

STATE OF TEXAS §
July 19, 2016
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 July 19, 2016.

MEMBERS PRESENT: VICE-CHAIRMAN PATTERSON.
COMMISSION MEMBERS: DAVIS, VANDERVEER,
ADAMS, VELLOTTI , MAHONE AND ELLIOTT.

MEMBERS ABSENT: CHAIRMAN GILBERT AND COMMISSION MEMBER
THORPE

CALL TO ORDER

Vice- Chairman Patterson called the meeting to order at 5:01 p.m.

CALL TO
ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the June 21, 2016 regular meeting and the July 11, 2016 Special Called Meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Vanderveer. All present voted AYE.
MOTION CARRIED.

APPROVE
MINUTES

APPOINT BOARD OF ADJUSTMENTS

Vice-Chairman Patterson appointed the members of the Board of Adjustments: PATTERSON, ELLIOTT, VANDERVEER, VELLOTTI AND DAVIS.

BOARD OF
ADJUSTMENTS

CONSENT AGENDA (ITEM 9)

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

CONSENT
AGENDA

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

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF WEST CANYON CREEK ESTATES, LTD (OWNERS), CITY OF SHERMAN (DEVELOPER) AND BROCKETTE/DAVIS/DRAKE, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2700-2800 BLOCKS OF SHADY OAKS LANE AND THE 3300-3600 BLOCKS CANYON CREEK DRIVE, BEING 105.155 ACRES IN THE JAMES H. VADEN SURVEY, ABSTRACT NO. 1288, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF WEST CANYON CREEK ESTATES,

FINAL PLAT –
WEST CANYON
CREEK
ESTATES, SEC.
3
2700-2800
BLKS. SHADY
OAKS LN. &
3300-3600
BLSK. CANYON

SECTION 3

The property is located in the 2700-2800 Blocks of Shady Oaks Lane and the 3300-3600 Blocks of Canyon Creek Drive in West Sherman; the property was formerly the County Farm, which was annexed into the City in 2003. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat this phase, West Canyon Creek Estates, Section 3 into five lots for future development. They had seen the Staff Review Letter and would abide by the Recommendations.

CREEK DR.
(WEST
CANYON
CREEK
ESTATES, LTD)

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

EXCEPTION

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;

EXCEPTION –
LOT WIDTH
2300 BLKS.
PEGGEY’S
COVE &
SOUTHRIDGE
LN. & 3400-3500
BLKS. HANAN
ST.
(ZAKIAH US,
LLC)

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW 50’ WIDE LOTS IN THE PEBBLEBROOK SOUTH, PHASE III ADDITION IN LIEU OF THE REQUIRED 60’ IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Greg Edwards, GEES, Inc. 1621 Amanda Ct., Ponder, TX

Mr. Edwards appeared to represent the request and answer any questions. 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).

Mr. Edwards explained the owner would like to plat the property into 50’ wide lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer asked if the other developments in this area; “are they of the same nature of a fifty foot wide lot, would this fit into that neighborhood.”

Commission Member Vellotti asked if the fifty foot wide lots apply to all of the lots in the development or just a percentage of them.

Mr. Edwards explained “everything that is west of Southridge Lane is the fifty foot wide lots.”

Commission Member Davis understood trying to get the most out of the development, “but with fifty foot lots, we’ll see you again with exceptions and variances wanting this and that. In the other part of the neighborhood, we are just trying to keep it uniform; were you involved with any of the other phases or is this new to you.”

Mr. Edwards explained he has been involved in all the phases. “The Preliminary Plat was presented in 2001 as fifty foot lots in that area, it was presented again in 2013 as a Preliminary plat with fifty foot lots.”

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

A letter was received from:

Walter & Mary DeRonde, 1600 Shady Oaks Place, Corinth, TX

“I am in support of this request. It is consistent with the site plan and the existing homes that were built by Ryland Homes.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow 50’ wide lots in the Pebblebrook South, Phase 111 Addition. Second by Commission Member Vanderveer.

VOTING AYE: PATTERSON, ELLIOTT, VANDERVEER, VELLOTTI AND DAVIS.

