

THE INTENT OF THE ORDINANCE.

PRELIMINARY & FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF CHARLES FELLEBAUM (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2400 BLOCK OF NORWOOD DRIVE, BEING 5.23 ACRES IN THE BACON FIELDING SURVEY, ABSTRACT NO. 120, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

PRELIMINARY AND FINAL PLAT APPROVAL OF NORWOOD ADDITION

PRELIMINARY & FINAL PLAT – NORWOOD ADDITION 2400 BLK. NORWOOD DR. (CHARLES FELLEBAUM)

This item was tabled at the October 21, 2014, Planning and Zoning Commission Meeting. The property is located in the 2400 Block Norwood Drive off West Lamberth Road. The owners would like to plat the property into (4) four 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.

SPECIFIC USE PERMIT

THE REQUEST OF TNP SITES LLC (OWNERS) AND BILL CUNNINGHAM (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 4800 TEXOMA PARKWAY, SUITE B-12, 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 (GOLF SIMULATOR AND BATTING CAGES WITH RETAIL MERCHANDISE) IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT.

SUP – COMMERCIAL AMUSEMENT CENTER 4800 TEXOMA PARKWAY, STE. B-12 (TNP SITE, LLC & BILL CUNNINGHAM)

Bill Cunningham, 5111 N. Travis, Apt. 824, Sherman, TX

Mr. Cunningham appeared to represent the request and answer any questions. The property is located at 4800 Texoma Parkway, Suite B-12, inside Midway Mall, next door to Burlington Coat Factory. Mr. Cunningham explained he would like to open a commercial amusement center (Next Level Sports) for three golf simulators, two batting cages, a few amusement games, ping pong, pool tables and retail merchandise. He would sell memberships for the batting cages and teams that want to come in and use the cages. Hours of operation will be Monday-Friday 11:00 a.m. - 8:00 p.m., Saturday 11:00 a.m. - 9:00 p.m. and Sunday Noon - 6:00 p.m. He 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 Specific Use Permit and site plan.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the Specific Use Permit and site plan to allow a commercial amusement center (golf simulators and batting cages with retail merchandise in a C-2 (General Commercial) District and M-1 (Light Manufacturing) District subject to the Staff Review Letter. Second by Commission Member Patterson.

VOTING AYE: GILBERT, BARTON, THORPE, DUTTON, PATTERSON, VANDERVEER AND VELLOTTI
VOTING NAY: NONE
MOTION CARRIED

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

EXCEPTION & SITE PLAN

THE REQUEST OF CHRIS MARTIN (OWNER) AND TATCHIO & ASSOCIATES (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 4316 TEXOMA PARKWAY, BEING LOT 2, SIDNEY HEIGHTS ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW A METAL SIDING EXTERIOR FACADE IN LIEU OF THE REQUIRED MASONRY, BRICK, STONE, EFIS (EXTERIOR FINISH INSULATION SYSTEM) OR CONCRETE LAP SIDING FOR A 10-UNIT STORAGE FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A 10-UNIT STORAGE FACILITY.

EXCEPTION –
EXTERIOR FACADE

SITE PLAN – 10-UNIT
STORAGE FACILITY

4316 TEXOMA
PARKWAY
(CHRIS MARTIN)

Rod Tatchio, 2605 Westridge Trail, Sherman, TX

Mr. Tatchio appeared to represent the request and answer any questions. The property is located at 4316 Texoma Parkway between Gallagher and Frisco Road; Mandy's Mini Storage Facility is the tenant. In 2003, the Planning and Zoning Board granted site plan approval for a self storage facility and an office building, however all of the buildings were not built at that time.

Mr. Tatchio explained “the owner would like to construct an additional metal, 10-unit, 1,000 square foot storage facility. The building will be 359 feet from the roadway to the new facility; you would have to look through two self storage facilities to see any of the building back there, so if we did put masonry on that, it would not be visible to anyone on the street; all the structures in that area have metal siding on them.” 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 or site plan.

