

FARMERSVILLE PLANNING & ZONING COMMISSION
REGULAR SESSION MINUTES
September 21, 2015

The Farmersville Planning and Zoning Commission met in regular session on September 21, 2015 at 6:32 p.m. at the City of Farmersville Council Chambers with the following members present:, Bryce Thompson, Mark Vincent, Sarah Jackson-Butler, Charles Casada, Todd Rolen and Chad Dillard. Commissioner absent was Craig Overstreet. Staff members present were 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 6:32pm. Edie Sims called roll and announced that a quorum was present. Edie Sims 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 A SPECIFIC USE PERMIT ON A LEASE SPACE LOCATED ON BLOCK 1, TRACT 92 OF THE D.J. JAYNES SURVEY, ABSTRACT NO. 471, AND WHICH LEASE SPACE IS MORE COMMONLY KNOWN AS 1055 WEST AUDIE MURPHY PARKWAY, SUITE 133, FARMERSVILLE, COLLIN COUNTY, TEXAS, FOR THE OPERATION OF A BANQUET/MEETING HALL

Chairman Bryce Thompson opened the Public Hearing at 6:34pm and asked for those FOR the Specific Use Permit to come forward. With no one coming forward, Mr. Thompson asked for those OPPOSING the Specific Use Permit to come forward. With no one coming forward, Mr. Thompson closed the Public Hearing at 6:34:50pm.

The Commission discussed this item with Todd Rolen questioning the maximum capacity of the space. City Manager Ben White replied the Fire Marshal sets the capacity and will be part of the process before the operator opens their business. Mark Vincent questioned if a sprinkler system is installed and the area is safe. Mr. White stated the Fire Marshal will confirm that all requirements will be met before the occupant can open their business. Charles Casada questioned if the number of parking spaces to be provided will be sufficient for all the businesses in the complex. Mr. White extended information regarding a church being located in this facility and there were more vehicles for that building space use than what will be for the requestors use.

Todd Rolen stated the drawing does not correctly reflect the appropriate location of the driveway. Chad Dillard expressed concerns and would like to limit the hours of operation. Sarah Jackson-Butler stated she had concerns if alcohol was on the premises and preferred a requirement for security. Todd Rolen expressed concern of the floor space for tables. Mr. White stated this too shall be the responsibility of the Fire Marshal's Office regarding the design and use of the space.

Sarah Jackson-Butler motioned to approve the Specific Use Permit conditioned upon limiting the hours of operation to no later than midnight and requiring security when alcohol is on the premises. Mark Vincent seconded the motion. Motion passed 4 to 1 with Todd Rolen opposing.

Item II – B) PUBLIC HEARING TO CONSIDER, DISCUSS ACT UPON A REQUEST TO CHANGE THE ZONING ON APPROXIMATELY 100.81 ACRES OF LAND IN THE W.B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, FROM PLANNED DEVELOPMENT (PD) DISTRICT WITH SINGLE-FAMILY 3 (SF-3), MULTI-FAMILY 2 (MF-2) AND COMMERCIAL (C) DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT WITH SINGLE-FAMILY 3 (SF-3) DISTRICT USES, MULTI-FAMILY 2 (MF-2) DISTRICT USES AND COMMERCIAL (C) DISTRICT USES, AND APPROVING CERTAIN EXCEPTIONS TO THE REQUIREMENTS ESTABLISHED BY THE BASE ZONING OF SINGLE-FAMILY 3 (SF-3) DISTRICT

Chairman Thompson opened the Public Hearing at 6:44pm and asked for those FOR the zoning request to come forward. Jeff Crannell, engineer for the development, came forward stating the zoning change proposed will allow Single-Family 3 (SF-3) zoning on 2/3 of the site. The current zone from 2012 for 55+ residents is not a strong enough market therefore the request is for straight SF-3 with no changes from our current SF-3 requirements. There have been minor tweaks, but all the City's requirements have been met. On the north corner of the property, a detention pond was included with an open space area. The project is very large and hope for a positive impact to Farmersville. A regional lift station will be installed off the property and on Highway 380 to serve far more people than will be in the development. Mr. Crannell continued the plan is simple and meets all the City's ordinances.

