



**CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION MINUTES
SPECIAL MEETING
November 29, 2018, 6:30 P.M.
COUNCIL CHAMBERS, CITY HALL
205 S. Main Street**

I. PRELIMINARY MATTERS

- Chairman Paul Kelly presided over the meeting which was called at 6:32 p.m. Commissioners Wyatt McGuire, Lance Hudson, Luke Ingram and Jim Hemby were in attendance. Commissioner Rachel Crist and Russell Chandler were absent. Also, in attendance were City Manager, Ben White; staff liaison, Sandra Green; Council liaison, Craig Overstreet; and City Attorney, Alan Lathrom.
- Craig Overstreet led the prayer and the pledges to the United States and Texas flags.
- Chairman Paul Kelly stated the Commission would convene into executive session at 6:34 p.m. under Section 551.071 of the Texas Government Code to consult with Attorney.
- Chairman Paul Kelly stated the Commission would reconvene from Executive Session at 7:01 p.m. and they would also open the public hearing at the same time.

II. PUBLIC HEARING

- A. Consider, discuss and act upon the replat for Farmersville Market Center II, which property is generally located south of U.S. Highway 380 and west of County Road 607 subject to the consideration, discussion and action upon the following required waivers requested by Palladium Farmersville, Ltd., for such approval:

1. A waiver of the requirement set out in Farmersville Code Section 65-42(b)(1) that each lot front onto a dedicated, improved public street given the fact that this development is a multi-family development situated within a subdivision that was originally platted as a commercial development and not a single-family residential development;
 2. A waiver of the requirement set out in Farmersville Code Section 65-42(b)(6) that each multi-family lot shall have a minimum of 100 feet of frontage on a dedicated street because this multi-family development is an in-fill development project on a property originally platted for commercial development;
 3. A waiver of the requirement set out in Farmersville Code Section 65-44(c)(5) that Palladium Farmersville, Ltd., as the property owner, provide all rights-of way required for existing or future streets, and all required street improvements because this multi-family development is an in-fill project on a property originally platted for commercial development that is taking access to and from public thoroughfares upon and across easements internal to the overall commercial development; and,
 4. A waiver of the requirement set out in Farmersville Code Section 65-42(c)(17) that all subdivisions have at least two points of access from improved public roadways, and that driveway access onto roadways shall be provided because this multi-family development is an in-fill project on a property originally platted for commercial development that is taking access to and from public thoroughfares upon and across easements internal to the overall commercial development including a new private access and fire lane easement acquired from Brookshire's to provide a second point of ingress and egress to this multi-family community.
- Scott Johnson from Palladium stated the road at the front of the property was a shared access drive and that was why they were asking for waivers for items 1 and 2. He indicated the property was originally platted as commercial and not a multi-family residential district.
 - Paul Kelly asked about the south access behind Brookshire's and why it was not being constructed.
 - Scott Johnson stated the access easement with Brookshire's gives them the second means of access to the front of the lot.
 - Wyatt McGuire asked about the access behind Brookshire's again and why it was not being built.
 - Scott Johnson discussed the grade of the land and how building it would be almost impossible.
 - Jim Hemby stated he was also concerned about the road not being constructed behind Brookshire's.
 - Diane Piwko who resides at 200 McKinney Street, stated she has toured two of the Palladium complexes and explained they were very safe. She

explained that children being dropped off the school bus had to go through the office building to ensure their safety. She explained she was in favor of the apartments coming because of the quality they would bring to Farmersville.

- Paul Kelly left the public hearing open and stated they would continue to item B on the agenda.
- Scott Johnson from Palladium addressed the waivers for the site plan and the landscape plan. He stated they did not want to build a screening wall because the property already set down approximately 5 feet because of the grade. He indicated the whole property required a retaining wall. He stated they built the apartments to give a courtyard feel. He also felt they would provide adequate landscaping on the property and did not need a tree for every 40 linear feet on the access road.
- Paul Kelly closed the public hearing at 7:21 p.m. and asked the Commission for comments.
- Rachel Crist arrived at the meeting at 7:22 p.m.
- Jim Hemby stated the access was a concern for him.
- Paul Kelly explained he was okay with all of the waivers except for the access road behind Brookshire's not being constructed. He was concerned there would be too many accidents and he was concerned about school buses entering the property off of U.S. Highway 380.
- Wyatt McGuire stated the same.
 - Motion to approve waivers 1, 2, & 3 on item A made by Lance Hudson
 - 2nd made by Jim Hemby
 - All members voted in favor, but Rachel Crist abstained because of missing the discussion due to her late arrival.
- Paul Kelly read item #4 again and opened the floor for discussion among the Commission.
- Lance Hudson felt that residents of the apartment complex could use County Road 607 and turn into the Brookshire's parking lot if they wanted as well.
- Scott Johnson stated that most cities around the area like Van Alstyne, Anna, Garland and some other cities only required a single point of access. He explained there would be very little traffic for an 80 unit apartment complex.
 - Motion to approve waiver 4 on item A made by Lance Hudson
 - 2nd made by Luke Ingram
 - Lance Hudson, Luke Ingram and Jim Hemby voted in favor of the motion. Wyatt McGuire, Paul Kelly and Rachel Crist voted against the motion.
 - Motion failed.

