- (a) Make recommendations to the city for the employment of staff and professional consultants as necessary to carry out the duties of the HPC.
- (b) Adopt parliamentary rules and procedures necessary to carry out the business of the HPC, which shall be ratified by the City Council.
- (c) Review and act on the designation of Landmarks and the delineation of Districts, which shall be ratified by the City Council.
- (d) Recommend and confer recognition upon the owners of Landmarks or properties within Districts by means of certificates, plaques, or markers.
- (e) Review and recommend to City Council and other applicable city boards and commissions all proposed changes to the zoning ordinance, building code, general plan or other adopted policies of the city than may affect the purpose of the Article.
- (f) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.
- (g) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated Districts located in the city. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten (10) years.
- (h) Monitor and report to the Texas Historical Commission all actions affecting any Recorded Texas Historic Landmark, State Archaeological Landmark, National Register property and any locally designated Landmark, as deemed necessary.
- (i) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this Article.

- (j) Maintain written meeting minutes which are recorded by staff and demonstrate all action taken by the HPC and the reasons for taking such actions.
- (k) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
- (l) Review and act on all Certificates of Appropriateness applications for compliance with adopted Design Guidelines pursuant to this Article.
- (m) Review and act on all appeals on action taken by the HPO regarding the administrative review of Certificates of Appropriateness applications for compliance with adopted Design Guidelines pursuant to this Article.
- (n) Develop, prepare, and adopt specific Design Guidelines which shall be ratified by the City Council, for use in the review of all Certificates of Appropriateness applications.
- (o) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.
- (p) Make recommendations to the city concerning the utilization of state, federal, or private funds to promote the preservation of Landmarks and Districts within the city.
- (q) Recommend to City Council the acquisition of endangered Landmarks by demolition where its preservation is essential to the purpose of this Article and where private preservation is not feasible.
- (r) Propose incentive program(s) to City Council for local property owners of historic Landmarks or within local Districts.
- (s) Review and act on all city preservation-related incentive program applications involving work on Landmarks and Districts for compliance with adopted Design Guidelines pursuant to this Article.
- (t) Accept on behalf of the city government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.
(Would like a definition of what a preservation easement is.)

- (u) Provide comment to the Texas Historical Commission on any federal undertakings (projects utilizing federal funds or requiring a federal permit) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended

Section 77.504. HISTORIC PRESERVATION OFFICER

- (A) The City Council shall appoint a qualified city official, staff person, or appropriate resident of the municipal entity to serve as Historic Preservation Officer (HPO). This officer shall be a non-voting member of the commission tasked with administering this ordinance and advise the Commission on matters submitted to it.
- (B) In addition to serving as representative of the Commission, the officer is responsible for coordinating the city's preservation activities with those of state and federal agencies and with local, state, and national nonprofit preservation organizations.
- (C) The HPO shall be aware of the condition of **all** structures within the historic district or any designated landmark. The HPO will notify property owners of conditions which may put the structure at risk or jeopardize the historic integrity of the district or landmark.

Section 77.505 3.14.005: USE REGULATIONS (Mr. Helmberger pointed out use regulations does not comply with the City's Zoning; Mr. Hesse recommended this to read we are going to follow what the current zoning restrictions say for the City. Joe then says or the use regulation could be struck altogether as the zoning is the zoning. Mr. Foy said he agreed this could be stricken)

The purpose of the Historic Downtown District is to allow a mix of land uses that are compatible and complementary with one another, and which are conducive to the revitalization of the area. Certain uses have been determined to be wholly incompatible with the goals of the district and are therefore specifically prohibited. All uses are regulated by the City of Farmersville Zoning Ordinances.

- (a) **Permitted Uses:** Establishments which fall within the following general categories shall be permitted in accordance with the city's zoning ordinance.
- (b) **Prohibited Uses:** The following uses are specifically prohibited in the Historic Downtown District, and shall not be allowed, unless such business is already in existence, in which case, said business would be considered "grandfathered in":

1. The storage or sale of hazardous chemicals
2. Auto repair stores, tire stores, automobile, or vehicle sales establishments
3. Sexually oriented businesses or adult entertainment facility
4. Day care facility for any age group
5. Storage facilities, including storage warehouses or indoor storage facilities, for the storage of personal, household or business items, except storage facilities accessory and incidental to a use permitted by paragraph (a) of this Section
6. Funeral homes and mortuaries
7. Laundry facilities
8. Outdoor commercial swimming pool
10. Veterinarian offices, including kennels, boarding facilities, animal hospitals, shelters, or pet day care facilities.
11. Portable Buildings (unless temporary permit has been issued for construction purposes)