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 KAM CORNERS LP (OWNERS) AND KATHY’S RESALE SHOP, KATHY GRIGG (TENANT) CONCERNING THE PROPERTY AT 1001 NORTH SAM RAYBURN FREEWAY, BEING 4.2955 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, 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 RESALE SHOP IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

SUP & SITE
PLAN –
RESALE SHOP
1001 N. SAM
RAYBURN
FRWY.
(KAM
CORNERS, LP)

Kathy Grigg, 1001 N. Sam Rayburn Freeway, Sherman, TX

Mrs. Grigg appeared to represent the request and answer any questions. The property is located at 1001 North Sam Rayburn Freeway in the KAM Corners Shopping Center; it is zoned a C-1 (Retail Business) District and located in the Sam Rayburn Overlay District.

Mrs. Grigg explained “I had a resale shop at this location two or three years ago selling antique and used furniture, home decor, jewelry, dishes, tools and toys. I closed it down for a little bit and would like to reopen the business.” She had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked if all the merchandise would be inside or would there be anything stored outside.

Mrs. Grigg explained “if I had something like a big snowman that would catch someone’s eye, it would be outside; but that would

be the only type of things outside.”

Commission Member Mahone asked “in the past when you were open, had you applied and received for a Specific Use Permit.”

Mrs. Grigg explained “last time I didn’t have to go through this.”

Scott Shadden, Director of Developmental Services explained “the ordinance was amended when the City Council and Planning and Zoning Board updated the ordinances earlier this year for the Specific Use Permit list for a resale shop.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow a resale shop at 1001 North Sam Rayburn Freeway subject to the Staff Review Letter. Second by Commission Member Mahone.

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

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE, SPECIFIC USE PERMIT, SITE PLAN & EXCEPTION

THE REQUEST OF HUGHLAN PROPERTY HOLDINGS LLC (OWNERS), CLASSIC CAR LIQUIDATORS LLC (TENANT), KEN KELLEY (PROSPECTIVE BUYER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 4515 WEST HOUSTON STREET, BEING 2.756 ACRES IN THE FELDING BACON SURVEY, ABSTRACT NO. 119, AS FOLLOWS;
PLANNING AND ZONING COMMISSION

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-A (SINGLE FAMILY AGRICULTURAL) 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 AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS) DISTRICT.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW EXISTING BUILDING FINISHES IN LIEU OF THE REQUIRED MASONRY OR EQUIVALENT ON ALL SIDES OF ALL BUILDINGS VISIBLE FROM THE FRONT STREET RIGHT-OF-WAY IN A C-1 (RETAIL BUSINESS) DISTRICT.

Ken Kelly, 4515 W. Houston, Sherman, TX

Mr. Kelly appeared to represent the request and answer any questions. The property is located at 4515 West Houston Street between Seasons West Avenue and Friendship Road. The

ZONE CHANGE
– R-A TO C-1
SUP & SITE
PLAN –
AUTOMOBILE
SALES
EXCEPTION –
EXTERIOR
FACADE
4515 W.
HOUSTON
(UGHLAN
PROPERTY
HOLDINGS,
LLC)

property was annexed into the City, March 7, 2016 as an R-A (Single Family Agricultural) District.

Mr. Kelley explained “Classic Car Liquidators LLC. has been an automobile dealership at this location for several years. I am in the process of buying the business and in the process of trying to complete the sale of the land, realized it had been annexed and zoned residential; banks don’t like to make commercial business loans on residential properties, so we are requesting a zone change to a C-1 (Retail Business) District and Specific Use Permit to allow automobile sales to continue the operation of the business.”

“There are commercial businesses all around this property. Some of the businesses around us are not very attractive, our business is attractive, we’ve spent money that is appropriate, it has a nice face on the front, good signage and all parking is a paved parking area; it’s attractive, but the neighbors on each side may not be quite as attractive, hopefully when they go through this process they will correct that.” He had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden explained “when land is annexed into the city, it automatically comes in as an R-A (Single Family Agricultural) District because there may be some spot commercial use, they are not in the master plan to stay commercial so you would zone it R-A (Single Family Agricultural) District; you could stay as long as you keep it going, but if you stopped it, you would have to have a zone change to come back in.”

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

PLANNING AND ZONING COMMISSION

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-A (SINGLE FAMILY AGRICULTURAL) 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 AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Elliott to approve the request for a zone change from an R-A (Single Family Agricultural) District to a C-1 (Retail Business) District and a Specific Use Permit to allow automobile sales in a C-1 (Retail Business) District subject to the Staff Review Letter. Second by Commission Member Davis.

**VOTING AYE: PATTERSON, ELLIOTT, VANDERVEER, VELLOTTI, DAVIS, MAHONE AND ADAMS VOTING NAY: NONE
MOTION CARRIED**

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW EXISTING BUILDING FINISHES IN LIEU OF THE REQUIRED MASONRY OR EQUIVALENT ON ALL SIDES OF ALL BUILDINGS VISIBLE FROM THE FRONT STREET RIGHT-OF-WAY IN A C-1 (RETAIL BUSINESS) DISTRICT.

Mr. Kelley explained “there are two existing metal buildings on the lot and we are requesting an exception to allow the existing finishes to remain. The front of the building facing the highway has a rock wainscot; there is landscaping around the front to make it attractive. The driveway and parking lot are concrete and asphalt with a large metal gate and fence that keeps people out of the property. The business is kept clean at all times, our cars do not set outside, we keep everything locked up inside. Most of our sales are online, ninety-five percent. We sell all over the world, not just the United States; we ship cars to Europe every day. Occasionally, a customer will come in to check out cars they have found online and occasionally we have an inspector come out to inspect them; very rarely do we have retail traffic”.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the request for an exception to allow the existing building finishes at 4515 West Houston Street. 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.

EXCEPTION & SITE PLAN

THE REQUEST OF UTTER PROPERTIES LTD (OWNER), DAVID PRYOR (REPRESENTATIVE), TERRY SKIPWORTH (CONTRACTOR) AND BWG ARCHITECTURE (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2525 TEXOMA PARKWAY, BEING LOT 1, BLOCK 1, BOB UTTER ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTIONS UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTIONS (5C) TO ALLOW FOUR (4) OVERHEAD DOORS FACING THE HIGHWAY ON THE PAINT/RV SHOP IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A PAINT/RV SHOP, QUICK LANE AND ADDITION TO THE COLLISION CENTER AT BOB UTTER FORD.

EXCEPTION –
OVERHEAD
DOORS
SITE PLAN –
PAINT/RV
SHOP, QUICK
LANE &
ADDITION TO
COLLISION
CENTER
2525 TEXOMA
PARKWAY
(UTTER
PROPERTIES,
LTD)

Terry Skipworth, 2860 Refuge Rd., Sherman, TX,
David Pryor, 2525 Texoma, Sherman, TX
Bruce Green, PO Box 893, Tom Bean, TX

Mr. Skipworth, Mr. Pryor and Mr. Green appeared to represent the request and answer any questions. The property is located at 2525 Texoma Parkway, the southeast corner of Texoma Parkway and East U.S. Highway 82; Bob Utter Ford is the tenant. The property is zoned a C-2 (General Commercial) District and also located in the O-1 (75 & 82 Overlay) District.

Mr. Pryor explained they would like to construct an 9,108 square foot Quick Lane, a 11,500 square foot Paint/RV shop with four overhead metal doors facing U.S. Highway 82, they are several yards off the highway, and a 2,483 square foot addition to the existing 8,358 square foot Collision Center. The exterior of the buildings will be EFIS (Exterior Finish Insulation System) to match the existing buildings. Parking will be provided for 207 spaces. 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 and site plan.

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.8, Subsections (5C) to allow four (4) overhead doors facing the highway on the Paint/RV Shop in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

ACTION TAKEN.

Motion by Commission Member Elliott to approve the request for an exception to allow four overhead doors facing the highway on the Paint/RV Shop in a C-2 (General Commercial) District/O-1 (75 & 82 Overlay) District. Second by Commission Member Davis.

VOTING AYE: PATTERSON, ELLIOTT, VANDERVEER, VELLOTTI AND DAVIS.

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

Site plan approval for a Paint/RV Shop, Quick Lane and addition to the Collision Center at Bob Utter Ford.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the site plan for a Paint/RV Shop, Quick Lane and addition to the Collision Center at Bob Utter Ford subject to the Staff Review Letter. Second by Commission Member Adams.

VOTING AYE: PATTERSON, ELLIOTT, VANDERVEER, VELLOTTI, 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

ADJOURNMENT

PLANNING & ZONING COMMISSION MINUTES – JULY 19, 2016

5:24 p.m.

CHAIRMAN

SECRETARY