Board of Adjustments

Exception under Ordinance No. 2280, Section 7, Subsection (1B) to allow a metal siding exterior facade in lieu of the required masonry, brick, stone, EFIS (Exterior Finish

Insulation System) or concrete lap siding for a 10-unit storage facility in a C-2 (General Commercial) District.

ACTION TAKEN.

Motion by Commission Member Barton to approve the exception to allow a metal siding exterior façade. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, BARTON, THORPE, DUTTON AND PATTERSON

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

Site plan approval for a 10-unit storage facility.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the site plan for a 10-unit storage facility subject to the Staff Review Letter. Second by Commission Member Patterson.

VOTING AYE: GILBERT, BARTON, THORPE, DUTTON, PATTERSON, VANDERVEER AND VELLOTTI

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS

THE REQUEST OF RON SHERWINSKI (OWNER) CONCERNING THE PROPERTY LOCATED AT 2420 SAN MIGUEL STREET, BEING LOT 1, BLOCK 1, CANYON CREEK ADDITION, REPLAT SECTION 1B AND 2A, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTIONS (13)(H)(1) & (2) TO ALLOW AN 8' PRIVACY FENCE ON THE SIDE STREET PROPERTY LINE OF A FRONT LINE STREET IN LIEU OF 25' REQUIRED AND TO ALLOW AN 8' PRIVACY FENCE IN THE SIDE YARD IN LIEU OF 6' PERMITTED IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM 1417) OVERLAY DISTRICT.

EXCEPTIONS –

**FENCE
2420 SAN MIGUEL
(RON SHERWINSKI)**

Ron Sherwinski, 2420 San Miguel, Sherman, TX

Mr. Sherwinski appeared to represent the request and answer any questions. The property is located at 2420 San Miguel Street, the corner of San Miguel and FM 1417 (Heritage Parkway).

Mr. Sherwinski explained he would like to erect an eight foot (8') privacy fence on the side street property line and in the side yard. He explained "I have a boat, camper and car and if I park anything back there, the way the fence is now, I can't see it; I have no safety back there and it ruins the neighborhood. If we could do an 8 foot tall fence we can block the view of seeing everything in our yard and it will help us not to see all the traffic on FM 1417 (Heritage

Parkway). All of my neighbors thought this was a great idea and gave their signatures for my request. The fence will be leveled where it comes up to the brick of the house and step it so it looks nice; the back of the fence will follow the fence line that everyone has along FM 1417 (Heritage Parkway). If you drive up to the corner of San Miguel and FM 1417 (Heritage Parkway), I don't care if it's a year from now and say I wish you would cut a forty-five angle, we can do that, we can cut an angle out." He had seen the Staff Review Letter and would abide by the Recommendations.

Clay Barnett, Director of Public Works and Engineering explained "Engineering did make the comment that we would like to make sure to double check visibility from San Miguel to FM 1417 (Heritage Parkway), we have visibility triangles and I would be happy to run one of those for you if you could bring me a plat or survey or something of that nature; it may or may not impact you, but we do want to make sure that you can see safely from San Miguel down FM 1417 (Heritage Parkway) before you turn out onto the street. We just want to make sure any fence does not impede visibility."

Mr. Sherwinski stated "that was no problem."

Robert Banks, 2408 San Miguel, Sherman, TX

Mr. Banks explained "they have done more with this house in two months than what has been done in the last two years; they have done an outstanding job. They put the stakes where the fence is going to be just for the engineering point of view; you have a huge area where you can see FM 1417 (Heritage Parkway); there would be no impediment whatsoever from a visual point of view seeing FM 1417 (Heritage Parkway) south or north."

Scott Shadden, Director of Developmental Services explained his concern was that "FM 1417 (Heritage Parkway) right-of-way comes up to the property line and some day FM 1417 (Heritage Parkway) is going to be a lot wider, so if you set it back fifteen foot each direction, I think that would be better. The corner where the street meets FM 1417 (Heritage Parkway), if you forty-five that for a site triangle, two years or ten years, some point FM 1417 (Heritage Parkway) is going to be a lot wider and people need to see that or you could make a motion that at such a time that FM 1417 (Heritage Parkway) is widened they forty-five the corner of the fence."

Chairman Gilbert asked Mr. Sherwinski if currently there is a thirty or forty foot green belt behind you, between FM 1417 (Heritage Parkway).

Mr. Sherwinski explained "there is probably more than that; probably forty-five feet is my guess, if you want us to put a forty-five corner on the fence; that will be fine."

Mr. Shadden asked Mr. Sherwinski if he would be alright with a condition on approval that any site triangle required by the City Engineering Department at any time would be complied with.

Mr. Sherwinski explained “I can’t see a problem with that as long as you don’t take a hundred feet out of my yard.”

Mr. Barnett explained “TXDOT has approved funding for the expansion of FM 1417 (Heritage Parkway) between Taylor Street and U.S. Highway 82 for two lanes on each side and a median in the middle dividing each section, so basically the back of the curb will be roughly ten feet from where your fence will be now; that green belt is going to go away, so we need to look at that future addition when we are placing the fence.”

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

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the exception to allow an 8’ privacy fence on the side street property line of a front line street in lieu of 25’ required and to allow an 8’ privacy fence in the side yard in lieu of 6’ permitted in an R-1 (One Family Residential) District/O-1.1 (FM1417) Overlay District subject to the Staff Review Letter and subject to complying with the Engineering Department requirements for a sight triangle now or in the future. Second by Commission Member Patterson.

VOTING AYE: GILBERT, BARTON, THORPE, DUTTON AND PATTERSON

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF HMH LIFESTYLES LP (OWNER) AND JOHNNY CLARK (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 4301 W. RAVEN DRIVE, BEING LOT 10, BLOCK 4, COUNTRY RIDGE ESTATES NO. 4, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H)(2) TO ALLOW A 6’ PRIVACY FENCE (6) SIX INCHES FROM THE PROPERTY LINE IN LIEU OF 25’ REQUIRED ON A FRONT LINE STREET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Bruce French, HMH Lifestyles, LP HistoryMaker Homes, 9001 Airport Freeway, NRH, TX

Mr. French appeared to represent the request. The property is located at 4301 West Raven Drive, the northwest corner of

**EXCEPTION - FENCE
4301 W. RAVEN DR.
(HMH LIFESTYLES,
LP)**

Raven and Pheasant Drive. Mr. French explained they would like to erect a six foot (6') privacy fence, approximately on the property line to match up with the fence to the house to the north on Hawk Lane; they currently have a four foot fence where this fence is proposed.

David Sutter, 4302 Hawk Lane, Sherman, TX

Mr. Sutter explained he lives right behind this new home. He explained “I know the four foot fence is there to a certain point, are you keeping that six foot fence that makes the turn right at the house there or are you moving that all the way up to the front.”

Mr. French explained the existing six foot fence will stay, raising the four foot to six feet.

Mr. Sutter explained he did not have a problem with that.

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

Letters were received from:

David & Jan Sutter, 4302 Hawk Lane, Sherman, TX

Mr. and Mrs. Sutter were opposed to the exception. “Allowing such an exception would alter and compromise the appearance of the other home properties on W. Raven, Pheasant, and Hawk Lane of Country Ridge Estates. We and others, purchased homes in Country Ridge Estates fully aware that the development is part of a Homeowners Association with bylaws to adhere to, as well as ordinances set by the City of Sherman. My wife and I feel that the owner of 4301 W. Raven should abide by the same standards and ordinances.”

