

STATE OF TEXAS §
COUNTY OF GRAYSON §
July 16, 2013

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustments of the City of Sherman, was begun and held on July 16, 2013.

MEMBERS PRESENT: CHAIRMAN DON HICKS
COMMISSION MEMBERS: VICE-CHAIRMAN GILBERT,
BARTON, KRECK SCHEIBMEIR, THORPE, AND OLMSTEAD

MEMBERS ABSENT: DUTTON AND MORGAN

CALL TO ORDER

Chairman Hicks called the meeting to order at 5:00 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the June 18, 2013 Meeting. Motion by Commission Member Thorpe to approve the Minutes as written. Second by Commission Member Olmstead. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Hicks appointed the members of the Board of Adjustments: HICKS, BARTON, GILBERT, THORPE AND SCHEIBMEIR.

BOARD OF
ADJUSTMENTS

CONSENT AGENDA

Consent Agenda items are considered to be routine and non-controversial items. The Commission reviewed the Consent Agenda.

CONSENT AGENDA

Commission Member Thorpe removed Item #7 entitled: ("1902 Texoma Parkway - The request of 1902 Texoma Parkway (Owners), Napa Auto Parts (Prospective Tenant), Jim G. Roberts (Prospective Buyer) and Underwood Drafting and Surveying (Surveyors), concerning the property located at 1902 Texoma Parkway, being 2.204 acres in the J.B. McAnair Survey, Abstract No. - Site plan approval for an addition to the existing building for Napa Auto Parts.") from Consent Agenda.

Commission Member Kreck came in at the beginning of this request: 5:02 p.m.

Commission Member Olmstead abstained from voting on the consent agenda items because of a conflict of interest.

ACTION TAKEN.

Motion by Commission Member Scheibmeir moved to approve the Consent Agenda with the exception of Item #7 which will be considered in its regular order of business subject to the Staff Review Letters. Second by Commission

Member Kreck.

VOTING AYE: HICKS, BARTON, GILBERT, THORPE, KRECK AND SCHEIBMEIR.

VOTING NAY: NONE

ABSTAIN: OLMSTEAD

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

PRELIMINARY & FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF WASHINGTON 1417, LP AND BROOKSHIRE GROCERY COMPANY (OWNERS) AND SUMMIT SURVEYING, INC. (SURVEYORS) CONCERNING THE PROPERTY IN THE 1100 BLOCK OF N. FM 1417 (HERITAGE PARKWAY), BEING 50.99 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

- PRELIMINARY PLAT APPROVAL OF BROOKSHIRE ADDITION.
- FINAL PLAT APPROVAL OF BROOKSHIRE ADDITION, BEING 7.431 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763

The property is located in the 1100 Block of N. FM 1417 (Heritage Parkway), the southeast corner of FM 1417 (Heritage Parkway) and Washington Street. At the May 21, 2013 meeting, the Planning and Zoning Commission granted Brookshire Grocery Company site plan approval for a Brookshire's Grocery Store as well as exceptions for signs and the exterior finish on the building.

The owners requested to plat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT & SITE PLAN – CONSENT AGENDA ITEM
THE REQUEST OF SHREETEJAS LLC (OWNER) AND DATA LAND SERVICES (SURVEYORS) CONCERNING THE PROPERTY IN THE 1400 BLOCK PARK PLACE, BEING LOTS 3 & 4, BLOCK 1, FAIRVIEW PARK PATIO HOMES REPLAT, LOTS 1-7, CONTAINING 0.742 ACRES, AS FOLLOWS:

- *PLANNING AND ZONING COMMISSION*
- REPLAT APPROVAL OF LOTS 3 & 4 OF THE REPLAT OF FAIRVIEW PARK PATIO HOMES, LOTS 1-7
- SITE PLAN APPROVAL FOR AN APARTMENT COMPLEX

The property is located in the 1400 Block of Park Place, off W. Taylor Street. The owner requested to replat two lots into one to construct an apartment complex on the lot.

