



**PLANNING AND ZONING COMMISSION  
PRELIMINARY AND FINAL PLAT APPROVAL SHERMAN  
CARWASH ADDITION.**

PROSPECTIVE BUYER)

The property is located in the 3600 block Loy Lake Road and the 900 block E. Pecan Grove Road between Pecan Grove Road and Sara Swamy Drive. The owner would like to plat the property into two lots for commercial development.

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

**EXCEPTION**

THE REQUEST OF SMALL TOWN CREATIONS, LLC (OWNERS), WILLIE JIM'S PIE COMPANY (TENANT) AND MICHAEL KLUSS, NORTH STAR SIGNS (CONTRACTOR/REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 210 W. HOUSTON STREET, BEING LOT 1, BLOCK 4, ORIGINAL TOWN PLAT, AS FOLLOWS;

***BOARD OF ADJUSTMENTS***

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(B)(5) TO ALLOW A WALL SIGN TO PROJECT 42" FROM THE BUILDING OVER THE SIDEWALK IN LIEU OF THE PERMITTED 18" IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.

EXCEPTION – SIGN  
210 W. HOUSTON  
(SMALL TOWN  
CREATIONS, LLC,  
OWNERS; WILLIE JIM'S  
PIE COMPANY,  
TENANT; AND  
MICHAEL KLUSS,  
NORTH STAR SIGNS,  
CONTRACTOR/  
REPRESENTATIVE)

**Michael Kluss, North Star Signs, 209 S. Travis, Sherman, TX**

Mr. Kluss appeared to represent the request and answer any questions. The property is located at 210 W. Houston Street in the Central Business District, between Crockett and Elm Streets. Willie Jim's Pie Company is the future tenant and they would like to erect a wall sign, 16' above the sidewalk, extending out from the building approximately 42".

Mr. Kluss explained "the reason they want to set it off that far is to get a view on the square, as a restaurant they are going to have people that want to park so they want to invite as much shelter from the square as we can, so that people have as much time as they can to get over safely to get a parking space and to advertise the business of this beautiful building they resurrected. The sign will come off the wall six inches, the sign is three foot around, it is not an internally lit sign, it has neon around it, so it is not going to be distracting to anyone, it is simply going to add to their business and give as much view on the one-way street, because when people leave that stop sign, they are traveling a pretty good rate of speed, so we want to catch them while they are on the square and give them as much visibility as we can."

Commission Member Patterson asked if the sign would be lit twenty-four hours a day or just during business hours.

Tim Hale, Smalltown Creations, LLC, 298 JP Cave Road, Sherman, TX

Mr. Hale explained “the intent is to be lit while we are there during business hours and during the evening hours it will have a timer where it will cut off.”

Commission Member Velotti explained “it is an attractive sign. You said it is forty-two inches, is that where the sign starts, forty-two inches from the building or is it the end of the sign.”

Mr. Kluss explained “the sign will have a six-inch steel support and the sign itself is thirty-six inches, so from the wall to the outside of the sign will be forty-two inches.”

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

A letter was received from:  
Love Monument Co., Inc., 215 W. Lamar, Sherman, TX  
They wrote: “I absolutely approve.”

**ACTION TAKEN.**

Motion by Commission Member Barton to approve the exception to allow a wall sign to project 42” from the building over the sidewalk in lieu of the permitted 18” in a C-1 (Retail Business) District/Central Business District subject to the Staff Review Letter. Second by Commission Member Patterson.

**VOTING AYE: GILBERT, BARTON, DUTTON, PATTERSON AND VANDERVEER.  
VOTING NAY: NONE  
MOTION CARRIED**

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

**ZONE CHANGE & CONCEPTUAL SITE PLAN**

**THE REQUEST OF SARRIS IBRAHIM ABU FAMILY, LP (OWNERS), BRAD ANDRUS (PROSPECTIVE BUYER), HOMEYER ENGINEERING, INC. (ENGINEERS) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3600 BLOCK LOY LAKE ROAD AND THE 900 BLOCK E. PECAN GROVE ROAD, BEING 3.127 ACRES IN THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION*  
ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.**

**ZONE CHANGE – R-1 TO C-1  
3600 BLK. LOY LAKE RD. & 900 BLK. E. PECAN GROVE RD.  
(IBRAHIM ABU SARRIS FAMILY, LP, OWNERS; BRAD ANDRUS, PROSPECTIVE BUYER)**

Brad Andrus, 8855 FM 1173, Krum, TX

Mr. Andrus appeared to represent the request and answer any questions. The property is located in the 3600 block of

Loy Lake Road and the 900 block of East Pecan Grove Road; south of the Renaissance of Sherman Retirement Center. The prospective buyer would like to change the zoning on the property to a C-1 Retail Business District and construct an express car wash on one of the lots; the site plan is conceptual and will require final site plan approval before development.