Anna Estes, 1303 Pheasant, Sherman, TX

Ms. Estes wrote “Request should be denied. The owner purchased the property knowing the restrictions. They should have to comply like the rest of the residents. The fence will detract the surrounding properties as well as impede the view around the corner. They are already in violation of HOA rules by having a 4 ft. fence on one side of property. They need to follow the rules like everyone else. My vote is No on this request.”

ACTION TAKEN.

Motion by Commission Member Barton to approve the exception to allow a 6' privacy fence, 6 inches from the property line on a front line street in an R-1 (One Family Residential) District. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, BARTON, THORPE, DUTTON AND PATTERSON

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF FAITH CHURCH (OWNERS), KRISTY SMITH AND HARLEY BUTKER, SIGNS MANUFACTURING (REPRESENTATIVES) CONCERNING THE PROPERTY LOCATED AT 1800 N. FM 1417 (HERITAGE PARKWAY), BEING LOT 1, BLOCK 1, OF THE BEACON HILL ADDITION, SECTION TWO, REPLAT OF LOT 1, BLOCK 1, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION TO ORDINANCE NO. 2280, SECTION 7 SUBSECTION (14)(I)(1) TO ALLOW AN ADDITIONAL FREESTANDING SIGN IN LIEU OF ONE FREESTANDING SIGN PER DEVELOPMENT LOT IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417) OVERLAY DISTRICT.

EXCEPTION - SIGN
1800 N. FM 1417
(HERITAGE
PARKWAY)
(FAITH CHURCH)

Brad Morgan, 141 Shady Oaks Circle, Sherman, TX and Harley Butker, Signs Manufacturing, 3821 Peppertree, Carrollton, TX

Mr. Morgan and Mr. Butker appeared to represent the request. The property is located at 1800 N. FM 1417 (Heritage Parkway), the northwest corner of Taylor and FM 1417 (Heritage Parkway); Faith Church is the tenant. In 2005, the Planning and Zoning Commission granted site plan approval for the church and a variance to allow a building height of 52' 7" with a steeple height of 140'. A variance was also granted in 2009 to allow an 80' tall flag pole.

Mr. Morgan explained "Faith Church has an existing monument sign (84 sq. ft.) along Taylor Street and they would like to erect an additional monument sign (65 sq. ft.) along FM 1417 (Heritage Parkway) for accessibility and safety of those seeking location of the church. They do not have any way to display the church events or times of services, so they would like to erect an LED digital sign along FM 1417 (Heritage Parkway). When they built the church they did not have a way to display this quality of sign; we are willing to meet all the parameters and offset requirements for the sign. We have the ability with the sign company as the technology improves to upgrade the quality of the sign so we continually have a high quality sign at all times."

Mr. Shadden wanted to clarify the setbacks that were shown on the site plan are from the property line, not the curb.

Mr. Morgan explained that is correct; twenty-five foot from the property line.

Commission Member Thorpe asked why not tear down the existing sign and put up a new sign.

Mr. Morgan explained that is always a possibility, but since the sign was already built, we don't really want to tear it down, but that is something we would entertain if push came

to shove. We didn't have the foresight at the time to build this type of sign.

Mr. Butker explained "our sign company has what is called a forever warranty and what it does, we service the sign for twelve straight years, you don't have to do anything, you don't call us, we service it, if something goes wrong obviously call, but in twelve years we install a new sign; it's a never ending new sign. It's not on anytime limit contract, you can quit at any time. We have been in business thirty-two years in the DFW area. The sign is a quality sign, the light will be shining out, it's all adjustable, it deems automatically at night. We program the sign to abide by all laws."

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

ACTION TAKEN.

Motion by Commission Member Patterson to approve an additional freestanding sign in a C-1 (Retail Business) District/O-1.1 (FM 1417) Overlay District. Second by Commission Member Dutton.

VOTING AYE: GILBERT, BARTON, DUTTON AND PATTERSON

VOTING NAY: THORPE

MOTION CARRIED

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

REPLAT

THE REQUEST OF SHERMAN RESTAURANT LLC AND FRANCHISE REALTY INTERSTATE CORPORATION (OWNERS), JPH LAND SURVEYING, INC. (SURVEYOR) AND ADAMS ENGINEERING (ENGINEERS) CONCERNING THE PROPERTY LOCATED AT 2217 TEXOMA PARKWAY AND 1512 E. NALL STREET, BEING LOTS 1-3 AND 10-12, BLOCK 9, HIGHLAND PARK 1ST ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOT 1R, BLOCK 9, HIGHLAND PARK SUBDIVISION

**REPLAT – LOT 1R,
BLOCK 9 HIGHLAND
PARK SUBDIVISION
22717 TEXOMA
PARKWAY & 1512 E.
NALL STREET
(SHERMAN
RESTAURANT LLC &
FRANCHISE REALTY
INTERSTATE CORP.)**

Commission Member Thorpe left during this request; 5:50 p.m.

Ted Murday, Adams Engineering, 910 S. Kimball, Southlake, TX

Mr. Murday appeared to represent the request. The property is located at 2217 Texoma Parkway and 1512 East Nall Street; the southeast corner of Texoma Parkway and Nall Street. The owners would like to replat the property into (1) one lot for commercial development. 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 Replat.

ACTION TAKEN.

Motion by Commission Member Patterson to approve the Replat subject to the Staff Review Letter. Second by Commission Member Barton.

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

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

SITE PLAN

THE REQUEST OF SHERMAN RESTAURANT LLC AND FRANCHISE REALTY INTERSTATE CORPORATION (OWNERS), JPH LAND SURVEYING, INC. (SURVEYOR), ADAMS ENGINEERING (ENGINEERS) AND LARSEN & ASSOCIATES ARCHITECTS, INC. (ARCHITECTS) CONCERNING THE PROPERTY LOCATED AT 2217 TEXOMA PARKWAY, BEING LOTS 1-3 AND 10-12, BLOCK 9, HIGHLAND PARK 1ST ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A MCDONALD'S DRIVE THRU RESTAURANT

SITE PLAN –
MCDONALD'S DRIVE
THRU RESTAURANT
2217 TEXOMA
PARKWAY
(SHERMAN
RESTAURANT LLC
AND FRANCHISE
REALTY INTERSTATE
CORPORATION)

Ted Murday, Adams Engineering, 910, S. Kimball, Southlake, TX

Mr. Murday appeared to represent the request. The property is located at 2217 Texoma Parkway, the southeast corner of Texoma Parkway and Nall Street; McDonald's Restaurant is the tenant. McDonald's is looking to tear down the existing restaurant and parking lot and rebuild a new 6,389 square foot building with indoor play area. The exterior will be brick with stone accents; (79) seventy-nine parking spaces will be provided. They had seen the Staff Review Letter and would abide by the Recommendations.

Jim Gundlach, 561 Lariat Drive, Denison, TX

Mr. Gundlach explained he owns a duplex at 2213 and 2217 Loy Street, directly behind McDonalds. "I plan to move into one side of the duplex in the next month. My concern with the new larger McDonalds is increased traffic, noise, light and litter to the adjacent properties, which will reduce my property values. If you are standing in front of McDonalds with your back to Texoma Parkway, there is a vacant lot behind there, there use to be an accounting office but that is no longer there; I'm assuming that will become parking for the new McDonalds, I'm across the street. I'm not against them putting in a new building there, I would just like to have some assurances that the lights, noise and traffic will not become a nuisance to the existing properties that are along Nall and Loy Streets."

Chairman Gilbert explained the owners did not ask for any exceptions or variances for the site plan or replat, so the board has to approve the request.

Mr. Shadden explained “on the plat, if they meet the rules, the board has to approve it, but on the site plan, if there is a valid reason or ordinance that needs to be addressed, the board can consider these items. As far as the trash, it is their responsibility to control litter. McDonalds may want to consider putting a fence up along the back.”