- Alan Lathrom stated the plat did not meet all the requirements of the Subdivision Ordinance. Since item A, number 4, was not approved he stated Engineering would probably recommend the replat be disapproved. He stated the applicant would have the right to appeal the decision to the City Council.
 - Motion to approve replat made by Lance Hudson
 - 2nd made by Wyatt McGuire
 - All members voted in favor, but Rachel Crist abstained
 - The Planning & Zoning commission was confused about approving or disapproving the plat.
 - Motion to reconsider the replat made by Paul Kelly
 - Wyatt McGuire asked what would currently be going forward to the City Council.
 - Alan Lathrom explained an approved plat that does not meet the Subdivision Ordinance because item A, number 4 was not approved.
 - No 2nd was given
 - Motion to reconsider failed
- B. Consider, discuss and act upon the Site Plan and Landscape Plan for the apartment community identified as Palladium Farmersville Apartments situated on property that is generally located south of U.S. Highway 380 and west of County Road 607, subject to the consideration, discussion and action upon the following required waivers requested by Palladium Farmersville, Ltd., for such approval:
1. A permanent waiver of the requirement that Palladium Farmersville, Ltd., erect a screening wall or fence of not less than six nor more than eight feet in height along the entire property line separating the multi-family district and the adjoining nonresidential district because the construction of such screening wall or fence is impractical under Farmersville Code Section 77-69(a)(1);
 2. A waiver allowing the buildings making up the apartment community identified as Palladium Farmersville Apartments to be placed on this single lot or tract of land such that said buildings will be oriented to create a courtyard effect rather than face upon a public street in accordance with Farmersville Code Section 77-8(b)(2); and
 3. A waiver from the requirements that Palladium Farmersville, Ltd., plant one canopy tree per 40 linear feet, or portion thereof, of street frontage as required by Farmersville Code Section 77-71(h)(4) on the grounds that the

proposed apartment community does not have any frontage along a public street or road.

- Motion to approve waivers 1, 2, & 3 made by Lance Hudson
- 2nd made by Jim Hemby
- All members voted in favor, but Rachel Crist voted against
- Motion passed

C. Consider, discuss and act upon a recommendation to City Council regarding a request to amend Ordinance No. 2002-13 that established Planned Development District (PD) Zoning for Residential Uses having a base zoning district of SF-3 One Family Dwelling District uses on approximately 13.05 acres of land generally located between Sycamore Street and Gaddy Street and between Meadowview Street and Jouette Street and more particularly described as being located in the W. B. Williams Survey, Abstract No. 952, Farmersville, Collin County, Texas, and to amend Ordinance No. O-2013-0212-003 that amended Ordinance No. 2002-13, in part, in order to adopt a new concept plan or site plan for approximately 5.065 acres of land out of the referenced parent tract of land to develop a twenty-one lot residential subdivision.

- Paul Kelly opened the public hearing at 7:49 p.m.
- Bryan Weisgerber with Cross Engineering addressed the Commission and stated the applicant was requesting a variance for the site plan in the PD Ordinance because they were switching some lots around and using one for detention.
- Jeff Hurst who owns a few properties in Lincoln Heights addressed Council and stated he was for the development but was concerned about the street widths. He also wanted to know if on-street parking would be allowed in the subdivision. He explained only one access into the properties could be an issue.
- Mr. Watkins who owns a home on 512 Jouette Street also addressed Council and stated he was concerned about the watershed and having only one detention pond. He stated he does not see the purpose of having sidewalks and he does not like the traffic having only one way in and out.
- Paul Kelly asked if anyone else wanted to speak for or against the item. Since no one came forward he closed the public hearing at 7:57 p.m.
- Wyatt McGuire asked if the roadway would be built to current City specifications.
- Ben White stated the roads met the City requirements for width.
- Paul Kelly wanted to know if the City had an Ordinance that addressed on-street parking.
- Ben White stated that all Ordinances related to on-street parking are enforced throughout the City and not just certain subdivisions.
- Lance Hudson asked if the City Engineer had reviewed the site plan.
- Alan Lathrom stated that at this point the applicant just submitted the concept plan/site plan as a zoning exhibit which was a part of the Planned Development Ordinance. He explained they were just showing the changes

because the old site plan did not conform to what they were suggesting was going to be built. He stated when the plat is submitted that is when the drainage would be addressed.

- Motion to approve made by Lance Hudson
- 2nd made by Wyatt McGuire
- All members voted in favor

III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

A. Consider, discuss and act upon a recommendation to the City Council regarding the Final Plat of the Brushy Creek Ranch Addition, Lots 1-4, Block 1.

- Karen Bander, owner of the property, addressed Council and stated she was separating the lots to give her daughter some land to build a house on.
- Sandra Green explained a petition had previously been approved by the City Council to bring all the property into the City's Extra Territorial Jurisdiction (ETJ).

- Motion to approve and recommend to the City Council made by Luke Ingram
- 2nd to approve made by Lance Hudson
- All members voted in favor

B. Consider, discuss and act upon a recommendation to the City Council regarding the Final Plat of the Islamic Association of Collin County, Lots 1 & 2.

- Motion to approve and recommend to the City Council made by Wyatt McGuire
- 2nd to approve made by Lance Hudson
- All members voted in favor

C. Consider, discuss and act upon minutes from October 15, 2018.

- Motion to approve made by Wyatt McGuire
- 2nd to approve made by Lance Hudson
- All members voted in favor

D. Consider, discuss and act upon minutes from October 22, 2018.


- Motion to approve made by Wyatt McGuire
- 2nd to approve made by Luke Ingram
- All members voted in favor

IV. ADJOURNMENT

Meeting was adjourned at 8:11 p.m.

ATTEST:

APPROVE:


Sandra Green, City Secretary


Paul Kelly, Chairman

