

FARMERSVILLE PLANNING & ZONING COMMISSION
REGULAR SESSION MINUTES
August 18, 2014

The Farmersville Planning and Zoning Commission met in regular session on August 18, 2015 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present: Patti Ford, Bryce Thompson, Charles Casada, Craig Overstreet, Todd Rolen and Tom Waitschies. Commission member absent was Mark Vincent. Staff members present was City Manager Ben White, City Attorney Alan Lathrom and City Secretary Edie Sims. Council Liaison John Klostermann was present.

CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS

Chairman Tom Waitschies called the meeting to order at 6:30pm. Edie Sims called roll and announced that a quorum was present. Craig Overstreet offered the invocation and led the audience in the Pledge of Allegiance to the American and Texas Flags.

Item II – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A REPLAT FOR A RESIDENTIAL SUBDIVISION TO BE LOCATED AT OR ABOUT THE BUCKSKIN AND HOUSTON STREETS, FARMERSVILLE

Chairman Tom Waitschies opened the Public Hearing at 6:31pm. City Manager Ben White came before the Commission with staff recommendation to approve the replat pending completion. Five lots are currently cornered by Buckskin, Houston, Merit Streets and the railroad. Lots 3R, 4R and two alleys will be abandoned then the two lots remaining will be combined.

One of the changes to be made include naming the replat to “replat” along with changing the setbacks that are indicated which need to be broader. Based on the recommendation from Daniel & Brown, Inc., Mr. White encouraged the P&Z Commission to approve with the stated changes.

Bryce Thompson questioned which direction the lots will face with Mr. White stating the majority toward Buckskin. A question was also raised regarding the need/requirement for Merit Street to be improved by the developer. Mr. White indicated if the lots used the frontage of Merit Street, then Merit Street would definitely require the developer to improve the road surface; but this is not the case or intention. The dedication of right-of-way's are included. The width added is to include the requirements per our Comprehensive Plan.

Chairman Waitschies continued the Public Hearing requesting those for or against the replat to come forward. With no one coming forth, the Public Hearing was closed at 6:41pm.

With no further discussion by the Commission, Todd Rolen motioned to approve the replat subject to the conditions stated by Mr. White with Bryce Thompson seconding the motion. Motion carried unanimously.

Item III – A) CONSIDER, DISCUSS AND ACT UPON MINUTES FROM JUNE 15, 2014 P&Z MEETING

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

Item IV – A) DISCUSSION AND POSSIBLE IDIRECTION REGARDING ITEMS BEING PLACED IN, ON AND/OR ABOUT THE PUBLIC RIGHT-OF-WAY

This item was discussed by City Attorney Alan Lathrom who indicated the City has seen problems and raised concerns regarding dumpsters and where they have been placed. Modifications to the current ordinance was presented in redline form regarding dumpster use regulations in Chapter 59. Mr. Lathrom indicated he is opposed to changing the Zoning or Subdivision Ordinances to address this issue.

By using the modified ordinance as presented, the changes will affect non-conforming uses. City Manager Ben White stated his intent was to review the modification and bring back an ordinance with P&Z's wishes. This issue came to the P&Z from the Council.

Chairman Waitschies had concerns of how the changed information will be disseminated to the dumpster owners. Mr. White indicated letters will be sent to each property using dumpsters, an article will be placed in the newspaper and the information will be included on the City's website. In reality, there are not that many dumpster issues throughout town. Another thought is to ask the customers of challenged/questionable dumpster locations to come to a meeting and pass out the information at that time.

Another topic regarded some dumpster locations may need a concrete pad poured to accommodate the correct dumpster location and having the surface area improved. Mr. Lathrom also stated the under this ordinance changes to the dumpster use regulations, new screening is not required. Highway Commercial zoned areas do require screening but if the dumpster exists, the dumpster would be grandfathered. Mr. Lathrom indicated the Commission may want to consider screening as well. This would be well within the pervue of the Commission.

The truck loading or unloading the dumpster should be on improved surface. There are few of the dumpster issues that would comply with this requirement if mandated. Craig Overstreet questioned the dumpsters that are used by renters and not by property owners. According to the modification presented, the dumpster user would be responsible to keep the dumpster cleaned. Mr. Overstreet stated the regulations are ambiguous. City Attorney Alan Lathrom stated the recommendation was not to build on setback areas including the front, side or area between structures.

The Commission also discussed a lifting apron which would allow the dump trucks to approach the dumpster, load/unload, and drive off. This apron would need to be leading to a concrete pad where the dumpster would be situated and be heavy enough to hold the weight of the dumpster and the dump truck. The trucks need to be off the street or in an area that traffic will not be blocked while collecting trash.

Mr. Lathrom stated the modification is a band-aid to an ongoing problem. City Manager Ben White stated he is sensitive to the needs of the public but is trying to meet the requirements of the Council. Mr. White requested the Commission to take a hard look at each situation and review the setbacks as well as the potential expense. Code Enforcement will be asked to bring pictures of each case and see what works and what doesn't. Mr. White stated this will be a balancing effort between safety and safety conditions. There is a cost for this change. Mr. Overstreet stated it would be helpful to have pictures and maps for real world application. This item will be brought to the Commission at the next meeting for further discussion.

Item IV – B) CONSIDER, DISCUSS AND ACT UPON CLARIFICATION OF DRIVEWAY APPROACHES, DRIVEWAYS AND PARKING HAZARDS

City Manager Ben White stated progress on the overlay project of Hamilton Street brought this item to light. This item requires a balance between what is accepted in the neighborhoods and what individual property owners want. There are some conditions where the front yard looks like a parking lot. Some people are parking their personal equipment in the front yard. This is an attempt to clarify what is appropriate. Mr. White stated he also wanted to incorporate a waiver process as all conditions cannot be planned for.

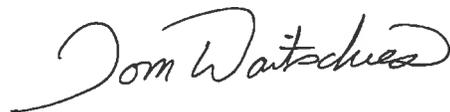
The definitions presented were as thorough as possible. Paving does have leeway for other options such as impervious concrete, decomposed granite, and heavy duty grasses. Alternatives may be in a design. The proposed modifications to our ordinance will include definitions but allow flexibility.

Mr. White proposed the front yard of each property have one open spaced condition or if a looped driveway to allow for two. Mr. White also is looking for protection of the sidewalks from being used as driveways. When the front yard is used for a parking lot, it destroys the neighboring property values and the City property. City Attorney Alan Lathrom stated boats and large items should be parked in the back yard and use screening from the public right-of-way would be very acceptable. Bryce Thompson responded the considerations are too strenuous. Mr. White countered the need to keep properties from becoming junk yards. A classic example is on Sycamore Street where boats and cars are parked along the right-of-way. Another item to consider, a hot engine catches the grass on fire. This is a great danger for the entire area. Patti Ford offered placing "No Parking" signs along the side of the street. The problem is City wide and signage would end up being everywhere.

Currently, Section 71-176 is aimed toward commercial vehicles. If this ordinance is implemented, Mr. White stated warnings would be issued first before citations to allow time for everyone to accommodate the new requirements. Craig Overstreet stated the health and safety of everyone is first and foremost. This is not just a visual effect. Another point was considering Section 71-173 which would prohibit a youth group from having a car wash as a fundraiser. Commission will consider further at the next meeting.

Item V) ADJOURNMENT

Todd Rolen motioned to adjourn with Patti Ford seconding the motion. P&Z Commission adjourned at 7:56 p.m.



Tom Waitschies, Chairman

ATTEST:



Patti Ford, Secretary