

FARMERSVILLE PLANNING & ZONING COMMISSION  
SPECIAL SESSION MINUTES  
March 2, 2015

The Farmersville Planning and Zoning Commission met in special session on March 2, 2015 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present: Bryce Thompson (arrived late), Mark Vincent, Patti Ford, Todd Rolan, Craig Overstreet, Charles Casada and Chad Dillard. Staff members present were 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

Vice-Chairman Todd Rolan 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 PLAT FOR THE FARMERSVILLE ISD STADIUM

Vice-Chairman Todd Rolan opened the Public Hearing at 6:33pm asking for those FOR the plat to step forward. Ronny Klingbeil, engineer for the Fisd stadium project, came before the Commission. Mr. Klingbeil noted a 10' building line adjustment on the plat to accommodate the proposed concession stand. The setback line per the City's ordinances is 35' therefore a variance has been requested. If approved, the building will be 11' from the property line but not sure the distance from the building to the actual roadside of Highway 78; however the right-of-way is very wide.

The record shall reflect Bryce Thompson, Chairman, arrived at 6:35pm. Craig Overstreet questioned if the Fire Marshal has reviewed the plat as the fire lanes were being questioned. City Manager Ben White indicated the Fire Marshal is in the process of reviewing but has not submitted his comments. Mr. White also noted the fire lanes are not required to be platted and this is not a problem with Single Family 1 (SF-1) zoning which is the zoning of the School District.

Chairman Bryce Thompson asked for those OPPOSING the stadium plat to come forward. With no one opposing the plat, Chairman Thompson closed the Public Hearing at 6:40pm.

City Manager Ben White offered the Commission understanding the plat has gone through all the review processes and only one issue with an easement has been found. Along the south side of the property approximately 300' long should have an easement as it contains all the water meters and fire hydrants. The plat meets all the requirements with the exception of said utility easement. Mr. White recommended approving the plat conditioned upon including the utility easement as stated to allow fire hydrants every 300'. Fire hydrants exist on the end of the line at the Administration Building and the Football Field. The water line is presently 6" and needs to be 8" to support fire suppression activities. By having the easement included on the plat, future improvements can be planned for the property.

Charles Casada motioned to postpone approving the plat until all changes have been made. City Attorney Alan Lathrom informed the Commission due to platting statutes, the Commission does not have the ability to postpone. The plat must be either approved or disapproved. The Commission can approve the plat with the contingency as stated by the City Manager. Mr. Casada rescinded his motion.

Craig Overstreet motioned to approve the plat with compliance contingencies as described by the City Manager regarding utility issues with Patti Ford seconding the motion. Motion carried unanimously.

**Item III – A) CONSIDER, DISCUSS AND ACT UPON MINUTES FROM DECEMBER 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) DISCUSS AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO ALLOW PAWN SHOPS IN THE HIGHWAY COMMERCIAL ZONING DISTRICT**

City Manager Ben White stated City Council reviewed a request to allow pawn shops in Highway Commercial zoning and submitted it to Planning & Zoning Commission to review and make a recommendation. In the agenda packet, a letter of request was made to the Commission requesting a zoning variance to allow a pawn shop located at 676 W Audie Murphy Parkway.

Presently pawn shops are allowed in Commercial, Light Industrial and Heavy Industrial Zoning. City Attorney Alan Lathrom indicated pawn shops are highly regulated under the Finance Code and the City, by statute, cannot impose further restrictions on pawn shops. Also the Commission cannot give a variance for the use as this is unlawful. The only way to allow pawn shops in a non-zoned specified area is to change the zoning to allow pawn shops in Highway Commercial by right.

Craig Overstreet stated he was on the Planning and Zoning Commission when these rules were first implemented. Four areas were created to allow pawn shops to operate within the City of Farmersville. Mr. Overstreet expressed he did not feel a need to change our zoning ordinance to allow pawn shops in other areas other than where already designated.

Commission members questioned what comments were made and the direction from City Council. John Klostermann, Council Liaison, stated the Council concurred zoning allowances were already in place. There were no specific directions from the Council for the Planning and Zoning Commission.

Chad Dillard motioned to leave the zoning for pawn shops as is and recommended not making a change to the Comprehensive Zoning Ordinance with Todd Rolen seconding the motion. Patti Ford opposed while all other Commission members voted for the motion. Motion carried, 6 to 1.

**Item IV – B) DISCUSS AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO ALLOW MANUFACTURING WITH A STORE FRONT IN THE CENTRAL AREA DISTRICT**

City Manager Ben White indicated this issue was presented to the City Council who requested the Planning and Zoning Commission review and make a recommendation. Mr. White also indicated this issue has been brought before the P&Z in the not far past with Rex Thain. Presently there are no allowances for light manufacturing in the Central Area downtown district. Other manufacturing businesses, such as brew pubs and coffee bean roasting, have expressed interest in operating their businesses in the downtown area, but zoning prohibits this type of business in this particular zone. Another example is Fancy Fibers who takes wool from alpacas and Angora goats and uses the fibers to spin into yarn which is used for all types of textiles. The businesses described are small in nature with an artisan craft.

From the original Council meeting, Councilman Jim Foy wanted to know if different wording could be crafted into the Zoning Ordinance to allow artisan craft type businesses. The Commission would be tasked with choosing very carefully the types of non-objectionable businesses that would fit within the Central Area District.

Craig Overstreet stated he was on the Planning and Zoning Commission when the Zoning Ordinance was being created. A great deal of thought went into the types of businesses that would be appropriate for our downtown area. Items considered included heavier trucks for deliveries, forklifts, noise abatement issues, chemicals, firefighting access, lack of docks, common walls, waste disposal, among other topics.

Patti Ford questioned if other cities allow this type of use in their downtown area. Mr. White stated the allowances could be scaled back using a boot and shoe repair shop as an example. Craig Overstreet stated we are limited as we have an older downtown area. Mark Vincent motioned to direct City Attorney Alan Lathrom to check into the possibility of changing the ordinance and how it would affect the downtown area with Todd Rolan seconding the motion. Motion carried unanimously.

**Item V) ADJOURNMENT**

With no further business, Craig Overstreet motioned to adjourn with Chad Dillard seconding the motion. Commission adjourned at 7:18pm.

ATTEST:

  
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Chairman Bryce Thompson

  
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Patti Ford, Secretary