PRELIMINARY & FINAL PLAT – BROOKSHIRE ADDITION
1100 BLK. N. FM 1417 (HERITAGE PARKWAY) (WASHINGTON 1417, LP & BROOKSHIRE GROCERY COMPANY)

REPLAT – LOTS 3&4 OF THE REPLAT OF FAIRVIEW PARK PATIO HOMES, LOTS 1-7

SITE PLAN – APARTMENT COMPLEX 1400 BLK. PARK PLACE (SHREETEJAS, LLC)

They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

PRELIMINARY & FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF JERRY AND CAROL DUVALL (OWNERS), ANDREW AND STACEY OLMSTEAD (PROSPECTIVE BUYERS) AND SARTIN AND ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY IN THE 3700-3800 BLOCKS OF S.H. 289 NORTH, BEING 31.15 ACRES IN THE BENJAMIN HAMBRIGHT SURVEY, ABSTRACT NO. 536, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
PRELIMINARY AND FINAL PLAT APPROVAL OF DOUBLE D RANCH ADDITION IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION (ETJ)

The property is located in the 3700-3800 blocks of S.H. 289 North, just north of U.S. Highway 82 West in the City of Sherman's Extraterritorial Jurisdiction. The owners requested to plat the property into two lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT & SITE PLAN – CONSENT AGENDA ITEM
THE REQUEST OF JERRY & PATSY STENGEL (OWNERS), VILBIG AND ASSOCIATES (ENGINEERS), BWG ARCHITECTURE (ARCHITECT) AND HELVEY & ASSOCIATES SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3321 LOY LAKE ROAD, BEING PART OF LOT 8, BLOCK 1, IN THE GLECKLER PLAZA ADDITION CONTAINING 0.634 ACRES, AS FOLLOWS;

- PLANNING AND ZONING COMMISSION***
- REPLAT APPROVAL OF PART OF LOT 8, BLOCK 1, GLECKLER PLAZA ADDITION
 - SITE PLAN APPROVAL FOR DIAMONDS COSMETOLOGY COLLEGE.

The property is located at 3321 Loy Lake Road, the northeast corner of Gallagher and Loy Lake Road, across from Sam's Club.

The owners requested to replat the property into one lot to construct Diamonds Cosmetology College. They are proposing a 4,889 square foot, two story building, the exterior finish will be Exterior Finish Insulation System (EFIS) and 46 parking spaces will be provided. They had seen the Staff Review Letter and would abide by the Recommendations.

PRELIMINARY & FINAL PLAT – DOUBLE D RANCH ADDITION 3700-3800 BLKS. S.H. 289 N. (ETJ) (JERRY & CAROL DUVALL)

REPLAT – LOT 8, BLK. 1, GLECKLER PLAZA ADDN. SITE PLAN – DIAMONDS COSMETOLOGY COLLEGE 3321 LOY LAKE RD. (JERRY & PATS STENGEL)

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

EXCEPTION & VARIANCE

THE REQUEST OF VICTRON STORES, LP (OWNERS), GATEWAY #6 (TENANT) AND TODD BASS, NORTH TEXAS SERVICES (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3100 U.S. HIGHWAY 75 NORTH, BEING LOT 1, K SEVEN CORNER ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(l)(1) AND SECTION 6.8, SUBSECTION (5)(A)(1) TO ALLOW AN ADDITIONAL FREESTANDING SIGN, WITH A 25' SETBACK IN LIEU OF 75' REQUIRED IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

EXCEPTION – SIGN
VARIANCE – SETBACK
3100 U.S. HWY. 75 N.
(VICTRON STORES, LP)

Todd Bass, North Texas Services, 4408 Texoma Parkway, Sherman, TX

Mr. Bass appeared to represent the request and answer any questions. The property is located at 3100 U.S. Highway 75 North, the northwest corner of Highways 75 & 82; Gateway #6, a convenience/gas store is the tenant. In 1999, exceptions were granted to allow an overhead door for the car wash facing the highway in the Overlay District and to substitute the 5 foot required landscaped buffer with planting and maintaining the right-of-way.

Mr. Bass explained the owners currently have a freestanding sign along the Highway 82 frontage road; they are requesting an additional freestanding pole sign to be located next to the building, 25' from the Highway 75 frontage road. "When you are traveling down the access road by Wal-Mart, you cannot see the station until you get right up to the entryway. They have been plagued with lack of business because of the visibility there, most people when they are driving down there see the Exxon sign that is farther down the road and you cannot see the Shell Station until you are right there by it. Their hopes are that they will increase their revenue by adding the sign and increasing their visibility. The sign will be placed next to the building in the northeast corner of the lot, 25' from the Highway 75 access road property line."

No other citizens appeared before the Planning and Zoning Commission to discuss the exception and variance.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the exception and variance to allow an additional freestanding sign, with a 25' setback. Second by Commission Member Gilbert.

VOTING AYE: HICKS, BARTON, GILBERT, THORPE AND SCHEIBMEIR.

VOTING NAY: NONE
MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF TNP SITES LLC (OWNERS) AND SHERRY GILLESPIE (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 4800 TEXOMA PARKWAY, SUITE 502A, BEING LOT 3, 5, 7 AND PART OF LOTS 1 & 2, BLOCK 1, MIDWAY MALL ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A COMMERCIAL AMUSEMENT CENTER IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT.

SUP – COMMERCIAL
AMUSEMENT CENTER
4800 TEXOMA
PARKWAY, SUITE 502A
(TNP SITES, LLC &
SHERRY GILLESPIE)

Sherry Gillespie, 1900 W. Taylor, Sherman, TX,

Ms. Gillespie appeared to represent the request and answer any questions. The property is located at 4800 Texoma Parkway, Suite 502A inside Midway Mall; it was formerly occupied by Dennard's.

Ms. Gillespie explained she would like to open a commercial amusement center for teenagers ages 13-17 to spend their free time, be safe and have fun. "Teen HotSpot" will be family owned and will have the latest game systems, snack bar, dance floor, big screen TV's and much more. Hours of operation will be M-F 3-7 p.m. during school, Friday 12-7 p.m. when school is out and Saturday 12-8 p.m. year round; they will be closed on Sunday.

Ms. Gillespie explained there is nowhere for teenagers to go in the summer, they have been banned from Sherman Town Center because of all the chaos they started, the chaos in Denison, the graffiti and all that, so I am trying to focus them on something else and trying to bring something for them, because most teenagers want to be entertained; right now they are not being entertained." She had seen the Staff Review Letter and would abide by the Recommendations.

Philip Carr, 1117 Valentine, Sherman, TX

Mr. Carr explained he is the store manager of Dillard's and "we object to the request because it is not a retail establishment in the Mall, which is what it is there for, also we are concerned with the teenagers that are there and who is watching them, they are open until 7 p.m., we are open until 9 p.m., so what happens when all these unauthorized teenagers leave that doesn't have any parent control, where are they going to go. We don't want that mischief of what has happened at Town Center to come in our building."

Ms. Gillespie explained she has security in place but every parent has to come personally to pick up their child; “they are not to leave my business until that hour, if they wander out into the Mall then they will be banned from Teen HotSpot, we have zero tolerance. You will not have to worry about them coming to your business or hanging out because we are going to get that all up front. The parents are required to come at the Grand Opening, where I am going to let them know if they do not abide by the rules, there will be zero tolerance.”

Mr. Carr was concerned because at the Mall they do not have Police Officers, “they have security people that are there.”

Ms. Gillespie explained her husband has arranged for off-duty police officers to provide security. “This is not just for arcade games or have them entertained, I also want to make sure they develop some kind of personal skills for adulthood, I want to have some programs eventually for them for that; this is not just arcade games. No one wants to deal with teenagers, but they just need growth and somebody to be there for them to listen to them. Once the teenager checks in, they have to have some type of ID; that way I will know who is there and how long they have been there and let the parent know also. They will have to have some type of permission from their parents to leave; I will have to speak to the parent before they leave. We will limit the number of people to 150 to enter the business; the most will probably be on Saturdays.”

Commission Member Thorpe asked if Specific Use Permits were limited to one year.

Scott Shadden, Director Developmental Services explained they are continuous but the Board could limit them for a year if you need to; in a year it would be starting the process over.

Ms. Gillespie was agreeable to limiting the Specific Use Permit to a year.

No other citizens appeared before the Planning and Zoning Commission to discuss the Specific Use Permit and site plan.

ACTION TAKEN.

Motion by Commission Member Kreck to approve the Specific Use Permit and site plan to allow a commercial amusement center but limiting it to September 1, 2014 and subject to the Staff Review Letter. Second by Commission Member Thorpe.

VOTING AYE: HICKS, BARTON, KRECK, GILBERT, THORPE, OLMSTEAD AND SCHEIBMEIR.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN

THE REQUEST OF 1902 TEXOMA PARKWAY (OWNERS), NAPA AUTO PARTS (PROSPECTIVE TENANT), JIM G. ROBERTS (PROSPECTIVE BUYER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS), CONCERNING THE PROPERTY LOCATED AT 1902 TEXOMA PARKWAY, BEING 2.204 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS; *PLANNING AND ZONING COMMISSION* SITE PLAN APPROVAL FOR AN ADDITION TO THE EXISTING BUILDING FOR NAPA AUTO PARTS.

