

STATE OF TEXAS §
 COUNTY OF GRAYSON §
 June 21, 2016

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 June 21, 2016.

**MEMBERS PRESENT: CHAIRMAN GILBERT; VICE-CHAIRMAN PATTERSON.
 COMMISSION MEMBERS: DAVIS, VANDERVEER, ADAMS, THORPE, MAHONE AND ELLIOTT.**

MEMBERS ABSENT: VELLOTTI

CALL TO ORDER **CALL TO ORDER**
 Chairman Gilbert called the meeting to order at 5:00 p.m.

APPROVE MINUTES **APPROVE MINUTES**
 The Planning and Zoning Commission reviewed the minutes of the May 17, 2016 regular meeting. Motion by Commission Member Vanderveer to approve the Minutes as written. Second by Commission Member Patterson. All present voted AYE.
MOTION CARRIED.

APPOINT BOARD OF ADJUSTMENTS **BOARD OF ADJUSTMENTS**
 Chairman Gilbert appointed the members of the Board of Adjustments: GILBERT, THORPE, ELLIOTT, PATTERSON AND VANDERVEER.

SPECIFIC USE PERMIT & SITE PLAN **SUP & SITE PLAN – OIL/GAS WELL**
 THE REQUEST OF AUSTIN COLLEGE (OWNER), CURRY VOGELSANG (REPRESENTATIVE) FRANK MCCOLLOCH, BMNW RESOURCES, LLC (REPRESENTATIVE) AND ROFF OPERATING COMPANY, LLC (DRILLING COMPANY) CONCERNING THE PROPERTY LOCATED AT 1112 NORTH WILLOW STREET, BEING LOTS 3, 4 AND THE NORTH 25’ OF LOT 5, BLOCK 3, BINKLEY’S 1ST ADDITION, AS FOLLOWS: **1112 N. WILLOW (AUSTIN COLLEGE)**
PLANNING AND ZONING BOARD **(TABLED)**
 SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW THE DRILLING OF AN OIL/GAS WELL IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND COLLEGE PARK OVERLAY DISTRICT.

Chairman Gilbert moved this item to top of the agenda.

Roff Operating Company LLC requested this item be tabled until the next Planning and Zoning Commission meeting.

ACTION TAKEN.
 Motion by Commission Member Thorpe to table the request.
 Second by Commission Member Elliott.

VOTING AYE: GILBERT, PATTERSON, THORPE, ELLIOTT, VANDERVEER, DAVIS, MAHONE AND ADAMS.
VOTING NAY: NONE
MOTION CARRIED

THE REQUEST WAS TABLED.

CONSENT AGENDA (ITEMS 5, 6, 8, 14 & 15)

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

CONSENT
AGENDA

The Commission reviewed the Consent Agenda. Commission Member Patterson moved to approve the Consent Agenda as written subject to the Staff Review Letters. Second by Commission Member Vanderveer. All present voted AYE.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ZAKIAH US, LLC (OWNERS), GEES, INC. (ENGINEER) AND COX LAND SURVEYING COMPANY (SURVEYOR) CONCERNING THE PROPERTY IN THE 2300 BLOCKS OF PEGGEY'S COVE AND SOUTHRIDGE LANE AND THE 3400-3500 BLOCKS OF HANAN STREET, BEING 8.99 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF PEBBLEBROOK SOUTH, PHASE III

FINAL PLAT –
PEBBLEBROOK
SOUTH, PHASE
III
2300 BLKS.
PEGGEY'S COVE
& SOUTHRIDGE
LANE & THE
3400-3500 BLKS.
HANAN ST.
(ZAKIAH US, LLC)

The property is located in the 2300 Blocks of Peggey's Cove and Southridge Lane and the 3400-3500 Blocks of Hanan Street in the Pebblebrook subdivision off South FM 1417 (Heritage Parkway). The owner would like to plat the property into forty-six (46) 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF MARK SMITH (OWNER), LOU SIMMONS (ARCHITECT) AND STAN SIMMONS (GENERAL CONTRACTOR) CONCERNING THE PROPERTY AT 2009 AND 2011 WEST LAMBERTH ROAD, BEING LOT 1-A, BLOCK 2, CANYON CREEK ADDITION, REPLAT OF A PART OF SECTION 1B & 2A, LESS 17' X 111' OF THE SOUTHEAST CORNER, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN OFFICE RENOVATION FOR MARK SMITH D.D.S.

SITE PLAN –
OFFICE
RENOVATION
2009 & 2011 W.
LAMBERTH
(MARK SMITH
D.D.S.)

The property is located at 2009 and 2011 West Lamberth Road; the northeast corner of West Lamberth and San Miguel; Mark Smith, D.D.S. and Diamond Computers are the tenants. The property is zoned a C-1 (Retail Business) District and is also located in the O-1.1 (FM Highway 1417) Overlay District. The

owner would like to renovate the office building by adding a pitched roof and changing the exterior facade of the building. 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN ISD (OWNERS) AND SCOTT CONRAD, DIRECTOR OF MAINTENANCE AND OPERATIONS (REPRESENTATIVE) CONCERNING THE PROPERTY AT 2201 EAST LAMAR STREET, BEING 51 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A PORTABLE CLASSROOM BUILDING FOR SHERMAN HIGH SCHOOL

SITE PLAN –
PORTABLE
CLASSROOM
BUILDING
2201 E. LAMAR
(SHERMAN ISD)

The property is located at 2201 East Lamar Street at the Sherman High School facility. The property is zoned an R-1 (One Family Residential) District with a Specific Use Permit to allow a Senior High School. Approval has been granted in the past for a portable classroom building for the high school by the Planning and Zoning Commission at their June 14, 2005, regular meeting,

Sherman ISD wishes to add additional classroom space at the High School by adding a portable building to be placed near the northeast corner of the building near the tennis courts. 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF RICHARD AND IRENE OGLESBY (OWNERS), ELLEN CARTER (TENANT) AND DAVID BACA STUDIO (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2416 REX CRUSE DRIVE, BEING PART OF LOT 1, BLOCK 3, RIDGEWOOD ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A COFFEE SHOP WITH DRIVE THRU WINDOW

SITE PLAN –
COFFEE SHOP
2416 REX CRUSE
DR.
(RICHARD &
IRENE
OGLESBY)

The property is located at 2416 Rex Cruse Drive, the southwest corner of West Lamberth Road and Rex Cruse Drive; the former tenant was Bavarian Carpet. The property is zoned a C-1 (Retail Business) District.

The request is to open a coffee shop with drive thru in the existing one-story building; it is approximately 2,058 square foot and parking will be provided for thirteen (13) spaces. The proposed drive thru will be on the north side of the building and will provide stacking for eight cars. 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF STANLEY BLYTHE (OWNER), LEGEND BANK (PROSPECTIVE BUYER), TODD YOUNG, YOUNG ENTERPRISES (DEVELOPER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 3800 BLOCK OF F.M. 691, BEING 1.995 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF LEGEND BANK ADDITION

FINAL PLAT –
LEGEND BANK
ADDN.
3800 BLK. FM
691
(STANLEY
BLYTHE)

The property is located in the 3800 block of FM 691 between U.S. Highway 75 and Loy Lake Road. The owner would like to plat the property into one lot 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.

SITE PLAN & EXCEPTION

THE REQUEST OF FISHER CONTROLS INTERNATIONAL INC. (OWNERS), FISHER CONTROLS (TENANT) AND ALAN MCKELVA (REPRESENTATIVE) CONCERNING THE PROPERTY AT 4725 SOUTH U.S. HIGHWAY 75, BEING 33 ACRES IN THE SHEROD DUNMAN SURVEY, ABSTRACT NO. 329 AND IN TRACT 1 OF BLALOCK INDUSTRIAL PARK, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

SITE PLAN –
POWDER PAINT
SYSTEM
EXCEPTION –
EXTERIOR
FAÇADE
4725 S. HWY. 75
(FISHER
CONTROLS
INTERNATIONAL)

- SITE PLAN APPROVAL TO ORDINANCE NO. 2252 ARTICLE IV, SECTION 410 (2) (J) FOR THE CONSTRUCTION OF AN ADDITION FOR A POWDER PAINT SYSTEM FOR FISHER CONTROLS IN THE BLALOCK INDUSTRIAL PARK.
- EXCEPTION TO ORDINANCE NO. 2252 ARTICLE IV, SECTION 410 (2) (M) TO ALLOW PAINTED “R” TYPE PANELS ON AN OUTDOOR CURE OVEN FOR A POWDER PAINT SYSTEM FOR FISHER CONTROLS IN LIEU OF THE REQUIRED MASONRY IN THE BLALOCK INDUSTRIAL PARK.

Steven Handley, Infrastructure & Systems Manager and Mark Anderson, Fisher Controls International, Inc., 4725 S. Highway 75, Sherman, TX

Mr. Handley and Mr. Anderson appeared to represent the request and answer any questions. The property is located at 4725 South U.S. Highway 75 in the Blalock Industrial Park; Fisher Controls is the tenant. Mr. Handley explained “Fisher Controls would like to construct an addition for a powder paint system at the back of their existing building; it will not be visible from Highway 75 or the access road. The 3,290 square foot cure oven portion of the system will be located on the exterior of the building to keep the heat load out of the facility. They would like to use painted “R” as the exterior finish of the 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 or exception.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the site plan for an addition for a powder paint system and exception to allow painted “R” type panels on an outdoor cure oven for a powder paint system for Fisher Controls in lieu of the required masonry in the Blalock Industrial Park subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: GILBERT, PATTERSON, THORPE, ELLIOTT, VANDERVEER, DAVIS, MAHONE AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF THOMAS & TAMRA BRAGG (OWNERS) CONCERNING THE PROPERTY AT 1806 WEST MOORE STREET, BEING 2.96 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (10)(H) TO ALLOW A GRAVEL DRIVEWAY IN LIEU OF THE REQUIRED ASPHALT OR CONCRETE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION –
DRIVEWAY
1806 W. MOORE
(THOMAS &
TAMRA BRAGG)

Thomas Bragg, 1800 W. Moore Street, Sherman, TX

Mr. Bragg appeared to represent the request and answer any questions. The property is located at 1806 West Moore Street between Steadman Street and Park Avenue in southwest Sherman. Mr. Bragg explained they are currently building a new home on the lot adjacent to their existing farmhouse and are requesting an exception to allow a concrete driveway entrance and complete the bulk of the driveway (approximately 340 feet) with granite stone. Mr. Bragg explained he would conform to City standards for the drive approach to be concrete or asphalt. He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Thorpe felt they should stay consistent with what they recently passed on Farmington Road, requiring a layer of base rock with granite on top and a concrete or asphalt drive approach.

Mr. Bragg explained “there was an existing driveway there and we added base gravel to it for the construction crews to get in to build the house.”

Scott Shadden, Director of Developmental Services asked Mr. Bragg if he would be alright with putting 2” crushed granite over

a 4” base rock.

Mr. Bragg responded “yes”.

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 to allow a gravel driveway at 1806 West Moore Street subject to the conditions set by the Engineering Department and 2” granite over the current base rock and the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: GILBERT, THORPE, ELLIOTT, PATTERSON AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & SITE PLAN

THE REQUEST OF MOHSIN J. ALI (OWNER), SHAWN AZIZ (REPRESENTATIVE), SARTIN & ASSOCIATES (SURVEYOR) AND NATHAN GRAY, NBS DRAFTING & DESIGN (DRAFTSMAN) CONCERNING THE PROPERTY LOCATED AT 1727 EAST LAMAR STREET, BEING LOT 24, BLOCK 20, CHAPMAN & SIMMONS REPLAT OF BLOCK 20 OF CHRISTIAN COLLEGE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW A 6’ REAR YARD SETBACK IN LIEU OF THE REQUIRED 15’ ABUTTING RESIDENTIAL FOR A CONVENIENCE STORE IN A C-1 (RETAIL BUSINESS) DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A CONVENIENCE STORE.

**VARIANCE –
REAR SETBACK
SITE PLAN –
CONVENIENCE
STORE
1727 E. LAMAR
(MOHSIN J. ALI)**

**(MOVED TO END
OF MEETING)**

Shawn Aziz, 810 Holland Dr., Denison, TX and Mohsin Ali, 204 Spring Park Dr., Arlington, TX

Mr. Aziz and Mr. Ali appeared to represent the request and answer any questions. The property is located at 1727 East Lamar; the northwest corner of Lamar Street and Carr Avenue and is zoned a C-1 (Retail Business) District. The survey shows a dilapidated building located on the lot; it has recently been demolished.

Mr. Aziz explained they purchased the property three or four years ago; it had a substandard structure on the lot and was removed by the City. They would like to construct a 1,500 square foot brick veneer convenience store at this location. The lot size is small and that is the reason they were requesting the variance for a 6’ setback abutting the residential property at the rear of the lot. He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert explained because there is a residential

property abutting the rear of the lot, there is a 15' setback; if there were not residential it would be 10'.

Mr. Shadden explained that is correct.

Chairman Gilbert felt “when you adjoin a residential property, it puts an unnecessary burden on the neighbor; it’s a 15’ setback requirement and you are actually cutting that in half, that’s a concern, the setbacks were put in place for a reason.”

Mr. Aziz explained “the house on the property is setting to the front of the lot; it’s not close to our property line.”

Chairman Gilbert asked if he had any flexibility on moving the building forward or the store layout.

Mr. Aziz explained the store is adequate to accommodate two ADA (Americans with Disabilities Act) restrooms and the parking requirement.

Chairman Gilbert explained “we would like you to have a successful store, we would like you to open your business, but we have previously set a precedent and we are not flexible on setbacks whenever it encroaches on a residential property. I’m kind of scratching my head looking for another option for you, but it just appears to me the building won’t fit on the lot within the City’s guidelines, if it was a foot or two over we might be able to work with you, but when it is cutting the setback in half, it is a more difficult proposition to ask the Planning and Zoning Board to grant.”

Mr. Aziz asked “would it help if they got permission from the adjoining property owner.”

Chairman Gilbert explained “it is more of how it influences and conforms to the neighborhood in general versus just one property beside you.”

Commission Member Vanderveer suggested he rearrange the building on the lot.

Mr. Shadden explained he could do a smaller building, it would not require as many parking spaces and you could meet the setbacks; it would just require site plan approval on the consent agenda.

Commission Member Vanderveer explained “they could shift the building toward Lamar Street to meet the setback and have the required four parking spaces.”

Mr. Shadden explained he could amend the site plan and bring it back next month or table the request.

Chairman Gilbert allowed Mr. Aziz time to amend the site during the meeting and review it at the end of the meeting.

Mr. Aziz agreed.

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

(RENEW) TEMPORARY USE PERMIT

THE REQUEST OF CHARLES E. ANDERSON (OWNER), BRAD TRAVIS (TENANT) AND JOHN LEBLANC (REPRESENTATIVE) CONCERNING THE PROPERTY AT 1400 WEST TAYLOR STREET, BEING A 1.6890 ACRE TRACT IN THE J. B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS;
BOARD OF ADJUSTMENTS

TUP – HAUNTED HOUSE
1400 W. TAYLOR
(CHARLES E. ANDERSON)

(RENEW) TEMPORARY USE PERMIT UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A HAUNTED HOUSE FROM SEPTEMBER 30TH THROUGH OCTOBER 31ST, 2016, JANUARY 13, 2017 AND FEBRUARY 10TH AND 11TH, 2017 IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT, R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND C-1 (RETAIL BUSINESS) DISTRICT.

John LeBlanc, 221 W. Texas, Sherman, TX

Mr. LeBlanc appeared to represent the request and answer any questions. The property is located at 1400 West Taylor Street across from Fairview Park; it was formerly the Anderson Slaughterhouse. Temporary Use Permits to allow a haunted house were granted in 2007-2010 and 2012-2015.

The applicant would like to open a haunted slaughterhouse, September 30th through October 31st, 2016; January 13, 2017 for a Friday 13th show and February 10th and 11th, 2017 for a Valentine's Show. Optional Alternate dates for rain-outs and Grayson and Austin College nights (if needed) will be February 12th, 2017. Hours of operation will be 8 p.m. - 12 a.m. Friday and Saturday and 8 p.m. - 11 p.m. Sunday thru Thursday. They will be utilizing the existing structure, a temporary electric pole with low voltage LED lighting; outside loud speakers will not be used. Signs will be placed thirty (30) days prior to opening and removed ten (10) days after each showing. He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert asked if there had been any complaints or concerns regarding this request.

Mr. Shadden responded "no".

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

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the request to allow a Haunted House from September 30th through October 31st, 2016, January 13, 2017 and February 10th and 11th, 2017 in an R-1 (One Family Residential) District, R-2 (Multi-Family Residential) District and C-1 (Retail Business) District subject to the Staff Review Letter. Second by Commission Member Elliott.

VOTING AYE: GILBERT, THORPE, ELLIOTT, PATTERSON AND VANDERVEER.
VOTING NAY: NONE
MOTION CARRIED

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

VARIANCE

THE REQUEST OF ALAN AND BARBARA SCHEIBMEIR (OWNERS) CONCERNING THE PROPERTY AT 801 WEST LAMBERTH ROAD, BEING LOT 2, BLOCK 1, BAILLIO ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(C)(4) TO ALLOW A 25' FRONT SETBACK FOR A DETACHED STORAGE BUILDING IN LIEU OF THE REQUIRED 60' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE –
FRONT SETBACK
801 W.
LAMBERTH
(ALAN &
BARBARA
SCHEIBMEIR)

Alan Scheibmeir, 803 W. Lamberth, Sherman, TX

Mr. Scheibmeir appeared to represent the request and answer any questions. The property is located at 801 West Lamberth Road between Ricketts Street and Dover Drive; it is the last lot off the private access drive.

Mr. Scheibmeir explained “we purchased the lot next door to our lot last year, it had a house on the lot that was dilapidated and we tore down the house. We would like to construct a 25' x 30' metal accessory building on the lot for personal use. If we located the building according to the setback requirement (60') we will have to destroy a beautiful row of pecan trees and it would require a much longer driveway to get to the metal building.” He had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden explained this is a very unique lot; it fronts on the back of the lot of the houses on Ricketts Street.

Commission Member Thorpe asked how tall the building would be.

Mr. Scheibmeir explained “it is not a flat roof; it is around 14' tall with the pitch roof. We are going to put some brick on the front to dress it up; we want it to be nice.”

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

ACTION TAKEN.

Motion by Commission Member Patterson to approve the request for a variance to allow a 25' front setback for a detached storage building in lieu of the required 60' in an R-1 (One Family Residential) District at 801 West Lamberth Road subject to the Staff Review Letter. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, THORPE, ELLIOTT, PATTERSON AND

VANDERVEER.
VOTING NAY: NONE
MOTION CARRIED

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

ZONE CHANGE, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF RUSSELL SPEARS (OWNER), RODNEY OWENS, PARAMOUNT SENIOR LIVING (PROSPECTIVE BUYER), DFD ARCHITECTS, INC. (ARCHITECT) AND KEEN SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY AT 5011 NORTH U.S. HIGHWAY 75, BEING 5.161 ACRES IN THE BROWN RICKETTS SURVEY, ABSTRACT NO. 1153, AS FOLLOWS;
PLANNING AND ZONING COMMISSION

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.
- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A SKILLED NURSING FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

ZONE CHANGE –
R-1 TO C-1
SUP & SITE PLAN
- SKILLED
NURSING
FACILITY
5011 N. U.S.
HWY. 75
(RUSSELL
SPEARS)

Rodney Owens, 403 Alexandria Circle, Southlake, TX

Mr. Owens appeared to represent the request and answer any questions. The property is located at 5011 North U.S. Highway 75; the northeast corner of U.S. Highway 75 and Fallon Drive. The property is zoned an R-1 (One Family Residential) District and is located in the O-1 (75 & 82) Overlay District.

Mr. Owens explained they would like to change the zoning on the property from an R-1 (One Family Residential) District to a C-1 (Retail Business) District and apply for a Specific Use Permit for a skilled nursing facility. The building will be a single story wood frame structure with a combination of cement fiber board lap siding and masonry veneer. The building will be 54,400 square feet, will have 159 beds and 92 parking spaces will be provided. 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 zone change, Specific Use Permit or site plan.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the request for a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District and Specific Use Permit and site plan to allow a skilled nursing facility in a C-1 (Retail Business) District subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: GILBERT, PATTERSON, THORPE, ELLIOTT, VANDERVEER, DAVIS, MAHONE AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION & SITE PLAN

THE REQUEST OF RAY BEATY AND HELEN LEATHERWOOD (OWNERS) AND JARED TREDWAY, BEATY DESIGN COLLABORATIVE (DESIGNER/REPRESENTATIVE) CONCERNING THE PROPERTY AT 425 NORTH CROCKETT STREET, BEING 0.254 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW TWO EXISTING STEEL SUPPORT COLUMNS IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL TO ENCLOSE AN EXISTING CANOPY STRUCTURE FOR AN ACCESSORY PAVILION.

**EXCEPTION –
EXTERIOR
SITE PLAN –
ACCESSORY
PAVILION
425 N.
CROCKETT
(RAY BEATY &
HELEN
LEATHERWOOD)**

Jared Tredway, 505 N. McKown, Sherman, TX

Mr. Tredway appeared to represent the request and answer any questions. The property is located at 425 North Crockett Street; the southeast corner of Crockett Street and Washington Street, Texoma Savings and Loan was a former tenant many years ago. The property is zoned a C-2 (General Commercial) District and located in the Central Business District and Arts and Cultural District.

Mr. Tredway explained “the existing canopy previously served as a drive-thru banking canopy; it consists of ten steel columns supporting a cast-in place concrete roof. The owners would like to enclose the space to serve as an accessory storage space; the exterior will be stucco-veneer. They are requesting the exception to leave two of the ten steel columns exposed as porch support columns and aesthetics.” 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 exception or site plan.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW TWO EXISTING STEEL SUPPORT COLUMNS IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the exception to allow two existing steel support columns in lieu of the required masonry in a C-2 (General Commercial) District/Central Business District. Second by Commission Member Elliott.

VOTING AYE: GILBERT, THORPE, ELLIOTT, PATTERSON AND VANDERVEER.
VOTING NAY: NONE
MOTION CARRIED

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL TO ENCLOSE AN EXISTING CANOPY STRUCTURE FOR AN ACCESSORY PAVILION.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the site plan to enclose an existing canopy structure for an accessory pavilion subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: GILBERT, PATTERSON, THORPE, ELLIOTT, VANDERVEER, DAVIS, MAHONE AND ADAMS.
VOTING NAY: NONE
MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF RAY & SARAH BEATY (OWNERS) AND JARED TREDWAY DESIGN (DESIGNER) CONCERNING THE PROPERTY AT 715 NORTH ELM STREET, BEING LOT 18, BLOCK 1, L.C. CHAPMAN 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 ONE FAMILY RESIDENTIAL DWELLING IN A C-1 (RETAIL BUSINESS) DISTRICT.

**SUP & SITE PLAN
– ONE FAMILY
RESIDENTIAL
DWELLING
715 N. ELM
(RAY & SARAH
BEATY)**

Jared Tredway, 505 N. McKown, Sherman, TX

Mr. Tredway appeared to represent the request and answer any questions. The property is located at 715 North Elm Street between Brockett Street and the Sam Rayburn Freeway access road; it is zoned a C-1 (Retail Business) District.

Mr. Tredway explained “this is the neighborhood northwest of downtown, the street west of Crockett Street. Originally, the neighborhood was all residential and when the freeway developed it was rezoned for commercial. Throughout the years, it has flipped back and forth; there have been some commercial uses, small offices and so forth. Predominantly at this time, it is a mixed neighborhood, so basically we would like to build a single family wood frame residence on the lot, keeping in mind the Comprehensive Master Plan, in the future it could be an extension of the downtown making certain to keep in mind that it could be a commercial building.”

“There is a lot of residential immediately around this lot. The lot has frontage on Elm Street and there are two alleys; one on the north side and one in the rear. We plan to have the driveway approach from the back alley. The vertical fall across the site is significant, making it a challenging site for development. The

proposed building makes use of the fall by way of a daylight basement with two additional levels above. The building has been designed with potential future conversion of the lower level daylight basement similar to the current downtown development standards, the lower level could serve as a commercial use for the resident above. The design of the building was kept in mind with the historic buildings in the area. There is an existing storage building located on the lot that will remain.” He had seen the Staff Review Letter and would abide by the Recommendations.

Rhonda Corley, 800 N. Elm, Sherman, TX

Ms. Corley explained she owns five additional lots on Elm Street. She wanted to know if the building would be owner occupied or was it something that was going to be built to be leased. “My house is 111 years old and I am wondering if you are going to stay with that flavor of the neighborhood.”

Mr. Tredway explained “it would be owner occupied by the future owner, not the current owner. There is already earnest money down to purchase the lot and the new owner will build the building.”

“While we will be aiming towards a more modernistic aesthetic using materials and scale into proportion complimentary to the historic flavor of the neighborhood; fiber cement lap siding compatible to the neighborhood.”

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 Davis to approve the request for a Specific Use Permit to allow one-family residential dwelling in a C-1 (Retail Business) District subject to the Staff Review Letter. Second by Commission Member Patterson.

VOTING AYE: GILBERT, PATTERSON, THORPE, ELLIOTT, VANDERVEER, DAVIS, MAHONE AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & SITE PLAN

THE REQUEST OF MOHSIN J. ALI (OWNER), SHAWN AZIZ (REPRESENTATIVE), SARTIN & ASSOCIATES (SURVEYOR) AND NATHAN GRAY, NBS DRAFTING & DESIGN (DRAFTSMAN) CONCERNING THE PROPERTY LOCATED AT 1727 EAST LAMAR STREET, BEING LOT 24, BLOCK 20, CHAPMAN & SIMMONS REPLAT OF BLOCK 20 OF CHRISTIAN COLLEGE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW A 6’ REAR YARD SETBACK IN LIEU OF THE REQUIRED 15’ ABUTTING RESIDENTIAL FOR A

**VARIANCE –
REAR SETBACK
(DENIED)**

**SITE PLAN –
CONVENIENCE
STORE
1727 E. LAMAR
(MOHSIN J. ALI)**

**CONVENIENCE STORE IN A C-1 (RETAIL BUSINESS) DISTRICT.
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A CONVENIENCE STORE.**

Chairman Gilbert asked Mr. Aziz if he had revised his site plan and was ready for it to be reviewed.

Shawn Aziz, 810 Holland Dr., Denison, TX and Mohsin Ali, 204 Spring Park Dr., Arlington, TX

Mr. Aziz provided a revised site plan with the building moved forward, having a 15' rear setback and providing four parking spaces for the board to review.

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

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW A 6' REAR YARD SETBACK IN LIEU OF THE REQUIRED 15' ABUTTING RESIDENTIAL FOR A CONVENIENCE STORE IN A C-1 (RETAIL BUSINESS) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to deny the request for a variance to allow a 6' rear yard setback in lieu of the required 15' abutting residential for a convenience store in a C-1 (Retail Business) District at 1727 East Lamar Street.

Second by Commission Member Patterson.

VOTING AYE: GILBERT, THORPE, ELLIOTT, PATTERSON AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A CONVENIENCE STORE.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the revised site plan for a convenience store at 1727 East Lamar Street subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: GILBERT, PATTERSON, THORPE, ELLIOTT, VANDERVEER, DAVIS, MAHONE AND ADAMS.

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 5:51 p.m.

ADJOURNMENT

PLANNING & ZONING COMMISSION MINUTES – JUNE 21, 2016

CHAIRMAN

SECRETARY