



**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION MINUTES  
for  
REGULAR CALLED MEETING  
held on  
JUNE 20, 2016, 6:30 P.M.**

**I. PRELIMINARY MATTERS**

- Chairman, Bryce Thomson, called the meeting to order at 6:30pm. All commissioners – Bobby Bishop, Sarah Jackson-Butler, Charles Casada, Bryce Thompson, Craig Overstreet, Chad Dillard, and Russell Chandler – were present. City staff members Ben White, Daphne Hamlin, Mary Tate, City Attorney, Alan Lathrom, and Council Liaison, John Klostermann, were in attendance. Also present as guests were Mayor Diane Piwko and Councilman Mike Hurst. Craig Overstreet offered the Prayer and led the Pledge of Allegiance.

**II. REORGANIZATION OF COMMISSION**

A. Daphne Hamlin swore in Bobby Bishop and Russell Chandler

B. Election of Chairman

- Motion to elect Bryce Thompson as Chairman was made by Charles Casada
- 2<sup>nd</sup> was made by Chad Dillard
- All commissioners were in favor thereby approving the motion

C. Election of Vice-Chairman

- Motion to elect Craig Overstreet as Vice-Chairman was made by Bryce Thompson
- 2<sup>nd</sup> was made by Sarah Jackson-Butler
- All commissioners were in favor thereby approving the motion

D. Election of Secretary

- Motion to elect Sarah Jackson-Butler as Secretary was made by Craig Overstreet
- 2<sup>nd</sup> was made by Bryce Thompson
- All commissioners were in favor thereby approving the motion

### **III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

#### **A. Consider, discuss and act upon minutes from April 18, 2016**

- Motion to approve was made by Craig Overstreet
- 2<sup>nd</sup> to approve was made by Chad Dillard
- All commissioners were in favor thereby approving the minutes

#### **A. Public hearing to consider, discuss and act on a final plat for Lots 1, 2, & 3, Block 1 of the Neathery Johnson Addition, in the W.B. Williams Survey, Abstract No. 952, City of Farmersville, Collin County, Texas located on the northeast corner of the intersection of Neathery Street and South Johnson Street together with requested waivers that will reduce the required right-of-way dedication for Neathery Street upon and across the length of the southern boundary of the property and South Johnson Street upon and across the length of the eastern boundary of the property from a 10' wide right-of-way dedication to a 5' wide right-of-way dedication for each such roadway.**

- City Attorney, Alan Lathrom, addressed the Commission to clarify that no public hearing was needed and the Commission may move forward with approval of the final plat. City Manager, Ben White, said that the City recommends approval since the plat meets all requirements and the city engineer has approved it.
- Craig Overstreet commented that the plat meets all SF2 requirements. Bryce Thompson asked if there was a storm shelter on the property. Ben White stated that the storm shelter appears to be on the SW corner.
- Craig Overstreet noted that in one place the notation read "Final Plat" and in another "Preliminary Plat". City Attorney, Alan Lathrom, said through a motion, the commission could require that the notation be removed and replaced with signature. He continued on to say that the surveyor is indicating that he has not put his signature (a form of protection for himself). It will be a final plat when it is signed and sealed.
  - Motion was made by Craig Overstreet to recommend approval and send the plat to Council with the requirement that "preliminary plat" be removed and replaced with surveyor's signature
  - 2<sup>nd</sup> made by Charles Casada
  - All commissioners were in favor thereby approving the plat

### **IV. WORK SESSION**

#### **A. Consider, discuss and act upon the request from the City Council to review and update the Sign Ordinance**

- Ben White asked Mr. Klostermann to give some insight into what Council was hoping to get out of this. Mr. Klostermann said that Council noticed that there is confusion within the Ordinance and would like to clarify.

- Russell Chandler asked for some clarification on what exactly the Commission should be looking for. Ben White referenced Council's concern with franchises.
- Bobby Bishop asked if any variances had been applied for. Ben White responded that none had been applied for, but that staff is anticipating a variance request from the travel center for their 55 foot sign. Mr. Bishop also asked if Brookshire's had a pole sign. Ben said it is a pylon sign. Alan Lathrom noted that the cladding around the poles defines it as a pylon sign. Mr. Bishop went on to say that franchised have their own requirements and currently, if the Chevy signs at Tedford's went down for any reason, under the current sign ordinance, they would not be able to put the sign back up. Alan said the most recent variance came from Dairy Queen.
- Ben White commented that the issues he has seen are mostly on Hwy 380 in places like Sugar Hill and the dentist area where the businesses are low and the streets are high. There are alternatives to how we handle these situations, but it is up to the Commission. Ben also noted that Brookshire's and O'Reilly requested variances.
- Sarah Jackson-Butler asked how to go about tackling this from a holistic approach. Ben White suggested setting up a sub-team or ask staff to look at surrounding cities.
- Chairman Thompson said someone on City Council must have something specific in mind, and they need to bring it forward.
- Alan Lathrom addressed this comment by stating that there were concerns in the downtown area about a need for signage but that it needs to be in alignment with the historic character. He also said that franchise architecture was a concern. In addition, he told the Commission that Council wants to ensure that P&Z knows they have the ability to make changes.
- Charles Casada asked what issues Alan was seeing. Alan responded that there is a process that you can appeal to. He said it's better to have an ordinance that's clear so that difficult issues, such as height and distance are easily addressed. We are held to state law in many cases and mindful of those restrictions.
- Sarah Jackson-Butler believes the best approach is a sub-team because it might prove to be faster in making changes.
- Craig Overstreet pointed out that there is a codification issue. Municode says that P&Z sits as Sign Board of Appeals. This is wrong: City Council sits as Sign Board of Appeals and Zoning Board of Adjustment. Mr. Overstreet believes that two areas have to be addressed: the downtown and he commercial areas as those areas are ever-evolving. He believes it really comes back to enforcement.
- Ben White suggested having a consultant look into this and help determine the feel that we want to go after, but Bryce stated that there is a cost associated with that.

- Craig Overstreet referenced the minutes stating that Ben White was going to report on the legality of 4A giving money for the zoning ordinance rewrite. Mr. Overstreet believes the sign ordinance should be included in that since it is part of zoning and an economic development tool.
- Charles Casada asked Ben if there are businesses that are negative about the sign ordinance. Ben said about half complain that the ordinance is too restrictive. Bryce Thompson asked if the ones complaining are existing or new businesses. Ben replied that they are mostly existing businesses that are frustrated. Ben thinks recommendations need to be made about height, setbacks, and size and that we need to keep with monument signs. Russell Chandler agreed that monument signs look cleaner and more attractive than pole signs. Mr. Overstreet added that, as written now, the sign ordinance is not clear and is not friendly to economic development.
- Mayor Piwko asked if she may speak at this time. Chairman Thompson permitted her to make her comments which pertained to legacy signs on downtown buildings as well as high turnover downtown.
- Sarah Jackson-Butler said that if an RFP went out, it needs to be very specific in what we are asking to be done and added that the commission must be the one to give direction to the consultant.
- Councilman Hurst asked if he could address the Commission. He was permitted to do so. He said that the Council wants P&Z to understand that we want orderly growth and that we do not want to run businesses away because of our ordinance. He stated that we need to address the flaws, and City Council sees a need for amendments.
- At this time, several versions of motions were made and discussed with the final outcome reading as follows:
  - Motion was made Sarah Jackson-Butler to move to recommend that the City Council request that 4A fund the cost for a consultant to work with a subcommittee of the Planning and Zoning Commission and a subcommittee of the City Council, appointed by each such body, to examine, evaluate and recommend revisions to the City's Sign Ordinance that will improve the clarity of the ordinance and remove impediments, real and perceived, to economic development.
  - 2<sup>nd</sup> made by Bobby Bishop
  - Bryce Thompson requested that Alan re-read the motion
  - All commissioners were in favor thereby approving the motion

B. Consider, discuss, and act upon the request from the City Council to implement building height restrictions within the commercial district

- Ben White told the Commission that this topic emerged as a result of the recent downtown fire and concern that a new building could block the

windows on Clay Potter's building. Craig Overstreet asked how many stories the fire department could safely fight. Russell Chandler said about 4 stories. Alan Lathrom commented that there are several locations downtown where this could become an issue. Alan suggest that the Commission must also address unintended consequences and should consider an overall preservation ordinance that takes into account material and architectural significance of building type. He suggested that staff provide examples that are easy to read and apply.

- Craig Overstreet asked if there was a certain sq. footage that required sprinklers. Ben responded that International Fire Code states 12,000 sq. feet as the requirement.
- Charles Casada commented that a major disaster could strike and destroy all historic structures and believes this is a good time to evaluate how to handle a situation like that too.
  - Motion to request City Council to research a preservation ordinance was made by Craig Overstreet
  - 2<sup>nd</sup> was made by Charles Casada
  - All commissioners were in favor thereby approving the motion

#### **V. ADJOURNMENT**

The meeting was adjourned at 8:00pm.

APPROVED:



Craig Overstreet, Vice-Chairman

ATTEST:



Mary Tate, City Secretary