

STATE OF TEXAS §
 January 20, 2015
COUNTY OF GRAYSON §

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 January 20, 2015.

**MEMBERS PRESENT: CHAIRMAN GILBERT
COMMISSION MEMBERS:, THORPE, ELLIOTT, DAVIS,
BARTON, VELLOTTI, VANDERVEER AND DUTTON**

MEMBERS ABSENT: VICE-CHAIRMAN PATTERSON

CALL TO ORDER

Chairman Gilbert 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 December 16, 2014 Meeting. Motion by Commission Member Thorpe to approve the Minutes as written. Second by Commission Member Vanderveer. All present voted AYE. **MOTION CARRIED.**

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Gilbert appointed the members of the Board of Adjustments: GILBERT, BARTON, THORPE, DUTTON, AND VANDERVEER.

**BOARD OF
ADJUSTMENTS**

CONSENT AGENDA (ITEMS 7 & 8)

Consent Agenda items are considered to be routine and non-controversial items.

CONSENT AGENDA

A member of the audience, David Baca requested that items #7 entitled "700 Block E. Lamberth Road and 2500 Block Masters Street - Replat Approval of Varsovia First Addition, a Replat of part of Lot 4, Block 1, Carraway's Subdivision" and item #8 entitled "702 E. Lamberth Road – Site plan approval for Hilltop Pediatrics Medical Office" be removed from the consent agenda.

Chairman Gilbert pulled Agenda Items #7 and #8 off the Consent Agenda.

EXCEPTION

**THE REQUEST OF HERITAGE SHERMAN 2014, LP BY KMS
RETAIL, INC. (OWNERS) AND MALLORY MARTIN, KIMLEY
HORN AND ASSOCIATES INC.
(ENGINEER/SURVEYOR/REPRESENTATIVE) CONCERNING
THE PROPERTY LOCATED AT 2210 N. FM 1417 (HERITAGE
PARKWAY), BEING LOT 2, BLOCK A, O'HANLON RANCH
SHOPPING CENTER, AS FOLLOWS:
*BOARD OF ADJUSTMENTS***

**EXCEPTION –
FENCE
2210 N. FM 1417
(HERITAGE
PARKWAY)
(HERITAGE
SHERMAN 2014, LP
BY KMS RETAIL,
INC.)**

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION 13 (A)&(B) TO NOT REQUIRE A SCREENING DEVICE 100' FROM THE REAR (WEST) PROPERTY LINE TO ALLOW VISIBILITY OF THE ADJACENT CHURCH'S SIGN IN LIEU OF A MINIMUM 6' SCREENING DEVICE REQUIRED IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417) OVERLAY DISTRICT.

Lauren Nuffer, Kimley Horn and Associates, Inc., 5750 Genesis Ct., Frisco, TX

Ms. Nuffer appeared to represent the request and answer any questions. The property is located at 2210 N. FM 1417 (Heritage Parkway), the northwest corner of FM 1417 (Heritage Parkway) and West Lamberth Road. The property was zoned a C-1 (Retail Business) District in 1987. Exceptions were granted at the June 17, 2014 Planning and Zoning Commission Meeting to allow 168 off-street parking spaces in lieu of 195 required and to allow two 83 square foot freestanding signs with the understanding no signage will be allowed on the corner of FM 1417 (Heritage Parkway) and Lamberth Road in the future. Site plan approval was also granted for a Walmart Neighborhood Market at the same meeting.

Ms. Nuffer explained the original site plan for the proposed Walmart Neighborhood Market had an eight foot masonry screen wall all along the west property line, which is approximately five hundred feet. At the request of the adjacent church (Fusion Bible Church), the owners are requesting to shorten the screen wall on the west property line, 100' from the south property line to allow visibility of the church's sign.

Lester Terrell, Fusion Bible Church, 2515 W. Lamberth, Sherman, TX

Mr. Terrell explained "we initiated this change, we were happy to get the eight foot screen wall the length of the property line, but we didn't think to stop it where our sign still shows. The church sign is set back twenty-five foot from the property line and we are just asking for seventy-five foot more to allow visibility of our sign. We appreciate Kimley Horn working with us."

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

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the exception. Second by Commission Member Barton.

VOTING AYE: GILBERT, BARTON, THORPE, DUTTON, AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO

THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT

**THE REQUEST OF JOHN & SUSIE CHUNG (OWNERS) AND JUAN & BRENDA FRAGA (APPLICANTS) CONCERNING THE PROPERTY LOCATED AT 3924 TEXOMA PARKWAY, BEING 0.71 ACRES IN THE SAMUEL M. MCGLOTHLIN SURVEY, ABSTRACT NO. 811 AND THE H. JENNINGS SURVEY, ABSTRACT NO. 639, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW TIRE SALES, SERVICE, INSTALLATION AND REPAIR IN A C-2 (GENERAL COMMERCIAL) DISTRICT.**

**SUP – TIRE SALES,
SERVICE,
INSTALLATION AND
REPAIR
3924 TEXOMA
PARKWAY
(JOHN & SUSIE
CHUNG)**

Juan and Brenda Fraga, 1003 S. Walnut, Sherman, TX

Mr. and Mrs. Fraga appeared to represent the request and answer any questions. The property is located at 3924 Texoma Parkway between Gallagher Drive and Frisco Road. The property has been approved for the following Specific Use Permits:

- **To allow automobile sales – 2000**
- **To allow an automotive repair garage - 2006**
- **To allow truck and automotive repair and sales - 2011.**

Mr. and Mrs. Fraga explained they would like to open a tire sales, service, installation and repair business at this location. Mrs. Fraga explained “we plan on doing some work on the building, but we didn’t want to put the money into it yet until we are approved to open the tire store.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert wanted to bring Item #6 on the Staff Review Letter to their attention “No outside parking or storage of dismantled vehicles, wrecks or parts is allowed.”

Mr. Fraga explained “everything will be stored inside the shop.”

Commission Member Vanderveer stated according to Item #2 on the Staff Review Letter “Masonry or equivalent shall be required on the sides of all commercial buildings visible from the front street right-of-way unless an exception is granted,” they do have to do some updating to the front of the building, is that correct.

Chairman Gilbert felt it met the requirements unless an exception is requested.

Scott Shadden, Director of Developmental Services explained an exception, Specific Use Permit or a zone change is what triggers the masonry requirements.

Chairman Gilbert explained the only thing they are here for today is for the Specific Use Permit.

Mr. Shadden explained the use, they will have to comply with the ordinance or come back and ask for an exception, but they haven't applied for any exceptions.

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the Specific Use Permit to allow tire sales, service, installation and repair in a C-2 (General Commercial) District subject to the Staff Review Letter. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, BARTON, THORPE, DUTTON, ELLIOTT, VANDERVEER, VELLOTTI AND DAVIS

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF AMERISTATE BANK (OWNERS), DAVID BACA STUDIO (ARCHITECT), VARSOVIA GROUP, LLC (DEVELOPER) AND HELVEY & ASSOCIATES SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK E. LAMBERTH ROAD AND 2500 BLOCK MASTERS STREET, BEING 2.016 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND PART OF LOT 4, BLOCK 1 OF DR. J.H. CARRAWAY'S SUBDIVISION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF VARSOVIA FIRST ADDITION, A REPLAT OF PART OF LOT 4, BLOCK 1, CARRAWAY'S SUBDIVISION.

REPLAT –
VARSOVIA FIRST
ADDITION, A
REPLAT OF PART OF
LOT 4, BLOCK 1,
CARRAWAY'S
SUBDIVISION
700 BLK. E.
LAMBERTH RD. &
2500 BLK. MASTERS
ST.
(AMERISTATE BANK,
OWNERS)

David Baca, 100 N. Travis, Sherman, TX and Billy Helvey, 222 W. Main, Denison, TX

Mr. Baca and Mr. Helvey appeared to represent the request for Varsovia Group and answer any questions. The property is located in the 700 Block of East Lamberth Road and the 2500 Block of Masters Street, the southeast corner of Masters Street and Lamberth Road. The owners would like to replat the property into (2) two lots for commercial development.

Mr. Baca explained they had seen the Staff Review Letter and would abide by all of them with the exception of item #3; we have had some conversations with the Engineering Department about the future expansion of Lamberth Road. It states "Right-of-way of 18.5' shall be dedicated along Lamberth Road in accordance with the City Thoroughfare

Plan” on the property and we would like to request officially that it is reduced to nine feet.

Clint Philpott, City Engineer explained as far as the Master Thoroughfare Plan, this road was labeled as a major arterial, if you look on the site plan Loy Lake Road is where it dead-ends and so based on conversations on that and looking at would actually happen in the future with this road, we determined that it didn’t need to have the full ninety-seven foot right-of-way, seventy-eight foot would be sufficient, which in turn would be the nine feet they are requesting for additional right-of-way.

Chairman Gilbert stated “this item has been brought before the Engineer’s Office and you do not have any objections to it.”

Mr. Philpott explained “that is correct.”

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

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the Replat subject to the Staff Review Letter with the exception of Item #3 being reduced to 9’ right-of-way dedication instead of 18.5’. Second by Commission Member Thorpe.

VOTING AYE: BARTON, THORPE, DUTTON, ELLIOTT, VANDERVEER, VELLOTTI AND DAVIS

VOTING NAY: NONE

MOTION CARRIED

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

SITE PLAN

THE REQUEST OF AMERISTATE BANK (OWNERS), DAVID BACA STUDIO (ARCHITECT), VARSOVIA GROUP, LLC (DEVELOPER) AND HELVEY & ASSOCIATES SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 702 E. LAMBERTH ROAD, BEING 2.016 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND PART OF LOT 4, BLOCK 1 OF DR. J.H. CARRAWAY’S SUBDIVISION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR HILLTOP PEDIATRICS MEDICAL OFFICE.

**SITE PLAN –
HILLTOP
PEDIATRICS
MEDICAL OFFICE
702 E. LAMBERTH
RD.
(AMERISTATE BANK,
OWNERS)**

David Baca, 100 N. Travis, Sherman, TX

Mr. Baca appeared to represent the request for Varsovia Group and answer any questions. The property is located at 702 East Lamberth Road, the southeast corner of Lamberth Road and Masters Street. Varsovia Group, LLC would like to construct a 3,794 square foot, one story medical office at this location; the exterior will be brick veneer and (20) twenty

parking spaces will be provided. They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Baca passed out a revised copy of the site plan with the right-of-way dedication on the plan. Mr. Baca explained they lost a little bit of landscaping across the front; the landscaping could be there until the right-of-way happens.

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

ACTION TAKEN.

Motion by Commission Member Barton to approve the site plan subject to the Staff Review Letter. Second by Commission Member Elliott.

VOTING AYE: BARTON, THORPE, DUTTON, ELLIOTT, VANDERVEER, VELLOTTI AND DAVIS

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 5:21 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY