

FARMERSVILLE PLANNING & ZONING COMMISSION  
SPECIAL SESSION MINUTES  
September 19, 2011

The Farmersville Planning and Zoning Commission met in regular session on September 19, 2011 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present: Bill Nerwich, Craig Overstreet, Betty Sergent, David Corning, Tom Waitschies and Doug Dann. Staff members present was Public Works Director Ben White, City Attorney Alan Lathrom, City Secretary Edie Sims and Council Liaison Paul Kelly.

Chad Whitaker resigned as he no longer lives within the City Limits of Farmersville

CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS

Chairman Corning called the meeting to order at 6:30pm. Edie Sims called roll and announced that a quorum was present.

DISCUSS, APPROVE OR DISAPPROVE MINUTES FROM AUGUST 29, 2011 PLANNING AND ZONING MEETING

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

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE SIDEWALK REQUIREMENTS CONTAINED IN THE SUBDIVISION ORDINANCE AND THE THOROUGHFARE DESIGN MANUAL

At the previous P&Z Meeting, Ben White was charged with providing sidewalk information from other area communities as a comparison. Ben White, Public Works Director provided such a comparison to include the cities of Anna, Rockwall, Wylie and McKinney. Generally all the comparison cities have 5' width sidewalks. The requirements vary from city to city, but the average right of way width is 50'. Sidewalk distances from pavement also vary from city to city. After a lengthy discussion regarding sidewalk widths, the Commission concurred that the street width including the curb and right of way needs to be considered before continuing with the sidewalk width and placement. The Commission concurred to have a comparison of lot sizes and setbacks for the next meeting to have a more common understanding. The Commission also expressed concern for commercial/main artery vs. residential sidewalks. Ben White stated that sidewalks are set further back into the property when higher speeds are a factor for safety reasons. The slower the speed, the closer to the street the sidewalks become. Doug Dann encouraged other Commissioners to consider mimicking Anna. Ben White believes more foot traffic would occur in residential areas and would prefer the 5' width to be in compliance with ADA requirements. Chairman David Corning requested this topic be returned at the next meeting with lot sizes and setbacks along with ADA requirements and possibly a scale drawing. No action was taken at this time.

DISCUSSION AND POSSIBLE DIRECTION REGARDING VARIOUS PROVISIONS CONTAINED IN THE SUBDIVISION ORDINANCE THAT MAY NEED TO BE RE-EXAMINED TO IMPROVE THE DEVELOPMENT PROCESS

Bill Nerwich came before the Commission to address procedures he recently had to fulfill regarding a re-platting of a parcel from one acre to two acres of property. The property is located within the City's Extra Terrestrial Jurisdiction (ETJ) which constitutes following all city ordinances and building permitting processes. Mr. Nerwich contended that the processes were too problematic for a simple replat. By ordinance, the property must be surveyed, include engineering, letters from all utilities stating confirmed service provided, and a letter from the ISD to see if the change will impact the school district. Also the City's Engineer, Fire Chief and Police Chief must review and sign off on the documents. Mr. Nerwich stated he wanted to inform the Commission of the procedures that he had to complete in order to get a re-plat. Mr. Nerwich also stated the processes now implemented in the city's ETJ are unaffordable to sell

and have a concrete street when a chip seal County Road is the means of travel to the property. As a builder and developer, Mr. Nerwich is consistently approached that Farmersville is in need of affordable housing, yet the City continues to restrict building. When passing regulations, the costs and affects need to be considered before making into requirements.

Mayor Helmberger came before the Commission and stated the original Subdivision Ordinance was adopted in 1973. The City recently passed ordinances that if building occurred in the City's ETJ, the City's building codes would be required. The reason was to have all new construction be up to code standards so that when the property is annexed due to growth into the City, the City will not have substandard structures.

The minor plat process will be examined and see if streamlining can be accomplished. Mayor Helmberger stated that the Commission must make a request to the Council to see if they deem a need to have this item reviewed and/or examined for change. No action was taken by the Commission.

DISCUSSION AND POSSIBLE DIRECTION REGARDING REGULATIONS FOR "DRIVE-IN WINDOWS," "DRIVE-IN RESTAURANTS" AND "DRIVE-IN SERVICE" AS DEFINED BY THE COMPREHENSIVE ZONING ORDINANCE AND "DRIVE-THROUGH" RETAIL SALES SUCH AS A DRIVE-THROUGH PACKAGE STORE

City Attorney Alan Lathrom stated according to the City's Zoning Ordinance, drive-thru's are not permitted. The Concept Plan for Blondie's was recently passed, yes the Concept Plan is often considered a Preliminary Plat. The Concept Plan is also supposed to conform with all City Ordinances including the Subdivision Ordinance. If a drive-thru is requested, the City Council will need to consider having the Planning and Zoning Commission examine and clarify for additions of definitions or changes. The definitions could be amended for drive-thru service and defined for retail in conjunction of services. Presently a Special Use Permit would be required to have a drive-thru. Another option would be to submit for a planned development which would include a drive-thru. The Commission concurred to request the Council their opinion of this issue and consider having the Commission to examine changing the existing ordinance with definition changes/additions and examine if Highway Commercial Zoning is a zoned area to be included.

DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS  
ADJOURNMENT

Craig Overstreet moved to adjourn with Doug Dann seconding the motion. The Commission adjourned at 8:10 p.m.



ATTEST:

David Corning, Chairman



Edie Sims, City Secretary