Section 77.506. CERTIFICATES OF APPROPRIATENESS FOR ALTERATION AND/OR NEW CONSTRUCTION

- (A) **The requirements for a Certificate of Appropriateness impact the following:**
1. All Buildings ~~Contributing and Non-Contributing~~
 2. New construction within the ~~HOD~~ (Change HOD to local historic district)
- (B) **Certificate of Appropriateness (COA) for Alteration or New Construction Affecting Landmarks or Historic Districts:**
Persons shall obtain a Certificate of Appropriateness to carry out: any exterior new construction, reconstruction, alteration, restoration, exterior new rehabilitation, or relocation of any historic landmark or on any property within a historic district. Likewise, any person making any material change in the light fixtures, signs, sidewalks, fences, steps, paving, building exteriors or other exterior elements in a district or to a landmark, visible from a public right-of-way (excluding alleys) in that district or landmark, which affect the appearance and cohesiveness of any historic landmark or any property within the historic district shall obtain a Certificate of Appropriateness prior to work commencing.
- (C) **Criteria for Approval of a Certificate of Appropriateness.** Approval or disapproval of applications for Certificates of Appropriateness shall be determined by the Historic Preservation Commission, following a public hearing on the matter. In considering an application for a Certificate of Appropriateness, the Commission shall be guided by any specific design guidelines adopted for a particular district or landmark.

(D) Certification of Appropriateness Application Procedure

1. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a certificate with the Commission. The application shall contain:
 - a. Physical address of property to be modified
 - b. Name, address, telephone number of applicants
 - c. Detailed description of proposed work.
 - b. Elevation drawings of the proposed changes, if available.
 - c. Samples or description of materials to be used.
 - d. If the proposal includes signs or lettering, a scale drawing/example showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property.
 - e. ~~Any other information that the Commission may deem necessary to visualize the proposed work.~~
 - f. Current photographs of the property and adjacent properties as well as historical photographs, if available, shall be provided to Commission staff
2. The Commission shall issue a Certificate of Appropriateness prior to the issuing of a building permit. The (COA) required by this section shall be in addition to and not in lieu of, any building permit that may be required by any other ordinance of the City of Farmersville.
3. The Commission shall review the application at a regularly scheduled meeting within forty-five (45) days from the date the application is received at which time an opportunity will be provided for the applicant to be heard. The Commission shall take one of the following actions on the building permit: approve, deny, or approve with modifications. In the event the Commission does not act within ninety (90) days of the receipt of the application, the Certificate of Appropriateness shall be deemed to have been approved.
4. All decisions of the Commission shall be in writing. The Commission's decision shall state its findings pertaining to approval, denial, or modification of the application. A copy shall be sent to the applicant. Additional copies shall be filed as part of the public record on that property and dispersed to the ~~Planning & Zoning Commission~~ and the Inspections & Permits Department.
5. An applicant for a Certificate of Appropriateness (COA) dissatisfied with the action of the Commission regarding issuance or denial of a (COA) shall have the right to appeal to the City Council within thirty (30) days after receipt of

notification of such action. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision.

(E) Certificate of Appropriateness Required for Demolition

The review of a completed application for a Certificate of Appropriateness by the Commission is required prior to issuing a demolition permit of an historic landmark or property within an historic district including secondary buildings and landscape features, as provided for in subsections (F), (G) AND (H) of this section.

(F) Economic Hardship Application Procedure

1. After receiving written notification from the Commission of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process; or this process may be simultaneous with the original Certificate of Appropriateness application procedure. The Commission must confirm that a hardship exists before a building permit or demolition permit shall be issued.
2. When a claim of economic hardship is made, due to the effect of this ordinance, the owner must prove that:
 - a. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible.
 - b. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 - c. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
3. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the Commission.
4. The Commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by the (HPO) preservation officer. Following the hearing, the Commission has thirty (30) days to prepare a written recommendation to the building official. In the event that the Commission does not act within ninety (90) days of the receipt of the application, a permit may be granted.
5. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by mail, and a copy filed with each ~~the Planning & Zoning Commission~~ and the Inspections and Permits Department. The Commission's decision shall state the reasons for granting or denying the hardship application. (Per Section 3.14.007 C:4)

6. An applicant for a Certificate of Appropriateness (COA) dissatisfied with the action of the Commission regarding issuance or denial of a Certificate of Appropriateness shall have the right to appeal to the City Council within thirty (30) days after receipt of notification of action. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision.

(G) **Enforcement.** All work performed pursuant to a Certificate of Appropriateness issued under this ordinance shall conform to any requirements included therein. It shall be the duty of the building official to periodically inspect any such work to assure compliance. In the event work is not being performed in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Commission and verification by the building official, the building official shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect. Once compliance is confirmed by the building official, the stop work order may be lifted by the receipt of a written notice of compliance by the official to both the ~~Planning & Zoning Commission~~ and the Inspections and Permits Department.

(H) **Ordinary Maintenance.** Nothing in this ordinance shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district that does not involve a change in design, material, or outward appearance. In-kind replacement or repair is included in this definition of ordinary maintenance.

(I) **Demolition by Neglect.** No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. Examples of such deterioration shall include:

1. Deterioration of exterior walls or other vertical supports
2. Deterioration of roofs or other horizontal members
3. Deterioration of exterior chimneys
4. Deterioration or crumbling stucco or mortar
5. Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors
6. Deterioration of any feature so as to create a hazardous condition, which could lead to the claim that demolition is necessary for public safety.

Section 77.507. ARCHITECTURAL ELEMENTS

- (a) New development or construction within the Historic Downtown District must have front and side facades constructed of wood, brick, masonry, stone, stucco, or glass. Architectural metal accents, such as copper or bronze may be used to accent structural elements. No metal buildings shall be permitted, unless such structures are faced with wood, brick, masonry, or stucco.
- (b) Existing structures. Every reasonable effort shall be made to adapt a property in a manner that requires minimal alteration of any distinctive architectural features or characteristics of a structure.
- (c) The design of walls and other structures located on the same site, including those used for screening, as set forth in paragraph 1 hereof, shall be constructed of the same or similar materials as the main building on the lot.
- (d) Paint colors must be taken from an appropriate historical palette.
- (e) Provided, however, with regard to subparagraphs 2 and 3 (b) and (c) above, an applicant may present to the ~~Planning and Zoning Commission~~ and Council, on a site plan, specifications that include elevation drawings and proposed alternative materials, which meet or exceed the appearance and durability requirements above. (reword this paragraph)

Section 77.508. DESIGNATION OF HISTORIC LANDMARKS & DISTRICTS

(Mr. Foy thinks this wording is garbled a bit. He said on designating a structure outside the district. He said it should read that designating a structure outside the district should be initiated by the individual property owner. Mr. Foy stated he thinks section 3 was left out of what was in the 2020 proposed ordinance. He said there was a section 3 that really made the historic downtown district official.)

1. The procedures for designating a local landmark shall be by the original property owner.
2. Designation of Historic Landmarks is accomplished by amendment to the official zoning map for the City of Farmersville. Such an amendment must be approved by ordinance of City Council, following a public hearing and recommendation by both the Historic Preservation Commission and the City Planning and Zoning Commission, in that order.
3. Property owners of proposed historic landmarks shall be notified prior to the hearing of the Preservation Commission, on the recommended designation. At the Commission's public hearing, owners, interested parties, and technical experts may present testimony or document evidence that will become part of a record regarding the historic, architectural, or cultural importance of the proposed historic landmark.
4. Upon recommendation of the Commission, the proposed historic landmark shall be submitted to the City Secretary for the City Planning & Zoning

Commission within forty-five (45) days from the date of submission of designation request. The City Planning & Zoning Commission shall give notice and conduct its hearing on the proposed designation within forty-five (45) days of receipt of such recommendation from the Commission.

5. Upon designation of a building, object, site, or structure as a historic landmark or district, the City Council shall cause the designation to be recorded in the official zoning maps of the City of Farmersville. The official zoning map should indicate the designated landmarks with an appropriate mark.
6. Criteria for the Designation of Historic Landmarks. A historic landmark or district may be designated if it:
 - a. possesses significance in history, architecture, archaeology, or culture.
 - b. is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history.
 - c. is associated with the lives of persons significant in our past; embodies the distinctive characteristics of a type, period, or method of construction.
 - d. represents the work of a master designer, builder, or craftsman.
 - e. represents an established and familiar visual feature of the city.
 - f. Possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - g. Has yielded, or may be likely to yield, information important in prehistory or history.

Designation of Other Historic Districts

1. Designation of Historic Districts is accomplished by amendment to the official zoning map for the City of Farmersville. Such an amendment must be approved by ordinance of City Council, allowing a public hearing and recommendation by the City Planning & Zoning Commission.
2. Owners of property within a proposed historic district shall be notified prior to the hearing of the Historic Preservation Commission, on the recommended designation. At the Commission's public hearing, owners, interested parties, and technical experts may present testimony or documentary evidence which will become part of the record regarding the historic, architectural, or cultural importance of the proposed historic district.
3. Upon recommendation of the Commission, the proposed historic district shall be submitted to the Secretary of the City Planning & Zoning Commission within forty-five (45) days from the date of submission of designation request. The City Planning & Zoning Commission shall give notice and conduct its hearing on the proposed designation within forty-five

(45) days of receipt of such recommendation from the Commission.

4. Upon designation of a historic district, the City Council shall cause the designated boundaries to be recorded on the official zoning map of the City of Farmersville.
8. Criteria for the Designation of Historic Districts
 - a. Contains properties and an environmental setting which meet one or more of the criteria for designation of a landmark; and
 - b. Constitutes a distinct section of the city.

VI. Adjournment