Chairman Thompson questioned the acquisition of the Texas New Mexico property for an entry into the subdivision. This has not been purchased to date. Mr. Crannell explained there are 2 points of access and the development can be built without the "stub"; but at a later date the "stub" will be a third point of access as there is plans to purchase the TNMP property. Charles Casada asked why this portion has not been already purchased since the last approval in 2012. With only 50' of the property being utilized and the remainder will go into right-of-way, this property will be the last portion to be purchased upon an approved plan. Mr. Casada continued his questions regarding the change from 55+ restricted development to a non-restricted development. Mr. Crannell stated he is expecting some active adults to purchase homes, but the developer does not want to preclude others from living in this subdivision. The zoning of certain areas was questioned, whether remaining the same from the 2012 approved plan or not. Mr. Crannell stated the southern half of the property is remaining the same zoning from 2012.

Chairman Thompson asked for anyone else to come forward who is FOR the zoning change. With no one coming forward, Mr. Thompson asked for those OPPOSING the zoning change. Diane Piwko, residing at 200 McKinney Street, came forward stated she has attended Planning & Zoning meeting from the beginning of this project. There are issues with low drainage, city services and school being impacted. Now with smaller homes there will be more children and a limited income development. Ms. Piwko questioned why impact studies are not being required. Farmersville deserves better and needs SF-2 to be prosperous and not have starter neighborhoods. There needs to be homes that will encourage long term business owners. If these are the bare minimum standards, then the standards need to be improved.

Gwen Reynolds, residing at 5258 CR 660, stated one of the two of the principle parties for this development goes by the name of Ted Zadeh, which is real name is Mohammed Akhavizadeh. President Obama is focusing on North Texas for refugee relocation for Muslims. Camden Park is a low income housing development. With this many homes, the economics of Farmersville will change. These homes will turn into rent houses and is not advantageous for Farmersville to build this way. Look at the development at Highways 78 and 205 in Lavon. We don't need that type of development in Farmersville. How do fire trucks get down streets? This is a bad idea, especially at this time. There has not been enough research and this is not beneficial to Farmersville. Why are we doing this to Farmersville and our kids? Is money that important?

Richard Smith, residing at 617 CR 610, stated he owns two pieces of property that adjoin the northern side of this development. Mr. Smith stated he is against the exceptions or variances. When the property was originally platted, the design was for 300+ homes and has changed to consolidate single family dwellings on 56 acres rather than 77 acres. The plans have now changed to build on 60% of the lot versus what the City's Subdivision Regulations require. In 2012, with variances, the revisions would have deed restrictions for age 55+ and now the restrictions are being lifted. The City does not have the funds to improve Farmersville Parkway and there is no guarantee the College will build on their property. Another issue is sewer capacity whether it is adequate for this amount of population. Mr. Smith stated he understood the City is working with North Texas Municipal Water District for a regional wastewater treatment facility. However, nothing has been started and how many houses will go up before a sewer plant is built. What fines must the City pay for problems brought by this development? Mr. Smith requested the Commission to reject this plat.

Bryce Thompson asked Mr. Smith if he had been contacted regarding drainage issues on his property that would come from this development. Mr. Smith stated no.

Randy Smith, residing at 508 CR 610, stated he concurred with the previous statements and added traffic is a big problem along with the impact of the school system. With 18 acres dedicated for multi-family, how many units will be built? With the City's current sewer situation, how will a liftstation accommodate all the zones presented? What about emergency services? Since the 2012 proposal will no longer be in place and the developer is proposing the 2006 proposal, it seems there are numerous proposals without approvals. Mr. Smith stated he agreed Farmersville does not need entry level housing. When the project is finished and the density as shown, how many will build high end homes? There is also a concern of rental properties.

Bryce Thompson asked Mr. Smith if he had been contacted regarding drainage issues on his property that would come from this development. Mr. Smith stated no.

With no one else coming before the Commission in opposition of the zoning request, Chairman Thompson closed the Public Hearing at 7:11:58pm.

City Attorney Alan Lathrom suggested re-opening the Public Hearing to allow a rebuttal and address the issues brought forward during the Public Hearing. Chairman Thompson re-opened the Public Hearing at 7:12:59pm. Jeff Crannell, engineer for the development, came forward stating he has asked Mr. Richard Smith to meet with him on site and will work with all the adjoining property owners. With exception of the minimum lot sizes, no requirements in the SF-3 zone have been changed.

There will be an impact on the traffic, and yes, let's hope so stated Mr. Crannell. That is why there was a change from the age restriction as the market does not show a higher need for that type of development. Mr. Crannell stated he has also spoke with the Midkiff's, who are directly west of the development property, regarding the drainage concerns. Mr. Crannell stated he is happy to meet with any having concerns at any time. Market studies show smaller square footage is the desired home. If a homebuyer wants a smaller home, or a larger home, all demands can be made. The homes will be built for homeowners; however cannot stop people from buying investment properties as rental properties. The development is to build new homes and follow all the ordinances. The school has not been approached as of yet. With the development, there is great hope to improve the sewer system. The plan is for a nice neighborhood.

Chairman Thompson asked if impact studies were done regarding sewer, traffic and schools. Mr. Crannell stated the sewer will be impacted and will be placed along Highway 380 to positively impact the City. City Manager Ben White stated our wastewater system is currently having infiltration problems. If those issues are solved, this will increase our capacity to 68-70%. The City cannot grow much beyond our wastewater treatment capacity, but planning is underway. A traffic analysis will be done where the City wants to expand. Mr. Crannell stated services are added upon the need, such as firefighting. Mr. White indicated Farmersville Fire has the largest fire district in Collin County. The City does not have control over the growth within the fire district. Tax dollars are received to help cover the costs of this growth. Mr. White further stated the Police Chief and Fire Chief have reviewed the proposed plans and did not have comment.

Mr. Crannell stated regarding the school system, the developer will work with the schools to coordinate as well once the Concept Plan has been approved for Farmersville ISD to understand and start planning for the impact. Once zoned, FISD can review and prepare for the growth. Superintendent Adams has previously stated schools will be built to meet the need according to Mr. White. Currently all the information is concept exploration.

Todd Rolen stated we cannot place ourselves in the same situation as in Lincoln Heights with the streets. Mr. White stated as presented, the streets meet the current ordinance. Charles Casada stated he would like to see how the property is being zoned before he voted. Mr. White stated the proposal is before the Commission and it meets our current regulations and standards for zoning. The proposal placed before the Commission would replace the current zoning as it stands from 2012.

Mr. Crannell stated he realizes the Commission would prefer larger lot sizes and increase the minimum dwelling to no less than 1,200 square feet to allow larger homes which changes the lot coverage. Some corner lots will have issues due to set backs on two sides. Chairman Thompson stated he was all for the project, but now has concerns and not ready to go forward. City Attorney Alan Lathrom stated with a planned development, the base zoning requirements can be modified and changed to increase the lot depth from 90-100' for a deeper lot.

Charles Casada motioned to disapprove the zoning with Chad Dillard seconding the motion. Motion carried unanimously.

City Attorney Alan Lathrom informed the Commission the applicant can appeal if desires and their case has been placed on the agenda for the City Council. P&Z's recommendation will be forwarded to Council for their meeting tomorrow night.

Item III – A) CONSIDER, DISCUSS AND ACT UPON MINUTES FROM AUGUST 24, 2015 SPECIAL P&Z MEETING

Sarah Jackson-Butler motioned to approve the minutes as presented with Todd Rolan seconding the motion. Motion carried unanimously.

Item III – B) CONSIDER, DISCUSS AND ACT UPON A PRELIMINARY PLAT FOR CAMDEN PARK, A PLANNED DEVELOPMENT, CONTAINING APPROXIMATELY 100.81 ACRES OF LAND IN THE W.B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

Sarah Jackson-Butler motioned to disapprove the Preliminary Plat for Camden Park with Todd Rolan seconding the motion. Motion carried unanimously.

Item III – C) CONSIDER, DISCUSS AND ACT UPON A FINAL PLAT INCIDENT TO THE POSSIBLE REPLATTING OF ALL OR PORTIONS OF LOTS 1 THROUGH 5, BLOCK A, OF THE ADVANCED FIXTURES ADDITION, BEGIN APPROXIMATELY 25.382 ACRES OF LAND IN THE WILLIAM HEMPHILL SURVEY, ABSTRACT NO. 448, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

City Manager Ben White introduced owner Tony Ewing, and Kaley Buethe representing Kimley-Horn, engineering firm for the project. Mr. White stated the plans have been reviewed and meet all the City's requirements. There are two existing buildings on the property and a proposed third building. Fire lanes are in the middle of Lot 5 which provide fire lane access to all lots. Todd Rolan questioned the distance between the Lot 5 and the train tracks. Mr. White stated it was close to 500' distance,

Commissioners asked if plans are made for Lots 1-4 which face Highway 380. Ms. Buethe stated she is not aware of any plans at this time. Charles Casada stated this plan adds to the Industrial Park and is zoned and developing. The plan does not change the current zoning. Mark Vincent stated this will be an asset so long as all requirements are met and therefore motioned to approve the Final Plat as presented. Chad Dillard seconded the motion. Motion carried unanimously.

Item IV) WORKSHOP: CONSIDER, DISCUSS AND ACT UPON REVIEWING THE COMPREHENSIVE PLAN, THE THOROUGHFARE PLAN AND THE SUBDIVISION ORDINANCE TO: 1) CONSIDER POSSIBLE ADJUSTMENTS AND CHANGES TO SUCH DEVELOPMENT REGULATIONS TO BETTER ACCOMMODATE NEW DEVELOPMENT PROVIDING VALUE AND ENDURING QUALITY TO THE CITY; 2) MODIFY DEVELOPMENT REGULATIONS REGARDING THE DENSITY OF PROPOSED DEVELOPMENT PROJECTS AND IDENTIFYING A BALANCE BETWEEN LOT SIZE, ROAD WIDTH, AND THE POSSIBLE USE OF REAR ENTRY GARAGES TO LESSEN ROADWAY CONGESTION; 3) CONSIDER POSSIBLE CHANGES TO THE MINIMUM LOT DIMENSIONS FOR NEW DEVELOPMENT WITH A FOCUS ON REDUCTING THE PERCEIVED NEGATIVE IMPACTS OF SMALL LOT RESIDENTIAL USES; 4) CONSIDER POSSIBLE CHANGES REGARDING HOMEOWNER'S ASSOCIATIONS; AND 5) REVIEW AND CONSIDER POSSIBLE CHANGES TO THE LAYOUT OF ROADS IN THE THOROUGHFARE DEVELOPMENT PLAN TO AVOID UNUSABLE REMNANTS OF LAND

City Manager Ben White stated the overall need is to get direction and to start working on sections with proposals for changes. The first section the Commission requested to address is lot sizes. Mr. White stated together the Commission can concentrate on the tables and offer suggestions. One such suggestion was removing SF-3 altogether. Mr. White stated he will investigate other cities and present information with similarities to Farmersville. Prosper may be a good example. Right-of-way widths will also be discussed with the lot sizes. Mr. White questioned if the Commission wanted to review residential only or to branch into other dimensions and densities, especially for Multi-Family. Charles Casada stated he would prefer to focus on one area and have it perfected before going on to another segment. The Commission agreed to work on residential as a whole first.

Cities to be researched are Murphy, Rockwall, Prosper, Anna and McKinney.

Sarah Jackson-Butler asked if Mr. Klostermann, Council Liaison for the P&Z, could request adding a P&Z Commissioner to the Zoning Board of Adjustment. City Attorney Alan Lathrom indicated we cannot circumvent State Law. No other board member may sit on the Zoning Board of Adjustment.

Item III) ADJOURNMENT

Chairman Bryce Thompson adjourned the meeting. Commission adjourned at 8:11:49pm.

ATTEST:



Chairman Bryce Thompson



Edie Sims City Secretary