Mr. Murday explained “the site plan will give some advantages that they normally do not have for these issues. The building is being pushed as far forward as possible for visibility on Texoma Parkway, parking kind of followed the building. We were able to open up some buffer on Loy Street; it will serve as a landscape buffer, but also as a light buffer, so that we can have a safe amount of light on our pavement, but I would expect that our photo metrics will exceed the cutoff and be much dimmer at the rear property line, simply because we don’t need to light our landscape areas. We are not asking for any variances and will comply with all City ordinances.”

Mr. Gundlach explained his concern was “traffic, lights from cars at night will be flashing into people’s front windows, mine will happen to be my bedroom. I would like to have some type of stipulation that perhaps be a fence to contain the litter, noise and light at the back of the property.”

Mr. Murday explained they would be willing to provide a shrub or fence to reduce glare and litter.

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

A letter was received from:

James A. Gundlach, 2213/2217 Loy Street, Sherman, TX

“I own the property at 2213-2217 Loy Street, Sherman, TX. I am writing this letter in objection to the zoning request by McDonalds Corporation. This request expands the property for extended drive thru lanes. My objections are based on the potential for increased traffic, noise and lighting that will negatively affect my property value. It also has the potential for increased littering of cups and trash (bags and wrappers) on my property. I would ask you to require at a minimum a six to eight foot fence on the curbed parking lot and exit drives from the revised restaurant area. This may reduce the additional traffic, noise, the remote ordering conversation noise and trash left on neighboring property. It would also reduce the late night head light annoyance.”

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the site plan subject to the Staff Review Letter complying with the City’s glare ordinance to control light and litter with a

shrub or fence on the back of the property along Loy Street.
Second by Commission Member Patterson.

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

VOTING NAY: NONE

ABSTAIN: GILBERT

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF TEXOMA LIBERTY LIGHTHOUSE
CHURCH, INC. (OWNERS) AND STAN MCNUTT
(REPRESENTATIVE) CONCERNING THE PROPERTY AT 120
W. MULBERRY STREET, BEING 0.171 ACRES IN THE J.B.
MCANAIR, ABSTRACT NO. 763 AND ALSO PART OF BLOCK
“B” OF T.J. SHANNON SUPPLEMENT, 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 SCHOOL IN A C-1 (RETAIL BUSINESS)
DISTRICT/CENTRAL BUSINESS DISTRICT.

SUP – SCHOOL
120 W. MULBERRY
(TEXOMA LIBERTY
LIGHTHOUSE
CHURCH, INC.)

**Stan McNutt, Pastor Texoma Liberty Lighthouse Church, 364
Liberty Hill Circle, Sherman, TX**

Mr. McNutt appeared to represent the request and answer
any questions. The property is located at 120 West Mulberry
Street, the southeast corner of Mulberry and Crockett
Streets. Texoma Liberty Lighthouse Church would like to
operate Liberty Christian Academy accepting approximately
forty students from kindergarten through twelfth grade. He
had seen the Staff Review Letter and would abide by the
Recommendations.

Commission Member Vanderveer asked when the first day of
school would be.

Mr. McNutt explained they have already started; we made a
mistake, we were not aware we needed a Specific Use
Permit. We currently have thirty-three students enrolled.

Mr. Shadden explained they have remedied several building
codes, they have an architect preparing plans and are on the
road to get this in compliance.

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

ACTION TAKEN.

Motion by Commission Member Barton to approve the
Specific Use Permit to allow a school in a C-1 (Retail
Business) District/Central Business District subject to the
Staff Review Letter. Second by Commission Member
Patterson.

PLANNING & ZONING COMMISSION MINUTES – NOVEMBER 18, 2014

**VOTING AYE: GILBERT, BARTON, DUTTON, PATTERSON,
VANDERVEER AND VELLOTTI
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
6:20 p.m.**

ADJOURNMENT

CHAIRMAN

SECRETARY