**SITE PLAN –
WAREHOUSE
ADDITION FOR NAPA
AUTO PARTS
1902 TEXOMA
PARKWAY
(JIM G. ROBERTS)**

Jim Roberts, 3320 Hartlee Field Rd., Denton, TX,

Mr. Roberts appeared to represent the request and answer any questions. The property is located at 1902 Texoma Parkway between Taylor and Peyton Streets; Secondhand Sports was the former tenant.

Mr. Roberts explained “my son has the Napa Auto Parts Store in Sherman located on Texoma Parkway up the street from where this property is located.” They would like to develop the property by renovating the building and constructing a 20’x70’x19’ tall concrete block addition to the existing building to be used as a warehouse for Napa Auto Parts, the proposed tenant. Fifteen parking spaces will be provided. They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Thorpe was concerned with storage containers on the property.

Mr. Roberts explained they have already given that container away and they will be removed in the next few days. “We won’t have any storage containers on the property.”

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the site plan subject to the Staff Review Letter. Second by Commission Member Kreck.

VOTING AYE: HICKS, BARTON, KRECK, GILBERT, THORPE, OLMSTEAD AND SCHEIBMEIR.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO

THE INTENT OF THE ORDINANCE.

TEMPORARY USE PERMIT, EXCEPTION & VARIANCE

THE REQUEST OF STONEHOLLOW HOMES (OWNERS) AND RYAN HAYES (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 4709 CAMP VERDE CIRCLE, BEING LOT 2, BLOCK A, AUSTIN LANDING PHASE ONE, REPLAT, AS FOLLOWS;

BOARD OF ADJUSTMENTS

TEMPORARY USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4)(A) TO ALLOW A MODEL HOME SALES CENTER FOR A PERIOD OF ONE YEAR WITH AN EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTIONS (1) & (4) AND SECTION 7, SUBSECTION (13)(G) TO ALLOW A 35 SQUARE FOOT MONUMENT SIGN AND TWO 30' TALL FLAG POLES WITH A 10' FRONT SETBACK IN LIEU OF THE 1 ½ SQUARE FOOT SIGN WITH A 25' SETBACK PERMITTED IN AN SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

TUP – MODEL HOME SALES CENTER

EXCEPTION – SIGN

VARIANCE – FRONT SETBACK

4709 CAMP VERDE CIRCLE (STONEHOLLOW HOMES)

Ryan Hayes, 2906 Patton Dr., Melissa, TX,

Mr. Hayes appeared to represent the request and answer any questions. The property is located at 4709 Camp Verde Circle between Northcreek Drive and Liberty Hill Trail in the Austin Landing Addition.

Mr. Hayes explained “Stonehollow Homes has purchased ten lots in the Austin Landing Subdivision and plan to close on the remainder of the subdivision at the end of this month.” They would like to construct a model home sales center at this location. During the time the property is used as a model, there will be on-site staff salespeople that will office from this site and two off-street parking places will be provided. They are also requesting a 7' wide x 5' tall x 18" deep monument sign with two 30' tall flag poles placed 10' from the front property line and 8' from the side property line; the sign will be lit and also the flag poles. Once the model home is converted back to a residential home, the sign and flag poles will be removed. They had seen the Staff Review Letter and would abide by the Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the Temporary Use Permit, exception or variance.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the Temporary Use Permit to allow a model home sales center for a period of one year with an exception and variance to allow a 35 square foot monument sign and two 30' tall flag poles with a 10' front setback subject to the Staff Review Letter. Second by Commission Member Scheibmeir.

VOTING AYE: HICKS, BARTON, GILBERT, THORPE AND

SCHEIBMEIR.
VOTING NAY: NONE
MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

ZONE CHANGE

THE REQUEST OF CHRIS PATTON (OWNER) AND COX LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5209 FARMINGTON ROAD, BEING 4.085 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-1 (LIGHT MANUFACTURING) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

ZONE CHANGE – M-1
TO R-1
5209 FARMINGTON RD.
(CHRIS PATTON)

Jennifer Patton, 131 E. Munson, Denison, TX

Mrs. Patton appeared to represent the request and answer any questions. The property is located at 5209 Farmington Road between FM 1417 W and Shepherd Drive.

Mrs. Patton explained they would like to change the zoning on the property to an R-1 (One Family Residential) District to construct a new home.

Chairman Hicks asked Mrs. Patton if she was aware the land surrounding the property is zoned an M-1 (Light Manufacturing) District.

Mr. Shadden explained “the M-1 (Light Manufacturing) District allows heavy duty manufacturing uses that could develop next door to this property.”

Mrs. Patton explained there are houses up and down Farmington Road.

Commission Member Olmstead explained “that is like putting a Panda Energy Plant beside your property. We just want to make you aware of what could happen.”

Mrs. Patton explained she would explain it to her husband and hope the owners do not do anything or someone else buys the property.

No other citizens appeared before the Planning and Zoning Commission to discuss the zone change.

ACTION TAKEN.

Motion by Commission Member Olmstead to approve the zone change to an R-1 (One Family Residential) District.
Second by Commission Member Thorpe.

VOTING AYE: HICKS, BARTON, KRECK, GILBERT, THORPE, OLMSTEAD AND SCHEIBMEIR.

VOTING NAY: NONE
MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT & EXCEPTION

THE REQUEST OF GOINS HOME CENTER, LLC (OWNERS) AND LANDON GOINS (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3601 N. TRAVIS STREET, BEING LOT 1, BLOCK 1, COVEY ADDITION, AS FOLLOWS;
PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A LUMBER YARD IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (4)(B) TO ALLOW EXISTING BUILDING FINISHES OF METAL IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

Landon Goins, 1 Goins Blvd., Pottsboro, TX

Mr. Goins appeared to represent the request and answer any questions. The property is located at 3601 N. Travis Street between Lamberth Road and U.S. Highway 82; L Watkins and Associates were the former tenants. An exception to not require a screening device adjacent to a residential district was granted by the Planning and Zoning Board in 1995.

Mr. Goins explained “Goins Homes Center would like to open a lumberyard/home building center at this location to move to a bigger population such as Sherman. We have been in business for quite some time in Pottsboro and Bells. There will be no deliveries out of the Sherman store; we would deliver out of Bells or Pottsboro depending on the location. Everything will be stored inside the building; it will be like a small Lowes.”

Mr. Goins explained “the existing building is metal and we would like to leave the building as it is, the only thing we plan is updating the landscaping. The building looks great as it is and we feel if we put a masonry product on the building it will deter from the look; we are right next door to the Mueller building; it is all metal and it looks nice. Brick would be extremely expensive because of the size of the building and the integrity of the building would falter. As far as putting hardy siding up, I think it would look worse and probably cost around \$20,000, which I would rather put in the beautification of the property.” He had seen the Staff Review Letter and would abide by the Recommendations.

SUP – LUMBER YARD
EXCEPTION –
EXTERIOR FAÇADE
3601 N. TRAVIS
(GOINS HOME
CENTER, LLC)

Scott Pelley, 707 W. Washington, Sherman, TX

Mr. Pelley explained “I am representing Jewel Plangman, who owns a 32 acre tract south of this property and has owned it for fifty or sixty years. They have held onto it all these years as an investment property, their property has been classified as residential and the property in question is a C-2 (General Commercial) District. Looking at City code, in order to put a lumberyard in this location you have to go through this special use process.” He agreed the building is a fine looking building, “but we are now talking about putting a lumberyard in and you could have all sorts of materials, all sorts of products and those products could have an impact if not properly cared for, an impact on the adjoining property owners, the neighbors to this facility if you convert it to a lumberyard; the dust issue, fire issue, potentially having an explosives issue if you have chemicals or paint that could go up in smoke. My client has held on to this property in hopes of developing it at some point in time for a use which is a little bit higher scale than a lumberyard and if you allow a lumberyard to now go in after he has set back and relied on the City’s Zoning Ordinances and the protections that the zoning ordinances afford, it’s going to have a material impact on his investment. We are here asking that the special use permit not be granted as that being the gateway into our City; I don’t think we need a lumberyard there with trucks of lumber coming in and out, there is already congestion on Travis Street going out that way toward Sherman Town Center. If ya’ll have crossed that Travis Street Bridge; we have already had to put in lights on both sides, it is a little bit of a traffic situation there as it is now. If you put a lumberyard in, you have to get lumber in and out of it, it is going to create some congestion, problems we don’t have right now. If you put a lumberyard in, it could dissuade other potential investors from coming in wanting to put other commercial/retail improvements next door to a lumberyard which you’ve got dust, you have saws going off, early in the morning and late at night, you have noise. It is a great business now, but it is something that would have an impact on other property owners that relied on the councils and the City zoning this property in a manner that it has in the past and we would ask because of that, you deny the request.

Mr. Goins explained there will be no saw cutting, mainly our business is construction so the only items we will have are different items like exterior windows and doors. Our large trucks and the bulk of our material will be in Pottsboro and Bells; there will be a wide variety of items but there is going to be a very small amount in Sherman. Sherman will get the tax revenue off the sales, but we will be delivering from the other locations. I won’t disappoint the citizens of Sherman. There will no fencing or storage containers; there will be nothing outside, we won’t have a delivery truck sitting outside.

