

STATE OF TEXAS §
August 16, 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 August 16, 2016.

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

MEMBERS ABSENT: THORPE AND ADAMS

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 July 19, 2016 regular meeting. Motion by Commission Member Elliott 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, PATTERSON, ELLIOTT, VANDERVEER AND VELLOTTI.

BOARD OF ADJUSTMENTS

CONSENT AGENDA (ITEMS 5, 12 & 13)

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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF CAJC CORPORATION (OWNERS), KENT FLANAGAN (PROSPECTIVE BUYER), FLANAGAN OUTDOOR POWER EQUIPMENT (TENANT) AND H&H DRAFTING AND DESIGN (DRAFTSMAN) CONCERNING THE PROPERTY AT 5209 TEXOMA PARKWAY, BEING LOTS 1 & 2, BLOCK 1, CAJC ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR FLANAGAN'S OUTDOOR POWER EQUIPMENT

SITE PLAN – FLANAGAN'S OUTDOOR POWER EQUIPMENT 5209 TEXOMA PARKWAY (CAJC CORPORATION)

The property is located at 5209 Texoma Parkway between Fallon Drive and Woodlake Road. The property is zoned a C-2 (General Commercial) District.

Flanagan's Outdoor Power Equipment is an outdoor power equipment dealership that sells Toro, Stihl, Grasshopper and Hustler products and provides service to other brands as well. They would like to move their headquarters from their current location at 6320 Texoma Parkway to the land on the east side of Texoma Parkway across from C&L Stone. They would like to build a 10,044 square foot brick veneer building with room to showcase their mowers; sixteen parking spaces will be provided. 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 GRAYSON GRAND CENTRAL STATION (OWNERS) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 613 AND 623 EAST LAMAR STREET AND 110 SOUTH THROCKMORTON STREET, BEING ALL OF LOTS 16 THRU 24, BLOCK 1, CHAFFIN'S FIRST ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF GRAYSON GRAND CENTRAL STATION ADDITION, BEING A REPLAT OF LOTS 16-24, BLOCK 1, CHAFFIN'S FIRST ADDITION.

FINAL PLAT –
GRAYSON
GRAND CENTRAL
STATION ADDN.
613 & 623 E.
LAMAR & 110 S.
THROCKMORTON
(GRAYSON
GRAND CENTRAL
STATION)

The property is located at 613 and 623 East Lamar Street and 110 South Throckmorton Street, the southwest corner of Lamar and Throckmorton Streets; Grand Central Station is the tenant. The property is zoned an M-2 (Heavy Manufacturing) District. The owner would like to plat the property into two lots. 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF CHRIS AND KATHERINE MARTIN (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 4312 AND 4316 TEXOMA PARKWAY, BEING 13.457 ACRES IN THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, BEING ALL OF LOTS 1, 2 AND 3 OF SIDNEY HEIGHTS ADDITION, ALSO BEING ALL OF A 0.284 ACRE TRACT OF LAND THAT WAS FORMER HIGHWAY RIGHT-OF-WAY AND ALL OF LOT 1 OF THE REPLAT OF PART OF BLOCK 4 OF THE REPLAT OF MIDWAY MALL, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF SIDNEY HEIGHTS ADDITION AND LOT 1, REPLAT OF PART OF BLOCK 4 OF THE REPLAT OF

REPLAT –
SIDNEY HEIGHTS
ADDITION & LOT
1 OF THE
REPLAT OF PART
OF BLK. 4 OF
THE REPLAT OF
MIDWAY MALL
4312 & 4316
TEXOMA
PARKWAY
(CHRIS &
KATHERINE
MARTIN)

MIDWAY MALL.

The property is located at 4312 and 4316 Texoma Parkway between Gallagher Road and Frisco Road. The property is zoned an M-1 (Light Manufacturing) District. The owner would like to replat the property into three lots 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.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF KRITT CONCRETE LLC (OWNER) BRIDGESTONE DEVELOPMENT (DEVELOPERS), JONATHAN HAKE, CROSS ENGINEERING CONSULTANTS (CIVIL ENGINEERS) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 600-800 BLOCKS BAKER PARK DRIVE, BEING 9.727 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 623, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

SUP & SITE PLAN
– PATIO HOMES
600-800 BLKS.
BAKER PARK
DR.
(KRITT
CONCRETE, LLC)

Jim Hidalgo, 2826 Rex Cruse Drive, Sherman, TX and Casey McBroom, Cross Engineering Consultants, 131 S. Tennessee, McKinney, TX

Mr. Hidalgo and Mr. McBroom appeared to represent the request and answer any questions. The property is located in the 600-800 blocks of Baker Park Drive between Calgary Drive and Center Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Hidalgo explained he would like to construct fifty (50) patio homes (garden homes) on the property; “I built some on Rex Cruse Drive. My wife is a realtor and the demand is there for this type of home; retired couples are moving back to Sherman and they want smaller homes and yards to maintain. The good thing about zero lot lines is you can move it over to one side as opposed to having five foot setbacks on each side; you can use your side and back yard.”

Mr. McBroom explained “the lots will be approximately 50' wide by 130' deep; the current zoning allows for 60' wide lots; with that lot spacing we can build forty-four homes, but with the patio homes, that can be increased to fifty. The proposed houses will range in size from 1,700 - 2,200 square feet. The demand for the product is driving the request for the Specific Use Permit; not the five to six lots you would gain.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Gilbert explained “the difference the patio home

ordinance allows smaller lots and you have the option of putting the house on one property line or the other.”

Mr. Hidalgo responded “that is correct; if you have a sixty foot lot, like it is right now, the house would be in the middle and you have ten percent on each side with a minimum of six foot, the house would be twelve foot apart, but the people can’t really use the side of the lot, but if you move it to the property line, then that makes them ten foot apart, but they can use the backyard and the side yard as part of their home. The six foot on the side only allows you to put a condensing unit or a gas meter; it basically is worthless.”

Chris Walling, 2017 Monte Cristo Drive, Sherman, TX

Mr. Walling explained he attends Western Heights Church of Christ along Baker Park Drive. He wanted to know if there would be an impact on the parking along Baker Park Drive once these houses go in, “will there be any parking restrictions.”

Clint Philpott, City Engineer explained “you are allowed to park on the side of the street; I wouldn’t expect that there would be any additional parking when the neighborhood develops. Currently, there are not any “no parking signs” on Baker Park Drive.”

Chairman Gilbert asked if Center Street is identified as a minor artery through the City and parking is not allowed along the street; is that correct.

Mr. Philpott responded, “correct. Baker Park Drive is considered a collector street; parking is allowed on the street along Baker Park Drive.”

Jerry White, 2612 W. Biscayne, Sherman, TX

Mr. White explained he lives closest to the proposed development. “I’m here as a resident of the Parkhaven residential neighborhood; I along with the majority of our neighbors oppose the proposal to build patio homes in lieu of the existing estate type, single family custom homes that comprise the Parkhaven neighborhood. Our neighborhood is not a cookie cutter tract home development.”

“The existing neighborhood is comprised of large residential lots with abundant trees, spacious lawns and landscaping. The proposed development is nothing more than garages and driveways with small attached residential structures; void of any character.”

“The Parkhaven neighborhood is an established 30 year old community; virtually void of crime, trash or the other high maintenance City services. The number of children per household is below average as there are many retired couples living in the existing neighborhood.”

“We urge the Planning and Zoning Commission to demand a

neighborhood enhancing development adjacent to our existing Parkhaven Estate area instead of the proposed degrading of our well established neighborhood. The existing builder/developer along Calgary Street has rejected to align with the existing Homeowners Association of Parkhaven causing an adversarial relationship with our neighborhood. We can only surmise that their reasoning is to not comply with the long standing covenant that covers this section.”

“From an ecology argument; merely ask the owner how many trees were saved as they prepared this area for development.”

“My last point... the existing Parkhaven neighborhood has contributed approximately six million dollars in property taxes to the City and County coffers since its development in the mid 1980’s. Our support of schools, churches, parks and infrastructure should be considered in making your decision. Please reject the applicant’s request to build patio homes; instead continue to build single family homes consistent with the existing neighborhood.”

Ben Dever, 2413 W. Cascade, Sherman, TX

Mr. Dever explained “it has come to the attention of the Parkhaven neighborhood that a new development is being proposed directly adjacent to the 600-800 blocks of Baker Park Drive. All of us welcome new growth and development in Sherman, however, the proposed patio home cluster is significantly congruent with the long established Parkhaven neighborhood with the standard for lot size, spacing and appearance criteria.”

“The Parkhaven residential area has a proud history dating back over three decades. A quick search on the internet will show you that even after these many years it is still recognized today as one of Sherman’s most prestigious, iconic and well maintained residential neighborhoods in Sherman. By the same token, another simple search on zoning request will demonstrate that patio home developments are second only to apartments and the vehement opposition they encounter; the reason for that opposition is easily explained. Apartments and patio homes create significant traffic issues and inevitably lower property values of the surrounding areas.”

“We are painfully aware that the proposed development while directly adjacent to homes in Parkhaven is legally outside the Parkhaven HOA governments; this makes it immune to our HOA restrictions that were established to maintain acceptable standards for housing density, lot size and appearance criteria. It leaves only the minimum standards set forth by the City of Sherman to regulate this matter. It is unclear why there is no specific patio home zoning code for the City of Sherman that other cities with similar size utilize. Just as there is an R-2 (Multi-family Residential) District zoning code, it would seem appropriate to add a similar

classification for patio homes; this would aid in identifying high density patio home developments with zero lot lines from being considered in the same conversation with R-1 (One Family Residential) District zoned areas. This lack of distinction allows patio homes to be treated similar with the majority of R-1 (One Family Residential) District residential areas when in fact, they differ in many significant ways.”

“In light of these issues, I ask the committee today to help identify answers for the following concerns. The proposed lot size is stated at 50’ wide, this is below the minimum lot size standard for the Sherman zoning code, Section 2, R-1 (One Family Residential) District with a width restriction of a minimum of 60’. We would like to understand why this proposal is being allowed as an exemption that violates these existing R-1 (One Family Residential) District restrictions.”

“Additionally, given the sparse allocation of housing in Parkhaven due to its HOA, we would like to know what analyst has been performed to ensure the roads, lighting and signage are adequate to handle double the housing that is existent in this area for over three decades. We want to see that due diligence is performed in accessing the local fire and emergency response stations to determine if they are adequately staffed for double the number of homes in this area should there be a multi-home fire or emergency response.”

“We want to understand what privacy fence or barriers be established by the builder to delineate the Parkhaven residential area from the proposed high density development. We want to know what covenants and restrictions will be utilized to prevent large vehicles, temporary storage, raising of livestock and other similar concerns from occurring.”

“This proposed dense patio housing development threatens to devalue the single largest investment that many of us will ever make. It will create a densely packed high trafficked living environment with transient, high turnover ownership that only serves to erode the standards that have been long held the neighborhoods in Sherman. Stand with us in preventing this proposal from passing and help the residents of Parkhaven protect the investments that we have made in our homes, this neighborhood and in the City of Sherman for the past three decades.”

Shannon Cain, 2605 W. Cascade, Sherman, TX

“I am a thirty year resident of our town, a Parkhaven homeowner for more than ten years and I want to express my concern about the recent discussion and the pending decision regarding the Specific Use Permit. I request that you deny the specific use permit altering the existing R-1 standards that is currently before the board. I also request you not approve any further requests relating to undeveloped land in Parkhaven until the current owners of said undeveloped land submit for your approval an update to the

Master Plan for said subdivision or related development.”

“Parkhaven has been known as one of the most stable neighborhoods in Grayson County for over thirty years. Described in past and present real estate ads as prestigious, desirable, beautiful and tranquil. Parkhaven home buyers have invested in this neighborhood with the expectation of stability and further development that would be comparable to established construction. This expectation has been bolstered by at least two signs that have been displayed by realtors over the years at the corner of Calgary & Baker Park illustrating a neighborhood plan. A map of a similar plan also exists and any alteration to that impression has never been officially provided. It was only mentioned as a possibility when home construction began on Calgary Drive.”

“Recent home buyers have reportedly not been told of pending construction that would alter that perspective. So, it is understandable that home buying investors expected construction and planning resembling what already existed. An alteration to those plans presents significant worry related to the intentions and planning of future development.”

“Tonight, if you search for a new home located on Calgary you will see that the price of that home was dropped just yesterday from \$321,374 to \$295,000, potentially as a direct result of the greater community awareness of what this proposed development to be built immediately behind that residence. This speaks directly to homeowner concerns regarding their investments, a need for improved neighborhood planning and communication as we move forward.”

“Here is another illustration of the need for improved planning and communication before moving forward with development and the larger development. Currently, builders and other developers are not required to contact the Sherman Independent School District to inform them of pending construction or the expected increase in enrollment directly related to a developer’s project. I have been told that as a result our SISD must make due with quarterly forecasts of demographic trends forcing our educators’ planning into a reactionary mode. We know that our SISD will strive to meet the needs of our children, but in doing so it may be by means that are less than favorable. While home builders are not required to contact the SISD, it is clear contacting local schools and informing of expected construction is part of being a conscientious neighbor. Rest assured, families will move to this area to looking to attend Sory Elementary.”

