



**CITY OF FARMERSVILLE
PLANNING AND ZONING COMMISSION MINUTES
SPECIAL SESSION MEETING
NOVEMBER 4, 2019, 6:30 P.M.
COUNCIL CHAMBERS, CITY HALL
205 S. Main Street**

I. PRELIMINARY MATTERS

- Chairman Michael Hesse presided over the meeting which was called to order at 6:30 p.m. Commissioners Lance Hudson, Luke Ingram, Rachel Crist, John Klostermann and Brian Brazil were in attendance. Leaca Caspari was not in attendance. Also, in attendance were staff liaison, Sandra Green; City Manager, Ben White; and Council liaison Craig Overstreet.
- Craig Overstreet led the prayer and the pledges to the United States and Texas flags.

II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)

- No one came forward.

III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss and act upon minutes from October 7, 2019.
- Motion to approve made by John Klostermann
 - 2nd to approve made by Brian Brazil
 - All members voted in favor
- B. Consider, discuss and act upon a recommendation to the City Council for the final plat of the Farmersville Plant Addition, Lot 1, Block 1.

- Michael Hesse stated the plat was recommended for approval if they made the changes recommended by DBI Engineering.
- Rachel Crist asked what they would need to address.
- Michael Hesse read off the letter from DBI with the changes that were required.
- Sandra Green explained that some items that make it a Minor Plat would be that it is four or fewer lots, all lots front onto an existing public street and the plat does not require the extension of any municipal facilities.
- Ben White stated that he could technically approve the plat since it is a Minor Plat but he always likes for the plats to come before the Planning & Zoning Commission and City Council for approval.
- Sandra Green explained that a Minor Plat is usually a simple, straight forward plat.
- Ben White explained this was the plat for Nelson Brothers Ready Mix. He said they have not filed for annexation yet, but the city could not hold the plat up because of that. He indicated that he would contact them because they have an agreement with the city to file a petition for annexation.
 - Motion made by John Klostermann to conditionally approve the final plat of the Farmersville Plant Addition, Lot 1, Block 1 subject to the applicant's correction of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; and withholding recording thereof with the County until the applicant's completion of all required public improvements necessary, if any, to serve the proposed development:
 1. The type of plat identified on the face of the plat should be changed from "Final Plat" to "Minor Plat" in accordance with Farmersville Code Section 65-35;
 2. The reference in the Title Block on the Plat to "Lots1, Block 1" should be changed from "Lots" in the plural to the singular to hereafter read "Lot 1, Block 1";
 3. The plat needs to be corrected to show the dedication of road right-of-way that is identified on the City's Master Thoroughfare Plan in accordance with Farmersville Code Sections 65-28(a) and 65-44(c)); and
 4. The Property Owner's Certificate on the plat needs to be replaced with the correct Property Owner's Certificate identified in the attachment to the October 21, 2019, correspondence from Daniel & Brown, Inc. regarding Farmersville Plant Addition – Preliminary Plat Dated October 10, 2019.
 - 2nd to approve made by Lance Hudson
 - All members voted in favor

C. Consider, discuss and act upon a recommendation to the City Council for the replat of the Howell Addition, Lost 30R & 31R, Block 1.

- Michael Hesse and Rachel Crist recused themselves due to conflicts of interest.
- Lance Hudson stated that DBI recommended conditional approval pending a few changes being made.
- Ben White explained there were just a few minor things the applicant needed to fix on the plat.
- Sandra Green stated it met the required width and depth for the zoning district.
 - Motion made by Brian Brazil to conditionally approve the final plat the Howell Addition, Lots 30R and 31R, Block 1 subject to the applicant's correction of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; and withholding recording thereof with the County until the applicant's completion of all required public improvements necessary, if any, to serve the proposed development:
 1. Remove the additional ten feet of road right-of-way designation that is not required by the Subdivision Ordinance and the City's Master Thoroughfare Plan;
 2. Add the right-of-way for North Rike Street in accordance with Farmersville Code Section 65-32(a) by and through the requirements of Farmersville Code Sections 65-30(b), 65-29(c)(2) and 65-29(c)(5) and the City's Master Thoroughfare Plan; and
 3. The Title Block on the plat needs to be corrected to match the Title Block requirements for a replat in accordance with Farmersville Code Section 65-32(e).
 - 2nd to approve made by Lance Hudson
 - All members voted in favor
- Michael Hesse and Rachel Crist entered the room and rejoined the meeting.

D. Consider, discuss and act upon a recommendation to the City Council for the final plat of the Tran 557 Addition.

- Sandra Green stated the property was located in the ETJ and they will require a variance for fire flows. They have not applied for the variance at this time and the city still needed a "Will Serve" letter from their utility company. Since they are still lacking a few major items staff is recommending denial of the plat.
 - Motion made by Lance Hudson to disapprove the final plat of the Tran 557 Addition because of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; withholding recording thereof with the County until the plat has be resubmitted for consideration with all deficiencies and flaws corrected and the

applicant's completion of all required public improvements necessary, if any, to serve the proposed development:

1. The type of plat identified on the face of the plat should be changed from "Final Plat" to "Minor Plat" in accordance with Farmersville Code Section 65-35;
2. The reference in the Title Block on the Plat to "Lots 1, Block 1" should be changed from "Lots" in the plural to the singular to hereafter read "Lot 1, Block 1";
3. The applicant must submit a letter from Copeville SUD stating that said water utility company has reviewed the final plat and stating any requirements, including easements, which the utility company may require of the applicant to provide potable water to the proposed subdivision in accordance with the requirements of Farmersville Code Section 65-29(h);
4. The applicant must submit a letter requesting a variance from the requirements that the applicant design, construct and install such potable water improvements as may be necessary to provide water in such quantity and at such pressure as is required to provide fire-flow water service to establish a fire protection system for the proposed subdivision in accordance with the requirements of Farmersville Code Section 65-48(a);
5. The plat needs to be corrected to show the dedication of road right-of-way that is identified on the City's Master Thoroughfare Plan in accordance with Farmersville Code Sections 65-28(a) and 65-44(c); and
6. The Property Owner's Certificate on the plat needs to be replaced with the correct Property Owner's Certificate identified in the attachment to the October 21, 2019 correspondence from Daniel & Brown, Inc. regarding Tran 557 Addition Lot 1 Block 1 Review Dated October 10, 2019.

- 2nd to disapprove made by John Klostermann
- All members voted in favor

E. Consider, discuss and act upon a recommendation to the City Council for the replat of the College Heights Addition, Lots 1R & 2R.

- Sandra Green stated this plat was in the city's Extra Territorial Jurisdiction (ETJ) so the city could not regulate the size of the lots. She stated staff was recommending approval as long as they address the conditions as stated in DBI's letter.
- Michael Hesse was concerned about the lot size.


- Sandra Green stated the city could not enforce zoning in the ETJ. She indicated the only thing the city could regulate in the ETJ was the city's Subdivision Ordinance.
- Ben White stated they have utilities to the lots.
- Michael Hesse said the applicant, according to the letter from DBI, needed to label the streets correctly, show the right-of-way dedication and add city required easements.
- Rachel Crist was concerned about the size of the property and that she could not find the property when she went to view the lots before the meeting.
- Ben White stated those were not reasons to disapprove the plat at this time.
 - Motion made by John Klostermann to conditionally approve the replat of the College Heights Addition, Lots 1R & 2R subject to the applicant's correction of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; and withholding recording thereof with the County until the applicant's completion of all required public improvements necessary, if any, to serve the proposed development:
 1. The streets adjacent to the proposed subdivision need to be correctly identified and labeled in accordance with Farmersville Code Section 65-32(a) by and through the requirements of Farmersville Code Sections 65-30(b), 65-29(c)(2) and 65-29(c)(5);
 2. The plat needs to be corrected to show the dedication of road right-of-way that is identified on the City's Master Thoroughfare Plan in accordance with Farmersville Code Sections 65-28(a) and 65-44(c); and
 3. The plat needs to have a missing city easement added in accordance with Farmersville Code Section 65-53.
 - 2nd to approve made by Lance Hudson
 - All members voted in favor, except Rachel Crist who voted no.
- Michael Hesse stated the motion was approved.

IV. ADJOURNMENT

Meeting was adjourned at 7:05 p.m.



ATTEST:


 Sandra Green, City Secretary

APPROVE:


 Michael Hesse, Chairman



October 21, 2019

RE: Farmersville Plant Addition – Preliminary Plat
Dated October 10, 2019

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Submit as a "Minor Plat" (Section 2.15)
- Fix Title. Lot 1 Block 1 (not Lots)
- Property is located adjacent to road on City Thoroughfare Plan. add dedicated R.O.W. (Section 2.8.1)
- Use correct Property Owner's Certificate. See attached.

If you should have any questions, please contact Sandra Green at the City of Farmersville at 972-782-6151.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob Dupuis". The signature is written in a cursive style with a large initial "J".

Jacob Dupuis, P.E.

Information Required on Plat

The plat shall provide a place for the County Clerk of Collin County to stamp the date and location where the plat will be filed in the lower right hand corner of the plat drawing.

Plats shall contain the following certificates and approval/acceptance language:

- Property Owner's Certificate:

STATE OF TEXAS
COUNTY OF _____

WHEREAS, [____ Name(s)____] is (are) the Owner(s) of a tract of land situated in the [_____] Survey, Abstract No. [____], Collin County, Texas and being out of a [_____] acre tract conveyed to him/her (them) by [_____] and a [____] acre tract conveyed to him/her (them) by [_____] and being more particularly described as follows:

(Enter accurate metes and bounds property description here)

NOW, THEREFORE, KNOW ALL MWN BY THESE PRESENTS:

That _____, acting herein by an through his (its) duly authorized officers, does hereby adopt this plat designating the herein above described property as _____, an addition to the City of Farmersville, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements-shown thereon. The streets and alleys, if any, are dedicated for street purposes and any and all related necessary appurtenances. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Farmersville. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits

the use to particular utilities, said use by public utilities being subordinate to the public's and City of Farmersville's use thereof.

The City of Farmersville and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Farmersville and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Farmersville, Texas.

WITNESS, m y hand, this the _____ day of _____, 20_____.

By:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____, day of _____, 20_____.

Notary Public in and for the State of Texas

My Commission Expires On:

- Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Farmersville.

(seal)

Signature of Registered Public Land Surveyor
Registration No. _____

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this _____ day personally appeared _____, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On:

- Approval Block:

"RECOMMENDED FOR APPROVAL"

Chairman, Planning & Zoning Commission
City of Farmersville, Texas

Date

"APPROVED FOR CONSTRUCTION"

Mayor, City of Farmersville, Texas

Date

"ACCEPTED"

Mayor, City of Farmersville, Texas

Date

The undersigned, the City Secretary of the City of Farmersville, Texas, hereby certifies that the foregoing final plat of the _____ subdivision or addition to the City of Farmersville was submitted to the City Council on the ____ day of _____, 20____, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, 20_____.

City Secretary
City of Farmersville, Texas

- Special Notice:

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.



October 21, 2019

RE: Tran 557 Addition, Lot 1 Block 1 Review
Dated October 10, 2019

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Submit as a "Minor Plat" (Section 2.15)
- Fix Title, Lot 1 Block 1 (not Lots)
- Provide will serve letter from Copeville SUD (Section 2.9.8)
- Will need to request a Variance from Fire Protection (Section 3.8.1)
- Property is located adjacent to road on City Thoroughfare Plan, add dedicated R.O.W. (Section 2.8.1)
- Use correct Property Owner's Certificate. See attached.

If you should have any questions, please contact Sandra Green at the City of Farmersville at 972-782-6151.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis". The signature is written in a cursive style with a large initial "J".

Jacob Dupuis, P.E.

Information Required on Plat

The plat shall provide a place for the County Clerk of Collin County to stamp the date and location where the plat will be filed in the lower right hand corner of the plat drawing.

Plats shall contain the following certificates and approval/acceptance language:

- Property Owner's Certificate:

STATE OF TEXAS
COUNTY OF _____

WHEREAS, [____ Name(s) ____] is (are) the Owner(s) of a tract of land situated in the [_____] Survey, Abstract No. [____], Collin County, Texas and being out of a [_____] acre tract conveyed to him/her (them) by [____], and a [____] acre tract conveyed to him/her (them) by [____], and being more particularly described as follows:

(Enter accurate metes and bounds property description here)

NOW, THEREFORE, KNOW ALL MWN BY THESE PRESENTS:

That _____, acting herein by an through his (its) duly authorized officers, does hereby adopt this plat designating the herein above described property as _____, an addition to the City of Farmersville, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements-shown thereon. The streets and alleys, if any, are dedicated for street purposes and any and all related necessary appurtenances. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Farmersville. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits

the use to particular utilities, said use by public utilities being subordinate to the public's and City of Farmersville's use thereof.

The City of Farmersville and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Farmersville and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Farmersville, Texas.

WITNESS, m y hand, this the _____ day of _____, 20____.

By:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____, day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On:

- Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Farmersville.

(seal)

Signature of Registered Public Land Surveyor
Registration No. _____

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On:

- Approval Block:

“RECOMMENDED FOR APPROVAL”

Chairman, Planning & Zoning Commission
City of Farmersville, Texas

Date

“APPROVED FOR CONSTRUCTION”

Mayor, City of Farmersville, Texas

Date

“ACCEPTED”

Mayor, City of Farmersville, Texas

Date

The undersigned, the City Secretary of the City of Farmersville, Texas, hereby certifies that the foregoing final plat of the _____ subdivision or addition to the City of Farmersville was submitted to the City Council on the ____ day of _____, 20____, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, 20_____.

City Secretary
City of Farmersville, Texas

- Special Notice:

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.