Mr. Andrus explained “we were there several months ago for a zone change on Highway 75 and Loy Lake Road for the car wash but they determined that site was cost prohibitive to develop for their intended use. We now have this property in contract for the express car wash; we are not seeking site plan approval at this meeting, only a zone change to a C-1 (Retail Business) District. We would like to buy the entire tract which is approximately 3.127 acres and the car wash will sit on half of that; we do not have a specific use in mind for the remaining tract of land, but we feel this zoning will be the most advantageous for the area and the City as well. The conceptual site shows the entrance to the car wash will be off Loy Lake Road, you will go to the pay station and move into the tunnel car wash, once they leave the tunnel, they will be headed south towards Pecan Grove Road, they may go to the vacuum station or exit onto Pecan Grove Road.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert asked Scott Shadden, Director of Developmental Services to clarify; they are here for the zone change but also to approve the conceptual site plan.

Mr. Shadden explained “the conceptual site plan is just for your review saying this lot could be used for commercial. He is required to submit an actual or conceptual site plan for a zone change. This is not saying this site plan is approved tonight; they will need to come back to the board for approval of the car wash even though the site plan may be similar to the one they submitted for the zone change.”

Mr. Andrus explained “the site plan will be very similar, but we are not asking that you approve it tonight, we will resubmit next month for the site plan, locking it in and bringing building elevations which are also required.”

Dr. Mark Koone, 815 E. Pecan Grove Road, Sherman, TX

Dr. Koone explained he is speaking on behalf of Texoma Dermatology Clinic and on behalf of Fincher/Spencer Unlimited, the owner of the corner lot at Loy Lake Road and Pecan Grove Road. “We have several concerns to object, the concern I would like to speak to is traffic, particularly traffic stacking, that we are already experiencing. If you don’t believe it, please come out when school is in session, come out before or after school, we have cars regularly stacked at least two hundred yards on Pecan Grove Road. This makes it impossible for patients to

either come in or leave our parking lot; we have employees as well having trouble getting out of the parking lot as the situation stands now and I think as the bridge over Highway 75 is completed and as school is back in session, this is going to be really difficult. I would also like to mention that Loy Lake Road is becoming increasingly dangerous. I have two partners that have both been in car accidents on Loy Lake Road in our area; neither one of them was at fault, both of my partners were run into, one of them was totaled. Interesting enough when the police arrived for the one that was totaled, the police themselves said they try to avoid Loy Lake Road in our area because it has become so dangerous. On the basis of traffic and the existing traffic stacking; I would like for you to consider this objection.”

Dr. Clint Moss, Texoma Dermatology Clinic, 815 E. Pecan Grove Road, Sherman, TX

Dr. Moss wanted to add “a lot of the traffic is generated from schools, on top of that, we have a nursing facility, our clinic which sees a large number of elderly patients, so it is children and elderly in this area that generate much of the traffic. I have worked in one of these facilities before when I was in high school and cleaning cars is not a clean endeavor, it’s a dirty process, there is mud, dirt, soap, water, oil/grease, there is trash that is generated by the self vacuum stations and this evidently finds its way into other areas that are not designated the car wash area. This distracts from the comfort area we have established for our patients.”

“Privacy is also a concern, if we have several hundred cars going through there a day, our clinic the way it is established, we have several clinic rooms, we have windows that open up to the area that is being considered for the car wash. If you have ever been to a dermatologist, it is an anxious, sort of nervous endeavor, usually articles of clothing are usually removed to do full examinations, so patient privacy, patient comfort is a priority and concern, if these areas are damaged or tarnished in anyway, whether it be a car wash or other means, patients are going to stop coming, patients won’t be getting the care that they need, patients will find other avenues to get their care, which detracts from revenue for the City of Sherman. The comfort level for patients in the area is a priority. If you have blinds or physical barriers to block the car wash, the overall atmosphere is changed. I would like to point out that this area has become to be known as a Medical District, a Medical Community for Sherman, which we don’t have many of those. In the area to name a few, you have a podiatry clinic, a cardiology clinic, a life center specialty hospital, Heritage Park, Swamy Clinic, nursing care facilities, medical imaging, assisted living, child and family counseling, Jennifer Lange’s Clinic, just to name a few and these are all within a mile or a mile and a half from where this car wash is going to go; not only will our clinic be

affected, but other clinics as well in the area. We wish you would take this into consideration.”

Dr. Creed Stewart, 815 E. Pecan Grove Road, Sherman, TX

Dr. Stewart explained he is with Texoma Dermatology Clinic as well. “Our clinic has been in that location since 1976, it’s kind of a landmark here in Sherman. Our clinic sees roughly 50,000 people per year. Unlike a car wash, I doubt if many people will drive from outside of Sherman. Half of those patients, about 25,000 people per year come from outside Sherman and the surrounding cities. They come to see us, but they also do their shopping or go to the restaurants, spending their money in Sherman. As my partners were talking about the traffic already being a problem, if it gets any worse, especially our elderly patients, they will go elsewhere to get care. I just want you to consider that is not only going to hurt our practice but also going to hurt other businesses in the area that people from outside of town come in to use. I kind of think of this area as the new medical district, because as more and more medical practices are moving to Denison to be near TMC, this is one vast area in Sherman for new medical practices like the Swamy Medical Clinic and Visionary Imaging and we just think putting a car wash right in the middle of that will deter any further growth of any medical type practices.”

Dr. Ray Thomas, 815 E. Pecan Grove Road, Sherman, TX

Dr. Thomas wanted to address the issue of noise. “Picture yourself or your parent going to the physician and you have a deadly skin cancer like a melanoma and the doctor is counseling you on treatments, maybe referring you to an oncologist, and you are sitting there trying to understand and comprehend everything, the office is quiet, nice and relaxed and you feel you are being well cared for; picture this same conversation seventy feet away, a car wash with somebody’s car radio blaring and full blast with rap music. Our concern regarding the noise, various car washes are not quite, machinery is running, they have vacuum stations running, the idea of a vacuum running all day long while you are trying to talk to elderly patients who have trouble hearing anyway. You go to a physician and you are concerned and worried, the last thing you want is an atmosphere that is chaotic and hectic to your hearing, so you begin to look for doctors where the office is quite and calming and not noisy and rowdy with cars running all over the place, with car horns honking and those sorts of things. We also worry about the noise of construction if they do start constructing this car wash, they will be bulldozing, tearing down trees, dust and dirt will be flying everywhere, this will be going on for several months with a constant roar. Some of exam rooms are literally fifty feet from the property line and it looks from the site plan it will go very close to the property line, so the noise level will be extremely worrisome and degrading to the practice of medicine and taking care of our patients, because they

won't be paying attention to what we are telling them because they can't hear or they are somewhat annoyed and preoccupied with the racket that is going on outside. We also worry that some of the employees once the car wash is going, radios will be playing as they work, perhaps there will be some sort of intercom, paging system, so periodically you will hear "Mr. Smith, pick up line 1" that will carry over into our office."

**Brock Andrus, 3517 Granada Trail, Denton, TX**

Mr. Andrus explained "I appreciate the concerns of our potential neighbors. There will be construction unless we leave it a vacant lot, whether it is a car wash or some other type of building, so at some point there will be construction. The zoning change to commercial would be in similar to nature to what they have, so I think it is representative of what is in the neighborhood. As far as the intercom system or things of that nature, we are talking very little employee count; two or three, there won't be an intercom system. The facility will be kept clean and tidy, trash will not find its way spilt over. It is our understanding there is a plan for road improvements on Loy Lake Road that the City has plans to widen the road which should alleviate some traffic concerns. There are a lot of doctors in that community but there are also a lot of retail uses in a mile radius.

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

Chairman Gilbert explained "the property is currently zoned an R-1 (One Family Residential) District and they are requesting to change the zoning to a C-1 (Retail Business) District which allows a car wash as a permitted use. They have submitted a conceptual site plan, but they will have to come back for final site plan approval, so we are only hearing the zone change tonight."

Commission Member Barton asked Mr. Shadden the zoning for the property to the north and south.

Mr. Shadden explained the property to the north (the retirement center) is zoned an R-2 (Multi-Family Residential) District, the properties to the east, south and west are zoned a C-1 (Retail Business) District.

Commission Member Patterson asked if a doctor's office would require C-1 (Retail Business) District zoning as well.

Mr. Shadden responded yes. This property was zoned an R-1 (One Family Residential) District when it was annexed into the City; no one has ever requested a zone change on the property.

**PLANNING & ZONING COMMISSION MINUTES – AUGUST 19, 2014**

**ACTION TAKEN.**

**Motion by Commission Member Barton to approve the zone change subject to the Staff Review Letter. Second by Commission Member Dutton.**

**VOTING AYE: GILBERT, BARTON, DUTTON, ELLIOTT, PATTERSON, VELLOTTI AND VANDERVEER**

**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 5:28 p.m.**

**ADJOURNMENT**

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**CHAIRMAN**

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**SECRETARY**