“I am told Sory Elementary was not aware of this proposed and potentially first high-density development immediately to its west. Sory is already experiencing growth beyond that forecasted with certain grades likely already at capacity. Certainly, the education of our children and the quality of that experience outweighs the unforeseen consequences of

unplanned opportunistic high-density development.”

“It has been made clear that research related to the impact of this high-density development and other proposed development dependent upon Baker Park Road and Center Street does not exist. This means that traffic studies are not available to proactively plan and assure that traffic or noise passing through Parkhaven will not be negatively impactful to this established neighborhood or detrimental to positive future development.”

“Finally, I would humbly request this board to consider the impactful precedence of this proposed variance upon the neighborhood’s infrastructure, nature and value... now and in the future. What do we want Parkhaven to be? Do we want future construction to reflect a deliberately planned, stable and safe neighborhood that has buoyed schools and real estate for the past thirty years, or will the variance be granted enabling a potentially destabilizing construction on some of the most sought after residential-housing real estate in the county? Thank you for the opportunity to speak.”

Landon Cain, 2605 W. Cascade, Sherman, TX

Mr. Cain explained he is twelve years old and has been a part of the neighborhood for eleven years. “I enjoy the safety of riding my bike, playing with my friends on a large street with minimal traffic. I highly disagree with the proposed change as this will increase traffic in my neighborhood, therefore increasing danger to my friends. I do not feel building fifty homes on less than ten acres are appropriate for this neighborhood.”

Tom McGovern, 2500 Calgary, Sherman, TX

Mr. McGovern explained he has been in Sherman for fifteen years and moved into this neighborhood for the very reasons that everyone talked about; “it’s quiet, the traffic is low, there is no noise, there has been no crime. We are very concerned with putting fifty homes on nine acres of land is going to change that in significant way. I understand Kipling last year voted Sherman one of the best places to retire and I think the qualities in our subdivision are one of the reasons why that happens; this variance has changed that dramatically.”

“My concerns are about the information that is lacking; I have been on the front lines of this construction since it happened, my home has been ruined by the construction, not just the homes that were put up, but the way they were put up. I have had interactions with the builders, interaction with the financiers that are requesting this variance and they have all been disappointing and if not frankly dishonest. I was explained one day that these would all be single family homes, the neighborhood would be maintained, my property value would actually go up, and now this variance is something completely different. The builder seems to have a complete disrespect of the community that he is building in and he disrespects the residents of the community as well.”

“We have asked for information multiple times, we have been told there would be meetings and flyers; none have ever materialized, maybe it is not required, but it would certainly help in building in our neighborhood. My conversation with the builder on my side yard after a backhoe and tons of brick were placed on my yard ended up with him being rude, sarcastic and actually foul mouthed and I don’t expect that especially on my own property.”

“The house that was built first was built right next to me and there was a retaining wall that needed to go up between my house and the new property. That retaining wall is supposed to help prevent shift and take water out to the road with a French drain; what happened was, it has turned into a waterfall, it’s nothing more than a water treatment and now when it rains, I have six inches of standing water in my side yard and it has never been there before.”

“We have had problems with mud in our cul-de-sac as deep as six inches after rains and after buildings and it has taken multiple calls to the Code Enforcement Office to actually get anything done about that. Each time I call, they make a phone call and then a day or two later something happens.”

“In addition, while the building has been going up, we have noticed we have been in the shower and the water becomes cold, we go outside and the subcontractors have hooked up to our water and taken it over to the construction site and then we look and we find an electric cord plugged into my house and brought over to the construction site. Sherman Police were notified, they’ve been out, they investigated thief of service, and I asked them not to press charges because they promised it would not happen again, the water issues happened three times, most recently last week.”

“I am very concerned about the conduct of the construction that is going on, especially the massive construction that is being planned. We have had the Police out there for criminal trespass. I have photographs I have provided you of my property (attached to these minutes). There are tons and tons of bricks laid on my side yard, there are backhoes and bobcats up and down my side yard; the sprinkler system was destroyed on that side of my home. With much to do, I finally got something done about settlement, but still the yard is not the same, the sprinkler system is still nonfunctional, I have had to have it repaired myself and the answer I got was “if you don’t like it move” and that very disturbing to me.”

“I was also was questioned once about the Homeowner’s Association and what the rules were, what you could build, what could face this way and that way and I’m not facile on any of that, but when I’m told, I bought the majority of the land here, so I can change the rules as I see fit and do what I want, it doesn’t lend itself for a good conversation; it doesn’t lend itself to a good relationship.”

“My wife is afraid to leave the house, we have had propane tanks stolen off the back porch, we have had people hook up to our house and we have had people working on our yard, the pictures I showed are just representative, I have videos, it’s dramatic what goes on; it’s like a construction site on my lawn. My lawn is destroyed, it has been fixed once, it needs to be fixed a second time because the drainage is ruined, the sprinkler system is ruined.”

“I am very concerned with these patio homes that are going to go up right behind my property; I’m going to have fifty homes on nine acres of land starting within ten feet of my back property line and my home is almost destroyed now. My pool if you look at some of the photos, cement bags at the bottom of my pool, plastic bags on my roof; the entire yard is scattered with garbage, Code Enforcement tells me that is not supposed to happen, somebody is supposed to clean that up, this has been ongoing since construction started. I don’t know if anybody else has the same problem, it is probably because of my location of the construction site.”

“I am not adverse to construction, but you can’t destroy my home to construct another home. I think the conduct of the builder; I think the audacity of his integrity is significantly questioned in my mind and I have no eager thoughts about what is going to happen when fifty patio homes go up. I went and looked at his other patio homes that he built at the other places he has mentioned; I’m sure they are finely constructed, but they certainly don’t look like anything in our neighborhood and they are also built in very different neighborhoods from the Parkhaven community and I think they may fit in better in those communities, but I think what we are being asked to do is to approve a man and a group of people to build fifty homes on nine acres in a community that doesn’t look like that and really doesn’t want that. I’m just concerned that I will even have a house left when it’s done.”

“I would wish tonight that you just vote no on this variance or the very least table it until more information can come across as to what this is going to be or not be, what I think the request is asking you to dispel a disbelief; it is a horrendous mess in our neighborhood right now, and I suspect it will only get worse.”

Kay Estes, 500 Baker Park Drive, Sherman, TX

Mrs. Estes explained she lives directly across from the proposed building site. “I don’t have any formal data or information about how my property may be affected; I do know that is my single biggest concern and it’s also my single biggest investment. I think the quality of our lives out there will greatly affected by the traffic that will at least triple. How does this committee feel about property values going down and the traffic that this will create; there is one way in and one way out.”

Shannon Cain, 2605 W. Cascade, Sherman, TX

Mrs. Cain explained she is a forty-one year resident of Sherman, Texas, “I love this community, I loved to go to college and come back with the full intent to serve the people that raised me. My husband and I have been in the Parkhaven Addition for eleven years now. It took us five years in searching for homes in Sherman to find, what we felt was the perfect neighborhood for at that time our one year old and hopefully for our family to grow.”

“Certainly, there are a lot of foundation issues in places in Sherman, we found Parkhaven to be a very stably built community. I hope you are all aware of the aesthetics of Parkhaven, when you drive down those streets, they are wide, the lawns are beautiful and connect with one another, there are large trees, and the homes are very well maintained. Growing up in this town, I know that those homes have been maintained from the very beginning; we are now three decades down the road, those homes are still very well maintained. We have worked hard to get in this neighborhood; we continue to work hard to stay in our neighborhood as do a lot of our other neighbors.”

My concern is if we have patio homes built just adjacent to the beautiful neighborhood that we have bought into with the intention of raising our children in because of safety and security, in thirty years from now are those patio homes going to have the same aesthetically pleasing value as our current do; obviously that answer is no, because they will not have aesthetically pleasing value to them when they are built from day one. This is not only a situation to look at presently, but I would like for you to please consider what is going to happen to that section of our part of town, five, ten, twenty years from now. I do not see how that can hold the stability that Parkhaven has shown to hold with us for three decades.”

“In addition to traffic issues which have not been studied, there is safety issue with children. The idea of adding fifty high density homes, all the traffic that would incur is not good for me as a Mom with three small boys. The neighborhood has newer families moving into it, we are getting more and more children all the time and certainly this is a concern of ours.”

“I would ask in going forward, I am in hopes that you oppose this proposal, at the very least table it, I do not feel there is adequate information to pass this. We have had conversations with the home builder regarding the HOA and he knew we wanted to abide by the HOA, mainly building homes without front facing garages, that was no, no, no, we would never do that, so what was the first property to go up, a front facing garage, he knows that is not the aesthetics of our neighborhood, but he chooses to do as he pleases. My concern, although he has built to this point, two very nice aesthetically pleasing homes on Calgary, we have no idea what’s going to take place in this patio home addition and from communication from the beginning with myself and with

several other neighbors, I don't really think we have any faith in the fact that what we are going to be told, is actually what is going to be done, and we are already not necessarily happy with the fact of a high density home establishment being placed next to our established community."

"Please take this into consideration, would you want this in your backyard, because I feel that you would say no; I would not want this in my backyard. I understand that development has to continue and I am all for development, but I would like to see development be in the direction that helps to maintain what is presently there for today, tomorrow and thirty years from now."

Kim Morris, 2504 W. Cascade, Sherman, TX

Mrs. Morris concurred with everything everyone else said. "I do want to underscore the very serious traffic concern, there is only one way in and one way out and our church neighbor has already gotten up and spoken today about parking and that nature. We have a lot of walkers and children out there and on Wednesdays and Sundays if you happened to be walking out there, Baker Park Drive is like a speedway already and it gets a little bit dangerous, especially if you are walking on Wednesday nights. We are talking about adding fifty homes in that small area; we are talking one hundred plus cars and I don't think any studies have been done to see what that is going to do to our community and our neighborhood."

"Last year, we moved our son Florida and I thought we would go and buy a little investment property, he could live in it and some point when he was established we could resell that home for a profit; I looked at hundreds of neighborhoods that all had starter homes in them, that seemed like a nice little neighborhood; all of those neighborhoods had two things in common: weeds that were knee high and cars sitting everywhere, I don't think any of us want that for Parkhaven."

Cathy Wilcott, 207 Baker Park Drive, Sherman, TX

"We moved into the neighborhood, we knew very quickly it was the place we wanted because it is a grand, beautiful neighborhood. The garden homes will change the neighborhood and the footprint of the neighborhood." Mrs. Wilcott asked the board to table the request.

Tony Garraputo, 206 Baker Park Drive, Sherman, TX

"I have been a resident of Sherman other than when I went to college for sixty-one years; we have lived in the Parkhaven Addition for sixteen years. When we looked for a place to spend the rest of our lives, we wanted to stay in Sherman and Parkhaven is where we wanted to stay."

"One of the things that you look at when you buy a house, the single biggest investments that you will make, is what the area around you is zoned, what is going to be there, we look at the Planning and Zoning Board to protect those zoning

ordinances, to protect the value of our homes and to control the infrastructure of the area. To me, this is more than just a small variance, this is a significant change to the way the area is currently zoned and I ask that the committee not pass this deviation.”

Kim Thomas, 2609 W. Cascade, Sherman, TX

“My family and I are retired from the United States Army, we chose Sherman, we asked our kids where they wanted to live, and they chose to stay in Sherman. First time in their lives that they have made friends, great friends. We searched long and hard to find us a decent house, we found our dream house, we maintain, we worked on it, we changed the landscape, most people like to come by and walk by our house, bike riders from other neighborhoods come by our house, because they love the neighborhood.”

“I want to tell you about another street, it’s called Creekside in the Pebblebrook Addition, when we came out of the army, we had to stay there for a year, they had nice large lots, original plat, a developer came in, cut those things up in fourths, you cannot drive down Creekside in the evening, two cars meet, you have to wait, one negotiates through the parked cars. You start having this patio housing, you are not going to have one or two cars on the side of the road, you are going to have eight to ten, you are going to have a traffic problem.”

“I was a Space Manager for the Second Infantry Division for fourteen installations over a hundred square miles, I also learned something, it’s called infrastructure; do we have the infrastructure in place right now for the additions of those homes, the electrical grid, the water, the sewer; we are going to have additional solid waste pickup; it is going to be a disaster, just like Pebblebrook, it is going to be so crammed in you can’t get the garbage truck through the day because of cars parked on the side of the road.”

“Western Heights Church of Christ, Sunday mornings they all park on the side of that road, I don’t complain, not a problem, but you add another fifty houses times three or four cars, and it will happen, you know it will happen, if you don’t tell them to stay off the street and it is going to be impossible for people to get around.”

Jim Hidalgo responded “they were saying this would devalue their property, for one thing that is not true at all. Mr. Cain said 2504 Calgary was sold and the other one was reduced to \$295,000; the reason that is because it is a new house. 2504 Calgary sold at \$125 per foot, 2502 Calgary was also sold at \$125 per foot; that’s the low end of our deal; the next ones we will be doing at \$135 or \$130 per foot. As far as devaluing their properties, 502 Glacier is valued at \$72.53 dollars per foot, 2605 W. Cascade is valued at \$77.17 per foot, 2417 W. Cascade is valued at \$78.00 per foot; I just picked three, so I don’t know how I could be devaluing their property on these

houses.”

“The patio homes that we are going to be doing will be 1,700 – 2,000 square foot and it is all depending on the market; if the market yields 2,500, that’s what we will build. It is not going to be anything comparable to Pebblebrook at all. Most of the people that buy these houses are retired people, they have had the big house, they are over the big yard; they want a small yard so that they can go on vacation and not worry about a lot of things. Our starting price point is going to be \$200,000 plus.”

Chairman Gilbert explained “the decision the board has to make is more the size of the lot; the fifty foot wide lot versus the sixty foot wide lot. The sixty foot wide lot, 6,000 square foot minimum is required by City Ordinance, what you are asking is for fifty foot wide, what reasons would you have for better service for the neighborhood and be of good faith. We are not too interested in what the houses look like; that is not our responsibility, price, deed restrictions, so forth; just regards to design, the lot size and what way is a Specific Use Permit a good idea for this neighborhood.”

Mr. Hidalgo explained “the obvious is the more lots we can get for the property, which if we go sixty foot wide lots, it would only save six lots. The good thing is the tax base for the City with more houses. As far as the traffic, they will probably all go to Center Street and head that way; I don’t think it is going to become a thoroughfare in there, I don’t think you will have to add a traffic light or nothing. If we did do the sixty foot wide lots, we would still want the zero lot line, because driving down the road you can’t tell the difference ten foot apart or twelve, but shifting it over to the side line just makes it so much better and usable yard for the homeowner; it just makes a better looking house, they are not going to be no cracker jack looking things.”

Chairman Gilbert explained “it’s obvious there are a lot of neighbors here that don’t want and don’t think it is a good idea. My perspective is a Specific Use Permit is not granted, it’s not a right of use, it has to be something that is implemented and planned and agreed on by everyone involved, it would come to a public hearing. Is there any room for compromise, if you would just have a traditional plan and plat the way the ordinance is written susceptible to the City we wouldn’t have grounds to deny the request, but with you asking for a Specific Use Permit, it’s not a right of use, so when you ask for a Specific Use Permit you have to take into consideration the neighborhood, their thoughts and concerns about it, that’s just my feelings on hearing all the conversations and the attitude of the residents that live there.”

Mr. Hidalgo responded “I hear that and with that said it is only adding six more lots to the acreage we are taking up. The roads are going to be thirty foot wide, sidewalks and the

normal stuff they have right now for the restrictions for Sherman.”

Commission Member Velotti explained a lot of people mentioned Calgary when the house was being built; “are you the same builder that built on Calgary.”

Mr. Hidalgo responded “yes, and the house they are referenced to is on a cul-de-sac, there is no way in the world I could fit a house on that lot with a side yard garage.”

Mrs. Cain explained “that is why you were offered cash for the lot and you turned it down in spite of the Homeowners Association stating, no front facing garages.”

Commission Member Velotti asked if there was any plan put together to build similar houses to what these folks have; “is there a reason we have to go to patio homes, is there a reason the houses couldn’t be built to spec like everyone else’s houses were done.”

Mr. Hidalgo explained “I have a lot of people wanting that garden home; I was going to do it east of the North Haven Addition but this is going to be first.”

Casey McBroom

Mr. McBroom explained he lives in McKinney, “McKinney has two examples, Stonebridge and Craig Ranch that have these similar developments where you have larger lot homes for people that desire that and immediately adjacent, you have pockets of smaller garden homes, these are not built to be starter homes, they are built to be higher end, higher density places to live. The sixty foot lot model is the more traditional of what you think of a starter home, they have wider houses, but do not appear to be wider lots, they look almost the same, but the design of the house now forces all of the features to be forward facing. The zero lot line allows the properties to be porched or courtyard or things along the side yards, but the properties in Stonebridge and Craig Ranch, those if done properly and if done to a higher price point, you are still maintaining a property that is as soon as it is for sale is quickly snapped up, because there are people that are looking for that type. If you build to a sixty foot lot you are introducing a type that is less in demand, so widening the lots may do more harm than good, given this type of product. There are examples where this does work very well, Stonebridge and Craig Ranch being two.

Mr. Hidalgo explained “one example in Sherman is at Washington Place, they have one road that has patio homes and the larger homes behind and it has worked out well over there.”

Someone from the audience stated “there is probably only about ten of those patio homes; not fifty and it was part of the original plan.”

Commission Member Davis explained “sixty foot lots are the minimum; it is not the norm for a lot in Sherman.”

Scott Shadden, Director of Developmental Services explained “it is the minimum requirement.”

Commission Member Davis explained “if we are talking fifty and sixty, sixty is probably not the norm for this neighborhood.”

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

A call was received from:

Harry and Ann Smith, 2508 W. Cascade, Sherman, TX

Mr. and Mrs. Smith were in opposition of the request because of concerns with traffic and overcrowding of the neighborhood.

An email was received from:

William & Diana Tyner, Jr., 310 Baker Park Drive, Sherman, TX

They wrote “My husband and I have just recently purchased a home at 310 Baker Park Drive. We love this beautiful neighborhood. The established neighborhood of 30 years lends a stable and comfortable feel for us. We have just recently learned of the plans for building in the 600-800 blocks and have some reservations concerning what we have heard.”

“To begin with, the new building is NOT going to conform to the established plan of the neighborhood! The builder wants to put 5 (FIVE) patio homes on ONE acre! The rest of the neighborhood has at least 1/3 of an acre for their homes. This is not the expectation of the type of home one would hope to find in this lovely neighborhood.”

“Other concerns to us are the fact that no studies or inquires or letters of intention have been made to schools in the area, emergency services, or the neighbors. I find this rather strange for a builder to come in and assume that the neighbors would want what he wants to build. Image if you will, 50 new families moving into your neighborhood. How would that impact your streets, your local schools, your local emergency services, or your lives for that matter? What if the 50 new homes were not built in similar fashion to the rest of the homes in your neighborhood? Would that be of concern to you?”

“Baker Park Drive has a speed limit of 30 miles per hour. Most of the residents here follow that limit. Is the city ready to patrol this street more to keep the influx of new families obeying the speed limit? They are certainly not here when some, seeking a shortcut, fly down the street.”

“We welcome new homes and the new neighbors we would

have. We just would like for the new homes to be built in similar fashion to the ones already here in this 30 year old neighborhood. As residents of this neighborhood, we want to protect our investment and property values. I would suggest if the builder wants to build patio homes, he find a place with patio homes nearby. I am certain he would be welcomed to build there. We vote NO to the patio homes.”

Letters received:

Major Robert H. Wood, U.S. Army, Retired, PO Box 3348,
Sherman, TX

“Recently our well established single family (R-1) neighborhood along Baker Park drive has experience some new construction. Actually everyone was wondering when new homes would be built. So when we learned that there would be new construction the neighborhood tried to inquire as to the types of homes that were being constructed since they would directly affect our quality of live, safety, property values, and stability. After a rough start and obfuscation we were somewhat relieved when the new houses appeared to be of a somewhat valuable R-1 design. But now we have just learned of a pending change to our R-1 neighborhood that will allow “patio homes” or “cluster development”. I was shocked to learn that the formal notice of these changes only went to 7 houses of the greater than 50 houses that will be directly affected by this change. Therefore I am writing to express my views since I live in the affected housing development, legally referred to as the ParkHaven subdivision.”

“My concerns are multifaceted. Naturally it is very difficult to properly evaluate this request, given no official notification to most of the 50 homes affected. I have been told that the Commission is not required to notify anyone living greater than 200 feet from the development, which I find somewhat strange, given my 20 years as the Director of the Sherman – Denison Metropolitan Planning Organization (MPO). Therefore, I will start my observations along these lines.”

“What consideration has been given to the effects of this development upon traffic flow? Has a traffic study been performed? Who will pay for that? Has the other major land holder across the street, Western Heights Church of Christ been allowed any input or the Sherman ISD, both of which will feel the effects of this development. As it stands now with the new light added at the intersection of SH56 and FM1417 traffic along SH56 can cause long delays and dangerous turns for vehicles leaving or entering onto Baker Park Drive. This new development as it stands now will at least double traffic. These changes could require a traffic light at this intersection and potentially another at Center Street and FM 1417 (Heritage Parkway); both of which are 2 lane roads. Center Street will also be of concern given its school bus access, Herman Baker Park, short lane sight, lane curvature and lack of shoulders.”

“Naturally as a retired Military Police Officer, I am concerned with the future safety for both the residents and the traveling public. I am also concerned about the safety of the residents within this clustered development. My daughter lives just at the edge of such a development in Saginaw just north of Fort Worth. When we drive to see our kids / grandkids you can’t help but wonder why they built such a dangerous neighborhood. With houses barely 10 feet apart and so close to the street they must be dangerous for the children. In fact it takes me 10 – 15 minutes to transverse this one (1) mile length of street because the roadway is so narrow with cars/truck parked on both sides of the street; it like playing dodge ball with your car, your life and the lives of the children. Heaven help anyone needing emergency help when the first responders cannot make it down the street in a timely manner. If the city thinks this cluster or patio homes are a great idea, at least widen the street to the current ParkHaven widths of about 30 feet to allow for emergency vehicles. These narrow setbacks don’t offer much space for visitors to park except on the street.”

“There is good reason for the current R-1 zone classification when it was originally set up. It provided for the establishment of a mature scenic subdivision. In fact it was even called the “Premier” housing development. These proposed changes will eliminate a great deal of the esthetics that makes the ParkHaven Subdivision a great location in Sherman to live. Sherman only has a few of these locations and to eliminate this opportunity will only serve to make Sherman just like all the other bedroom communities. Several of the residents I have spoken to, and it is the hot topic of the neighborhood, felt a little betrayed that the City might approve these changes. I know for my wife and I, one of the deciding factors to purchase in ParkHaven was the fact that this is an established safe neighborhood. We intentionally checked the vacant land to make sure it was R-1. The posted plot map across from the church was just one sign of the future growth. To change it now feels like false advertising. Therefore, I respectfully request that this change be rejected.”

ACTION TAKEN.

Motion by Commission Member Patterson to deny the request. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST DID NOT CONFORM TO THE INTENT OF THE ORDINANCE.

VARIANCE

THE REQUEST OF WAYNE & CAROL MUSSER (OWNERS) CONCERNING THE PROPERTY AT 2608 WEST CASCADE DRIVE, BEING LOT 2, BLOCK 3, PARKHAVEN ADDITION, SECTION ONE, AS FOLLOWS;

VARIANCE –
SETBACK FROM
MAIN
STRUCTURE
2608 W.

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(C)(1) TO ALLOW A 2" SETBACK FROM THE MAIN STRUCTURE FOR A DETACHED COVERED PATIO IN LIEU OF THE REQUIRED 6' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**CASCADE
(WAYNE &
CAROL MUSSER)**

Wayne Musser, 2608 W. Cascade, Sherman, TX

Mr. Musser appeared to represent the request and answer any questions. The property is located at 2608 West Cascade Drive between Baker Park Drive and South Glacier Drive. Mr. Musser explained he would like to construct an 18 x 18 detached covered patio cover, 2" from the main structure; it will be western red cedar. "I need it to be close to the house because I don't have a big back yard to put it anywhere else."

Chairman Gilbert explained if I understand this correctly, if it is detached from the house it has to be six feet from the house."

Mr. Shadden responded "yes, six foot separation."

Chairman Gilbert asked Mr. Musser why he didn't attach it to the house.

Mr. Musser explained "if you attach it, then you have to have a twenty-five foot setback from the rear property line and I would have fifteen foot, my backyard is only thirty feet deep; there is no way I can get a twenty five setback by attaching it."

"The cover will be four post; 8 x 8 cedar at each corner with composition shingles on the roof to match the house. I have spoken to the neighbors and no one had any complaints and also the Homeowner's Association and they said go for it."

Sean Klement, 2609 W. Biscayne, Sherman, TX

Mr. Klement explained he lives right behind this property and "I say let him do it. I'm moving Friday, but even if I wasn't, I would still say let him do it, it is not going to obstruct any views or lower the property; it sounds like he is going to do a great job using cedar which is a beautiful wood, he is going to use the right type of shingles."

David Duke, 2604 W. Biscayne, Sherman, TX

Mr. Duke explained he owns the house directly behind him and "I have no problem what he wants to do."

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

A letter was received from:

Jerry & Sandra White, 2612 W. Biscayne, Sherman, TX

They wrote "We are not in favor of a variance to the ordinance."

ACTION TAKEN.

Motion by Commission Member Elliott to approve the request for a variance to allow a 2” setback from the main structure for a detached covered patio at 2608 West Cascade Drive subject to the Staff Review Letter. Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT & CONCEPTUAL SITE PLAN

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNERS), TODD YOUNG (REPRESENTATIVE) AND DAVID BACA STUDIO, LLC (ARCHITECT) CONCERNING THE PROPERTY IN THE 4600 BLOCK OF NORTH TRAVIS STREET AND THE 100-200 BLOCKS EAST NORTHCREEK DRIVE, BEING LOT 1, BLOCK 6 AND LOT 1, BLOCK 7, OF THE REPLAT OF BLOCKS 1-9, NORTH CREEK SECTION 1, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A MINI-WAREHOUSE SELF-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT.

SUP & CONCEPTUAL SITE PLAN- MINI-WAREHOUSE FACILITY 4600 BLKS. N. TRAVIS & 100-200 BLKS. E. NORTHCREEK (YOUNG ENTERPRISES, LP)

David Baca, 100 N. Travis, Sherman, TX

Mr. Baca appeared to represent the request and answer any questions on behalf of Young Enterprises. The property is located in the 4600 blocks of North Travis Street and the 100-200 blocks of East Northcreek Drive; the southeast corner of Travis Street and Northcreek Drive. The property is zoned a C-1 (Retail Business) District.

Mr. Baca explained “we believe the use of this property is best served by a mini-warehouse storage facility for quite a few reasons. This is a C-1 (Retail Business) District and the owner by right could come in with a retail strip center or any other retail type uses allowed by right. Putting in a strip center would be a high traffic generator. At this point, with self-storage you generally see traffic generation of about fifteen to twenty trips a day; that’s on average. We believe by putting something that has such a low traffic count at this corner better serves the community because we are really not adding to a traffic problem. There’s not a big problem yet, but I know as this area develops it will become a concern, I know the City has plans in the future to address that concern; that is one of the positives of having a self-storage facility at this location, it generates such a low traffic count.”

“Secondly, it is in proximity of the developing neighborhoods that are around it, we also have several apartment complexes to the north, so this would be an amenity to the community; they would not have to drive far away to store their

belongings.”

“Thirdly, we want to talk about the architecture of the facility. One of the things that Young Enterprises wants is it to be a beautiful facility, we want to serve the community well; we want it to complement the community. We do storage facilities in many other neighborhoods and typically you see storage facilities in industrial neighborhoods. Moving them out of there to where people most use them makes better sense. There is more of a security feeling when you go to places within a neighborhood, rather than an industrial setting. We believe it will be a safer facility, it will be controlled with gates with access control; there will be cameras for security onsite.”

“Storage facilities are very quiet because of low traffic count but also because everything is internally focused, so when people are driving by this facility all they are seeing is the stone and the brick, the architecture of the facility itself. We will have a heavily landscaped area along Travis Street and Northcreek Drive to soften the development because we are aware there are residential areas adjacent to it; it will also have landscaping within the internal drives of the facility. All the lighting is on the buildings; it lights the internal circulation so there is not light glare or light trespassing beyond that.”

“There is a small creek in the back of the facility towards the east, so we are using that area for the detention area to build that up because we do know that there will be additional runoff from all the concrete and rooftops of this facility, so we have designed that to be taken care of. There is an existing natural tree line that runs across the entire south and the east side is heavily wooded as well.” They had seen the Staff Review Letter and would abide by the Recommendations.

Roy Whisenant, 201 Forest Creek Drive, Sherman, TX

Mr. Whisenant wanted clarification on the zoning of the property, he was under the intention it was zoned for residential. “We knew something eventually would be built there and we have always said pick our battles, so this seems to be one we can live with, I don’t speak for the neighborhood; just for myself because no one really wanted to talk about it. My question is, if the builder comes in and changes his mind to build a retail strip center or an apartment complex or a convenience store, can they come and do that later. He was also concerned with traffic along Travis Street.”

Mr. Shadden explained “the property is zoned a C-1 (Retail Business) District and has been for quite some time, the permitted use is retail, they can do that today with site plan approval. The Specific Use Permit allows the storage facility, if they decide not to do that they can still do retail uses; that runs with the land, they would always have that option. The traffic is controlled by TXDOT.” Mr. Shadden showed Mr.

Whisenant a location map of the property.

Clint Philpott, City Engineer explained “TXDOT is known not to do anything until the development gets there and then react to that development. We are very close to doing an engineering contract to look at that whole corridor from Taylor to FM 691, so there is funding available for that and I would assume that intersection will be heavily looked at in the near future.”

Mr. Whisenant explained “the development across from this, Austin Landing is going up as fast as they can get them built, they are concerned about that intersection also, but I understand TXDOT is over that road.”

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the Specific Use Permit and conceptual site plan for a mini-warehouse facility in a C-1 (Retail Business) District in the 4600 blocks North Travis Street and the 100-200 blocks East Northcreek Drive subject to the Staff Review Letter.

Second by Commission Member Elliott.

VOTING AYE: PATTERSON, GILBERT, ELLIOTT, VANDERVEER, VELLOTTI, MAHONE 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 LAMBERTH CROSSING JOINT VENTURE (OWNERS) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 2400 BLOCKS SHADY OAKS LANE, 2300 BLOCKS NORWOOD STREET AND THE 2600-2800 BLOCKS WEST LAMBERTH ROAD, BEING 0.5 ACRES IN THE ELIJAH HARTZOG SURVEY, ABSTRACT NO. 540 AND 7.03 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 120, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW PATIO HOMES IN A C-O (OFFICE) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2684, SECTION (11) (A) TO ALLOW THE EXISTING ASPHALT STREETS (SHADY OAKS LANE AND NORWOOD STREET) IN LIEU OF THE REQUIRED CONCRETE STREETS FOR MINIMUM REQUIRED IMPROVEMENTS FOR NEW SUBDIVISION STREETS.

**SUP & SITE PLAN
– PATIO HOMES
EXCEPTION -
STREETS
2400 BLKS.
SHADY OAKS
LN., 2300 BLKS.
NORWOOD ST. &
2600-2800 BLKS.
W. LAMBERTH
(LAMBERTH
CROSSING JT.
VENTURE)**

6:22 p.m. Chairman Gilbert abstained from this request

because of a conflict of interest; Vice-Chairman Patterson took over as Chairman.

Joe Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located in the 2400 Blocks Shady Oaks Lane, 2300 Blocks Norwood Street and the 2600-2800 Blocks West Lamberth Road between Norwood Street and Shady Oaks Lane. The property is zoned a C-O (Office) District.

Mr. Gilbert explained he is a member of Dean Gilbert Realtors Development Group and we developed the area in O'Hanlon Ranch. "I have been in the real estate development business for the past fourteen years. We developed the O'Hanlon Ranch Addition and we are out of lots, so we identified a leftover portion as the seven acres that we have before you tonight and we would like to present the opportunity to develop nineteen (19) garden home lots."

"A garden home lot is a higher density, instead of it being sixty foot wide, under the patio home ordinance you can develop forty foot wide lots, but what we have requested is fifty foot wide lots. We have done those before in Washington Place on the first street called Madison Place and we developed twenty garden homes. These homes will be very comparable to those homes on Madison Place. That tract of land was originally zoned R-2 (Multi-family Residential) District for apartments; we down zoned it from R-2 (Multi-family Residential) District to an R-1 (One Family Residential) District, we had a plan put together with a developer that was going to develop it into patio homes at the same time that we were going to do O'Hanlon Ranch. Then, in 2010, things got slow and we weren't selling many of our lots, so we sold 7.5 acres off to a local builder/developer who built the existing office building and is on a portion of this seven acres, which has frontage and is directly across the street from Sherman Bible Church. We had an opportunity to get back involved with the project and we thought the highest and best use for the property was to develop these patio homes along the existing road (Shady Oaks and Norwood) and create a buffer between the residential areas and the property that is zoned commercial to the south."

"With regards to the concrete streets, we had visited with the Engineering Department a few times and come together with a plan and City Staff as far as I am aware of is in support that we can use the existing street, but we will put in storm drainage, the curb and gutter for this property in talking to Clay and some of the gentlemen in the Engineering Department, their primary concern was the drainage, so we are addressing that item and putting in the storm drainage, curb and gutter."

"We developed the O'Hanlon Ranch area and this product is going to be very similar in aesthetic standards for this

development as we did for O’Hanlon; it will just be on a smaller scale, it will still be brick and stone, it will have the same architectural standards, roof pitch, there is a real need in Sherman for small but nice homes.”

“With this design, it also leaves us with an opportunity for a C-O (Office) District use for the frontage along Lamberth Road for another commercial office building.” He had seen the Staff Review Letter and would abide by the Recommendations.

Bryan Rockwell, 2510 Shady Oaks Lane, Sherman, TX

Mr. Rockwell explained he lives four houses down where this development will be and “some of my concerns have been answered.” He wanted to know the average square footage of the homes.

Mr. Gilbert explained “the homes will be between 1,500 – 2,100 square feet.”

Mr. Rockwell explained he is familiar with the homes on Madison Place and he did not have a problem with the request.

Commission Member Davis asked “since they just annexed that area; is concrete going to be a problem in the future.”

Mr. Shadden explained “this is kind of unique because the streets are already there, it wouldn’t make sense to tear out a good street to put in a new street; any new streets would be concrete.”

Mr. Philpott explained “they are in agreement with this; our concern is the drainage.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow patio homes in a C-O (Office) District and to allow the existing asphalt streets (Shady Oaks Lane and Norwood Street) in the 2400 blocks Shady Oaks Lane, the 2300 blocks Norwood Street and the 2600-2800 blocks West Lamberth Road subject to the Staff Review Letter. Second by Commission Member Velliotti.

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

VOTING NAY: NONE

ABSTAIN: GILBERT

MOTION CARRIED

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

OTHER BUSINESS

CONSIDER AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED “GENERAL ZONING ORDINANCE” AND EXHIBIT A, SECTION 6, TO ADD SUBSECTION 6.8.5 TO CREATE AN “O-1.3 (F.M. HIGHWAY 691) OVERLAY DISTRICT”, BEING THOSE AREAS INSIDE THE CITY LIMITS AND 500 FEET ON EITHER SIDE OF SAID RIGHT-OF-WAY.

DRAFT ORD
CREATING F.M.
HIGHWAY 691
OVERLAY
DISTRICT

6:34 p.m. Chairman Gilbert returned as Chairman.

Chairman Gilbert explained “under the direction of the City Manager, we put together a subcommittee at the July 11, 2016, Special Called Planning and Zoning Commission Meeting to create and adopt design standards for an overlay district to protect the property within the city limits on F.M. 691.” Joe Gilbert, Kyle Patterson and Sam Thorpe were appointed to serve on the subcommittee.

Mr. Shadden explained “they raised the building standards, building finishes and that type of thing; it doesn’t affect anything that is existing today or residential property. It includes the properties that inside the City within five hundred foot of FM 691. The subcommittee created a draft ordinance modeled on the existing FM 1417 Overlay District. The subcommittee recommends the Zoning Board approve and forward the ordinance to the City Council.”

Mike Jones, 4801 FM 691, Sherman, TX

Mr. Jones explained his grandparents bought the property along FM 691 in 1930 for \$32 an acre; “I have all the highway frontage from Loy Lake Road down to and behind the church. When I came into the City limits, I obtained an Occupancy Permit that said I could still construct a few things and I have no plans for big things, but I might need to put in a couple of chicken houses; is that going to be a problem.”

Mr. Shadden explained “if it is within the five hundred foot it would have to comply. The board can’t say we are going to grant you an exception tonight.”

ACTION TAKEN.

Motion by Commission Member Elliott to approve the draft ordinance to create the F.M. Highway 691 Overlay District and forward to the City Council. Second by Commission Member Davis.

VOTING AYE: GILBERT, PATTERSON, ELLIOTT, VANDERVEER, VELLOTTI, DAVIS AND MAHONE

VOTING NAY: NONE

MOTION CARRIED

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

OTHER BUSINESS

CONSIDER AMENDING CHAPTER 14, EXHIBIT A OF THE

DRAFT ORD
CREATING

CODE OF ORDINANCES, ENTITLED “GENERAL ZONING ORDINANCE”, AND EXHIBIT A, SECTION 6, TO ADD SUBSECTION 6.8.6 TO CREATE AN “O-1.4 (STATE HIGHWAY 289) OVERLAY DISTRICT”, BEING THOSE AREAS INSIDE THE CITY LIMITS AND 500 FEET ON EITHER SIDE OF SAID RIGHT-OF-WAY.

STATE HIGHWAY
289 OVERLAY
DISTRICT

Chairman Gilbert explained “this is the same thing and a part of the same subcommittee was appointed at the July 11, 2016, Special Called Planning and Zoning Commission Meeting to create design standards for an overlay district for S.H. 289.” Joe Gilbert, Kyle Patterson and Sam Thorpe were appointed to serve on the subcommittee. The subcommittee created a draft ordinance modeled on the existing FM 1417 Overlay District. The subcommittee recommends the Zoning Board approve and forward the ordinance to the City Council.

ACTION TAKEN.

Motion by Commission Member Elliott to approve the draft ordinance to create the State Highway 289 Overlay District and forward to the City Council. Second by Commission Member Vanderveer.

VOTING AYE: GILBERT, PATTERSON, ELLIOTT, VANDERVEER, VELLOTTI, DAVIS AND MAHONE

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 6:40 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY