

FARMERSVILLE PLANNING & ZONING COMMISSION  
SPECIAL SESSION MINUTES  
July 6, 2015

The Farmersville Planning and Zoning Commission met in special session on July 6, 2015 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present: Bryce Thompson, Sarah Jackson-Butler, Charles Casada, Craig Overstreet, Todd Rolen and Chad Dillard. Commissioner absent was Mark Vincent. 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

Chairman Bryce Thompson 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.

NON AGENDA ITEM FORUM

Chairman Bryce Thompson announced the forum for the public to speak on non-Public Hearing items.

Jennifer Owen came before the Commission expressed her concern regarding the Muslim cemetery. Included in her concerns were the methods used for burial and whether the development at Camden Park was connected to the brotherhood of Muslims. With the close proximity to our water supply at Lake Lavon, the cemetery could pose a health issue.

David Meeks, pastor of Bethlehem Baptist Church expressed his opposition based on the Quran. Mr. Meeks read page 101 where murder and rape was referenced. Dearborn, Michigan has been changed by the Muslim population.

Rebeca James owns the property adjacent to the proposed cemetery who expressed she was appalled to know this cemetery was being suggested in Farmersville.

Gwen Kakaska stated she appreciated the prayer at the beginning of the meeting. She expressed concern regarding the Muslim religion and that she understands around 120 acres is being considered to be purchased by the Muslims for other uses. She stated she does not want Farmersville to become a Muslim dumping ground for their refugees.

Steven Monroe expressed his concern as we was in the service when the United States activated the Bay of Pigs plan to overthrow Fidel Castro in Cuba. The graves were similar to what is being proposed in Farmersville. When the waters rose, the bodies surfaced. It was a horrible sight. Mr. Monroe stated this culture is not welcome.

Roy Bagby stepped forward expressing his concern of Muslims changing our culture and environment. This is against God and he stated he would die for his religion.

David Owen stated he had a real concern regarding information that is being shared. A training center has been suggested that will train Muslims to kill Americans. There is information that the untreated bodies will be exposing our water system at Lake Lavon. The Bible was taken out of our schools but we have to allow "them" to pray.

Kenneth Roose, asked why was this Concept Plan approved when other developments were declined. What is the Muslim population in Farmersville area and why do we need a Muslim cemetery. The Muslim's follow Sharia Law, so are we to allow special zoning. Who has jurisdiction over the ETJ? How will the cemetery be kept when the area floods? How does this cemetery benefit Farmersville with no taxes being charged? Mr. Roose stated he will fight against this cemetery with all he has.

Glenn Bagwell stated the cemetery is a safety and sanitary issue. What will the people be trained on at the "training center?" Muslims do not practice a peaceful religion.

Chairman Bryce Thompson stated he appreciated those in attendance and who gave their statements. These comments will be taken seriously and will be considered. The outcome will be based on what is best for Farmersville.

**Item II – A) CONSIDER, DISCUSS AND ACT UPON MINUTES FROM APRIL 27, 2015 SPECIAL P&Z MEETING AND MAY 28, 2015 SPECIAL P&Z MEETING**

Todd Rolen motioned to continue the approval of the minutes to the next meeting with Chad Dillard seconding the motion. Motion carried unanimously.

**Item II – B) CONSIDER, DISCUSS AND ACT UPON A PRELIMINARY PLAT FOR CAMDEN PARK PLANNED DEVELOPMENT**

City Manager Ben White came before the Commission with an example ordinance of the Planned Development that matches the proposed zoning changes. Our City Engineer's representative Jim Shankles recommends approval of the Preliminary Plat presented with the approval of the Planned Development Ordinance and with receipt of service letters from all the utility providers. Mr. White stated all issues presented at the last meeting have been resolved including the park dedication area and he recommends approval.

There is a concern of the street connection per Jeff Crannell, engineer for the developer. Street "J" is the second designated point of access. The developer is working with Texas New Mexico Power to purchase the land where Street "A" will ultimately be as the first point of contact.

Craig Overstreet questioned the lot sizes from 6,000 square feet lowering to 5,000 square feet for the 84 lots to be designated as senior adult living. The last approved zoning ordinance for this Planned Development accommodated the square footage.

Todd Rolen questioned the park area that included the detention pond and if there was another location to place a park without the detention pond. Detention ponds are typically maintained by a Home Owners Association, but Mr. White also indicated it would be better if the City took the maintenance responsibility of the detention pond.

Mr. White referred to the entry as indicated by Street "A" at the intersection of CR 610 and CR 611 would be signalized in the future which will benefit the citizens in the area.

Gwen Reynolds requested to speak on this matter and stated she has concerns of this development becoming a Muslim refugee relocation center and allow the Muslim population to be established in Farmersville. The area proposed for the Muslim cemetery is the gateway to our community and it needs to be held in high regard.

Richard Smith expressed concern of drainage and how the engineers have indicated the detention ponds will keep drainage and overflow from infiltrating his and surrounding properties.

Mr. White addressed the drainage issue by reporting the designing engineer is responsible. The City Engineer is looking into this issue as well. Both the City Engineer and the developer's engineer will watch this issue closely during construction and after. The Final Plat will include all the utilities and will be used as the guide for the build out.

Jeff Hurst asked if the Board is looking at street widths. He owns a property in Lincoln Heights where there is a major problem with parking in the streets. Mr. White addressed his concerns by stating the City has reviewed the parking issues and presently the City will stand on the current ordinances surrounding this topic. Also, City Attorney Alan Lathrom indicated the Final Plat will include the drainage and street widths.

Craig Overstreet expressed concern with the retention pond not having a fence surrounding it. Steve Speir, spoke up from the audience, stated he too is concerned about the water runoff.

Jennifer Owen came forward expressing concern of lawsuits against the owners of Camden Park. Shirley Spradlin expressed concern of the drainage coming onto her property and the amount of traffic the County Road will endure. Richard Smith questioned if the street connecting Highway 78 and Highway 380 will be built before the homes are built. He also questioned why a retention pond is not used for reclaimed water to irrigate the property. Finally Mr. Smith questioned if a red light will be installed at the "T" to facilitate the traffic. The property owned by Texas New Mexico Power must be purchased to allow the traffic to flow properly into the subdivision.

Gwen Reynolds came to express concern of the traffic and a similar situation at Highways 78 at 205 where a development was created but the traffic flow was not planned to alleviate a traffic problem.

City Attorney Alan Lathrom indicated if the Commission's decision is to approve the Preliminary Plat based on the City Engineer's recommendation, they can approve subject to the Planned Development Ordinance to the conformity of the zoning of the property and correspondence from the franchise utilities.

Craig Overstreet motioned to disapproved with Charles Casada seconding the motion. Motion carried unanimously.

**Item III – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A SPECIFIC USE PERMIT ON THE PROPERTY IDENTIFIED AS LOT 2A, BLOCK A OF THE FARMERSVILLE ORIGINAL DONATION, FARMERSVILLE, COLLIN COUNTY, TEXAS, MORE COMMONLY KNOWN AS 201 MCKINNEY STREET, FARMERSVILLE, TEXAS, TO OPERATE A "SPECIALTY FOOD PROCESSING" BUSINESS**

Chairman Thompson opened the Public Hearing at 7:49pm and asked for those FOR the Specific Use Permit to operate a specialty food processing business to come forward. Jim Terrell, owner of the Happy Cucumber, came forward and stated he requests the SUP be approved to operate his business that will include a retail space.

Questions surrounding odors which included the cooking processes and trash odors were posed. Ventilation is used. The vinegar and spices used for pickling quickly dissipate. Trash should not be an issue as most of the waste is recyclable. Parking was also questioned by Mr. Overstreet. Mr. Terrell stated most of the parking will be on

the square as he does not anticipate a large amount of foot traffic for quite some time. Mr. Terrell also stated there will be a total of 5 employees who will be working at this location.

Gwen Reynolds stated it will be nice to have more diversity in the downtown area.

Chairman Thompson asked for those OPPOSING the Specific Use Permit to operate a specialty food processing business to come forward. With no one coming forward who opposed the SUP, Chairman Thompson closed the Public Hearing at 7:56pm.

Sarah Butler motioned to recommend approval to the City Council with Charles Casada seconding the motion. Motion carried unanimously.

**Item III – B) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON A SPECIFIC USE PERMITS ON THE PROPERTY IDENTIFIED AS BEING A PART OF BLOCK 1, TRACT 92 IN THE D.J. JAYNES SURVEY, ABSTRACT NO. A0471, FARMERSVILLE, COLLIN COUNTY, TEXAS, MORE COMMONLY KNOWN AS 1055 W. AUDIE MURPHY PARKWAY, SUITE 133, FARMERSVILLE, TEXAS, TO OPERATE A “BANQUET/MEETING HALL”**

Chairman Thompson opened the Public Hearing at 7:56pm and asked for those FOR the Specific Use Permit to come forward. As recalled, the P&Z and Council worked through changing the ordinance to allow a Banquet/Meeting/Event Hall in the Highway Commercial zoning with a Specific Use Permit. The SUP presented has been proposed in the Sugar Hill Shopping Center. The occupancy rating has not been established yet, but will be processed through the Fire Marshal's Office. Parking should not be an issue. There is not a requirement for a cooking facility. Parking is based on the event area and not the cooking area.

Todd Rolen questioned if this is the same business that had problems with noise and alcohol downtown. If so, this will affect the subdivision behind the property. Mr. White reminded the Commission this area is zoned Highway Commercial.

Chairman Thompson requested anyone OPPOSING the Specific Use Permit to come forward. Gwen Reynolds stepped forward stating she opposes the SUP. When this business was downtown, shop owners expressed issues of vandalism. As a caterer, you cannot have a banquet hall without a kitchen, and a method for food preparation.

Jennifer Owen, expressed concern that the same types of problems will continue even though locations have changed.

The SUP is specific to Salon Mr. G. Rosio Nunez, owner of business, stated she will install a kitchen if needed and will hire security. Ms. Nunez also stated she intends to prepare food in her restaurant in Princeton and transport it to the Banquet Hall. If serving food, a health inspection would be required. A Certificate of Occupancy would be issued based on the use as applied. If the use were food related, then all compliance codes would be enforced. This building is smaller than what was used as a restaurant downtown. The occupancy rating would be applied for the size and use.

Owners of the property are Ray Feagin and Robbie Tedford. City Attorney Alan Lathrom indicated the Commission has the ability to add more restrictions.

Chairman Thompson closed the Public Hearing at 8:12pm. Todd Rolen stated the area seems small for the use. Charles Casada expressed concern regarding

security and the traffic concerns getting on Highway 380 as there is only one entry. Chad Dillard state he has questions regarding “Bring Your Own Beer” style events. How does this work through the Texas Alcohol and Beverage Commission? Also the hours of operation need to be included.

Craig Overstreet motioned to table this item until the next P&Z meeting and seconded by Todd Rolen. Motion carried unanimously.

**Item V) ADJOURNMENT**

With no further business, the Commission adjourned at 8:21pm.

ATTEST:

\_\_\_\_\_  
Chairman Bryce Thompson

\_\_\_\_\_  
Edie Sims, City Secretary

DRAFT