Commission Member Scheibmeir was concerned about traffic issues on North Travis Street. “I have some anxiety of the safety part, because it is just two lanes, the lights have helped some. Do you have anything in your plans to make it easier to get in and out?”

Mr. Goins explained there is some talk of widening Travis Street.

Clay Barnett, City Engineer explained that would be a TXDOT project.

Mr. Goins explained they will not attract that much business like a Home Depot or Lowes, we have twenty four parking spaces along the front, so it is not going to be that high of a traffic situation.

Chairman Hicks explained the traffic lights have made the traffic issues one-hundred percent better.

Mr. Goins explained “just eliminating deliveries is going to help, we already have that set up and we do not want to create anymore headaches in our line of business. Realistically, a truckload of materials on Fridays and maybe on Wednesdays will be delivered as far as moving inventory into the store.”

Ron Westervelt, 1716 Davy Lane, Denison, TX

Mr. Westervelt explained “the bank that I represent owns next to the property where Mr. Pelley client’s and adjoining this property too. We have Home Depot and a line of restaurants out front so I don’t think it would detract potential investors.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Specific Use Permit, site plan and exception.

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A LUMBER YARD IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the Specific Use Permit and site plan to allow a lumberyard with the condition of no outside storage and subject to the Staff Review Letter. Second by Commission Member Gilbert.

VOTING AYE: HICKS, BARTON, KRECK, GILBERT, THORPE, OLMSTEAD AND SCHEIBMEIR.

VOTING NAY: NONE

MOTION CARRIED

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (4)(B) TO ALLOW EXISTING BUILDING FINISHES OF METAL IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the exception to allow the existing building finish of metal. Second by Commission Member Scheibmeir.

VOTING AYE: HICKS, BARTON, GILBERT, THORPE AND SCHEIBMEIR.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

EXCEPTION

THE REQUEST OF EMINENT HOLDINGS LLC (OWNERS), VEIN CENTER OF NORTH TEXAS (TENANT), NEON SIGNS AND DESIGNS (REPRESENTATIVE) AND DAVID BACA STUDIO (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 1701 U.S. HIGHWAY 75 NORTH, BEING LOT 3, BLOCK 1, CRESCENT OAKS PLAZA, AS FOLLOWS:

EXCEPTION – SIGN
1701 U.S. HWY 75 N.
(EMINENT HOLDINGS,
LLC

BOARD OF ADJUSTMENTS

EXCEPTION TO ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(I)(1) TO ALLOW AN ADDITIONAL FREESTANDING SIGN IN THE REAR OF THE PROPERTY FOR A TOTAL OF TWO FREESTANDING SIGNS IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75&82 OVERLAY) DISTRICT.

Ricky Bates, Neon Signs and Designs, 103 E. Crawford, Denison, TX

Mr. Bates appeared to represent the request and answer any questions. The property is located at 1701 U.S. Highway 75 North between Texoma Parkway and Taylor Street; North Texas Vein Center is the tenant. In 2011, the Planning and Zoning Board granted a variance to allow a 32' 9" front setback for a 138 square foot sign on a masonry screen wall, as well as site plan approval for a medical office.

Mr. Bates explained the owners would like to erect a 32 square foot monument sign, 65' from the rear property line and 10' from the private cross-access drive. "The private access drive is for the tenants in the Crescent Oaks Development, it will be one-way coming off Taylor Street and exiting on the Highway 75 access road. The sign will have a brick façade around it, the same color as the brick on the building." They had seen the Staff Review Letter and would abide by the Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the exception.

ACTION TAKEN.

Motion by Commission Member Gilbert to approve the exception to allow an additional freestanding sign in the rear of the property for a total of two freestanding signs. Second by Commission Member Barton.

VOTING AYE: HICKS, BARTON, GILBERT, THORPE AND SCHEIBMEIR.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

EXCEPTION & VARIANCE

THE REQUEST OF UNIVERSITY OF GYMNASTICS OF SHERMAN LLC (OWNERS), NEON SIGNS AND DESIGNS (REPRESENTATIVE) AND BLUESTONE PARTNERS (CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 400 E. TAYLOR STREET, BEING LOT 1, BLOCK 1, CRESCENT OAKS PLAZA, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION AND VARIANCE TO ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(I)(1) AND SUBSECTION (5)(A) TO ALLOW A FREESTANDING MULTI-TENANT SIGN WITH A 10' FRONT SETBACK IN LIEU OF 25' REQUIRED IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75&82 OVERLAY) DISTRICT.

**EXCEPTION – SIGN
VARIANCE – SETBACK
400 E. TAYLOR
(UNIVERSITY OF
GYMNASTICS OF
SHERMAN LLC)**

Ricky Bates, Neon Signs and Designs, 103 E. Crawford, Denison, TX

Mr. Bates appeared to represent the request and answer any questions. The property is located at 400 E. Taylor Street between U.S. Highway 75 and Loy Lake Road; University of Gymnastics is currently under construction at this location. The property which was formerly used as railroad right-of-way was granted a zone change to a C-2 (General Commercial) District in March of this year.

Mr. Bates explained the owners are requesting a 120 square foot multi-tenant sign for Crescent Oaks Addition, 10' from the front property line along Taylor Street and 10' from the side property line. "The sign is set back far enough so it would not impair anyone's vision as far as trying to look around the sign to get onto the street. The private access easement is the only road into the development and once you get into the development off Taylor Street, there is nothing that identifies the tenants on the rear of the buildings."

Commission Member Thorpe was concerned with the size of the sign along Taylor Street because most of the signs are monument type signs.

Bryan Rockwell, Bluestone Partners, 2913 Overland Trail, Suite 100, Sherman, TX

Mr. Rockwell explained “Bluestone Partners developed most of the businesses in the Crescent Oaks Subdivision. Talking with RGB Eye Associates, they know that most of their patients are going to need to see from Taylor Street how to get into their building because they are not going to see their sign from Taylor Street, also Dr. Hayes, Vein Center of North Texas, they also say they constantly have to tell the people and direct them from Taylor Street into their office because the people do not know where to turn from Taylor Street. Those are the main reasons we are asking for the multi-tenant sign. The road is a private drive and does not have a street sign.”

Commission Member Barton felt “it could be dangerous to have patients, customers or patrons slowing down on Taylor Street becoming confused trying to figure out how to get in there, so I feel the sign will direct them to get in safer.”

Commission Member Scheibmeir explained “we want the development and we are going to do a disservice to all the citizenry that will confuse them without the sign; the businesses need the signage, but the customers need the signage as well.”

Mr. Bates explained “the main purpose of this sign is to find the businesses; they have invested a lot of money.”

No other citizens appeared before the Planning and Zoning Commission to discuss the exception or variance.

ACTION TAKEN.

Motion by Commission Member Thorpe to deny the exception and variance. The motion died for a lack of a second.

ACTION TAKEN.

Motion by Commission Member Barton to approve the exception and variance to allow a freestanding multi-tenant sign with a 10’ front setback. Second by Commission Member Scheibmeir.

VOTING AYE: HICKS, BARTON, GILBERT AND SCHEIBMEIR.

VOTING NAY: THORPE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN

THE REQUEST OF FISHER CONTROLS INTERNATIONAL INC. (OWNERS), FISHER CONTROLS (TENANT), CORGAN ASSOCIATES INC. (ARCHITECT) AND JOHN BLACKER,

**SITE PLAN –
WAREHOUSE &
PARKING LOT ADDN.
4725 U.S. HWY. 75 S.**

HART, GAUGLER & ASSOCIATES, INC. (ENGINEER)
CONCERNING THE PROPERTY AT 4725 U.S. HIGHWAY 75
SOUTH, BEING 33 ACRES IN THE SHEROD DUNMAN
SURVEY, ABSTRACT NO. 329 AND IN TRACT 1 OF
BLALOCK INDUSTRIAL PARK, AS FOLLOWS:

(FISHER CONTROLS)

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL TO ORDINANCE NO. 2252 ARTICLE
IV, SECTION 410 (2) (J) FOR THE CONSTRUCTION OF A
WAREHOUSE AND PARKING LOT ADDITION FOR FISHER
CONTROLS IN THE BLALOCK INDUSTRIAL PARK.

Matt McDonald, Corgan Associates, Inc., 401 N. Houston,
Dallas, TX

Mr. McDonald appeared to represent the request and
answer any questions. The property is located at 4725 U.S.
Highway 75 South in the Blalock Industrial Park; Fisher
Controls is the tenant.

Mr. McDonald explained due to continued growth, Fisher
Controls would like to expand its current warehouse
operations with a new 53,000 square foot building addition,
including four (4) new truck bays to facilitate the receiving,
manufacturing and shipping of industrial mechanical
valves. The new addition will expand the current footprint
of the existing building to the north and will match the
existing finish and architectural features on the building
now. There will also be a new parking lot to offset the new
addition. They had seen the Staff Review Letter and would
abide by the Recommendations.

No other citizens appeared before the Planning and Zoning
Commission to discuss the site plan.

ACTION TAKEN.

Motion by Commission Member Olmstead to approve the
site plan subject to the Staff Review Letter. Second by
Commission Member Scheibmeir.

VOTING AYE: HICKS, BARTON, KRECK, GILBERT,
THORPE, OLMSTEAD AND SCHEIBMEIR.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO
THE INTENT OF THE ORDINANCE.

EXCEPTION

THE REQUEST OF CAROLINE RAMSEY (OWNER) AND
SHANE BREM (REPRESENTATIVE) CONCERNING THE
PROPERTY AT 2624 N. WOODS STREET, BEING PART OF
LOTS 14 & 15, BLOCK 10, WINDSOR PLACE ADDITION
REPLAT, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7,
SUBSECTION (13)(H) TO ALLOW A 6' PRIVACY FENCE ON
THE PROPERTY LINE ON A CORNER LOT IN LIEU OF THE

EXCEPTION – FENCE
2624 N. WOODS
(CAROLINE RAMSEY)

PERMITTED 4' IN HEIGHT EXTENDING CLOSER THAN 25' TO A FRONT LINE STREET IN A C-1 (RETAIL BUSINESS) DISTRICT.

Caroline Ramsey, 2624 N. Woods, Sherman, TX and Shane Brem, 4316 Peachtree, Denison, TX

Ms. Ramsey and Mr. Brem appeared to represent the request and answer any questions. The property is located at 2624 N. Woods Street, the southwest corner of Woods and McLain Streets.

The request is to allow a 6' privacy fence on a front line street in lieu of a 4' fence permitted. The contractor (Shane Brem) recently replaced the existing four foot privacy fence with a six foot privacy fence on the property line on a front line street without a permit.

Ms. Ramsey explained “I torn down a four foot fence mainly because people were messing with my dogs, I have very friendly dogs and my little Schnoodle could jump the four foot fence, but people came by and they reached over the fence to play with the dog, they could have jumped the fence and a four foot fence is not a privacy fence. There are probably half a dozen six foot fences in my neighborhood that sit closer than twenty-five feet.” Mr. Brem explained “when I showed up and talked about replacing the fence, it butted up to a six foot fence, there’s a six foot fence right across the street and I’m looking around and I’m not seeing any warning signs that there is not a six foot fence allowed to go here; I didn’t follow up on that, that’s why I am here today.”

Commission Member Barton explained “that’s the key, just in case we require a permit with the City of Sherman.”

Ms. Ramsey explained “we did have a permit discussion and he has already had the wrath for not coming to get the permit; when I got the red tag on the door, I was shocked. I talked to every neighbor around me, I have one that lives across the street from me and she said honestly Caroline, I go up to Woods and McLain all the time and I didn’t know that you had a new fence until she saw the section between the two houses and she lives right across the street from me. The four foot fence, the visibility is not any different; the problem is McLain, and the curve of McLain, not the fence. There was a Magnolia tree that I cut back to put up my six foot fence. I wanted the best looking fence in the neighborhood, it enhanced my property, it enhances the neighborhood and that is what every one of my neighbors said.”

Chairman Hicks explained “I drove by there today and I’m not sure even if you had a four foot that it would hamper any more visibility than with a six foot. You need to talk to your neighbor to get a new fence now.”

Ms. Ramsey stated “they are going to make sure that the builder gets a permit.”

Mr. Shadden explained “Shane is going to be sure and check to see if he needs a permit.”

Mr. Brem explained “I’m taking a lick on that for sure.”

Ms. Ramsey asked the board to let her keep her fence.

No other citizens appeared before the Planning and Zoning Commission to discuss the exception.

An email was received from Melva Kittrell Fincher, 2623 N. Woods, Sherman, TX

Ms. Fincher was in favor of the request. She wrote: “The new fence erected at 2624 N. Woods is not a traffic hindrance. I would commend the homeowner of her contribution to helping maintain her home in manner which enhances the homes in our neighborhood. Her fence is just one of the ways she has helped do that very thing. Please accept my comments on behalf of our neighborhood.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the exception to allow a 6’ privacy fence on the property line on a corner lot. Second by Commission Member Scheibmeir.

VOTING AYE: HICKS, BARTON, GILBERT, THORPE AND SCHEIBMEIR.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:37 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY