

STATE OF TEXAS §
 November 22, 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 November 22, 2016.

MEMBERS PRESENT: CHAIRMAN GILBERT
COMMISSION MEMBERS: DAVIS, ADAMS,
VANDERVEER, THORPE AND ELLIOTT.

MEMBERS ABSENT: VICE-CHAIRMAN PATTERSON,
COMMISSION MEMBERS: MAHONE AND VELLOTTI

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 October 18, 2016 regular meeting. Motion by Commission Member Vanderveer to approve the Minutes as written. Second by Commission Member Davis. All present voted AYE.
MOTION CARRIED.

APPROVE
MINUTES

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

BOARD OF
ADJUSTMENTS

CONSENT AGENDA (ITEMS 5, 6, 7, 9, 10, 11, 12, 13, 14 & 15)
Consent Agenda items are considered to be routine and non-controversial items.

CONSENT
AGENDA

The Commission reviewed the Consent Agenda. Commission Member Elliott 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.

REPLAT – CONSENT AGENDA ITEM
THE REQUEST OF ALCOHOLIC SERVICES OF TEXOMA, INC. (OWNERS) AND HELVEY-WAGNER SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY AT 2407 TEXOMA PARKWAY AND 1515 BAKER DRIVE, BEING 5.39 ACRES IN THE RUEBEN HENDRIX SURVEY, ABSTRACT NO. 504 AND BEING ALL OF LOTS 1R AND 3R, BLOCK 1 OF THE REPLAT OF LOT 2, BLOCK 1, HELEN PERKINS ADDITION, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOTS 1R AND 3R, BLOCK 1 OF THE

REPLAT – LOTS
1R AND 3R,
BLOCK 1 OF
THE REPLAT
OF LOT 2,
BLOCK 1,
HELEN
PERKINS
ADDITION
2407 TEXOMA

REPLAT OF LOT 2, BLOCK 1, HELEN PERKINS ADDITION

The property is located at 2407 Texoma Parkway and 1515 Baker Drive; the northeast corner of Texoma Parkway and Baker Drive. The owner would like to replat two of the lots into three lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

**PARKWAY &
1515 BAKER
DRIVE
(ALCOHOLIC
SERVICE OF
TEXOMA, INC.)**

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

REPLAT- CONSENT AGENDA ITEM

THE REQUEST OF RINGTAIL TUTOR, LLC (OWNERS) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY AT 2013 AND 2017 NORTH F.M. 1417 (HERITAGE PARKWAY), BEING ALL OF LOT 2, BLOCK 1, SKYLINE BUSINESS PARK ADDITION, REPLAT OF LOT 1, BLOCK 1, AS FOLLOWS;

**REPLT –
SKYLINE
BUSINESS
PARK ADDN.,
BLOCK 1, LOT
2R1 & LOT 2R2,
SKYLINE
BUSINESS
PARK
ADDITION,
REPLAT OF
LOT 1, BLK. 1
2013 & 2017 N.
FM 1417
(HERITAGE
PARKWAY)
(RINGTAIL
TUTOR, LLC)**

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF SKYLINE BUSINESS PARK ADDITION, BLOCK 1, LOT 2R1 AND LOT 2R2, SKYLINE BUSINESS PARK ADDITION, REPLAT OF LOT 1, BLOCK 1

The property is located at 2013 and 2017 North F.M. 1417 (Heritage Parkway) between Skyline Drive and Lamberth Road; Canyon Creek Pet Hospital and Prime Lending are the tenants. The owner would like to replat one lot into two 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN ECONOMIC DEVELOPMENT CORPORATION (OWNERS) AND BROCKETTE/DAVIS/DRAKE, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 3100-3200 BLOCKS OF NORTHGATE DRIVE, BEING 18.2762 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, IN TRACT 4.1 OF BLALOCK INDUSTRIAL PARK AS FOLLOWS;

**FINAL PLAT –
PROGRESS
PARK ONE,
NORTHGATE
DRIVE, PHASE
3
3100-3200
BLOCKS
NORTHGATE
DRIVE
(SEDCO)**

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF PROGRESS PARK ONE, NORTHGATE DRIVE, PHASE 3

The property is located in the 3100 and 3200 blocks of Northgate Drive in Progress Park of Blalock Industrial Park off West FM 1417 (Heritage Parkway). The owners would like to plat part of an existing tract and dedicate a portion of right-of-way for the extension of Northgate Drive. 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 LAMBERTH CROSSING JOINT VENTURE

**FINAL PLAT –
THE GARDENS**

(OWNERS), CROSS ENGINEERING CONSULTANTS, INC. (CIVIL ENGINEER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 2100-2400 BLOCKS SHADY OAKS LANE, 2300 BLOCKS NORWOOD STREET AND THE 2600-2800 BLOCKS WEST LAMBERTH ROAD, BEING 7.529 ACRES IN THE ELIJAH HARTZOG SURVEY, ABSTRACT NO. 540 AND THE FIELDING BACON SURVEY, ABSTRACT NO. 120, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF THE GARDENS AT O'HANLON RANCH.

**AT O'HANLON RANCH
2100-2400 BLKS. SHADY OAKS LANE,
2300 BLOCK NORWOOD STREET & 2600-2800 BLKS. W. LAMBERTH (LAMBERTH CROSSING JOINT VENTURE)**

The property is located in the 2100-2400 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.

A Specific Use Permit to allow patio homes in a C-O (Office) District were approved at the September 6, 2016, City Council Meeting for this property. The owner would like to plat the property into 19 lots for residential patio homes and 2 lots for commercial office 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND J.P. HART LUMBER COMPANY, LLC (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 407 PROGRESS DRIVE, BEING 73.024 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND BEING ALL OF LOT 3, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION AND ALSO BEING LOT 2R OF THE REPLAT OF LOTS 1 & 2, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION IN TRACT 3 OF BLALOCK INDUSTRIAL PARK, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 2R & 3 OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION

REPLAT – LOTS 2R & 3 OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION 407 PROGRESS DRIVE (SEDCO & J.P. HART LUMBERT COMPANY, LLC)

The property is located at 407 Progress Drive, the northwest corner of Howe Drive and Progress Drive in the Blalock Industrial Park. The owners would like to replat the property into three lots for industrial 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF JOHN MABARY (OWNER) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY AT 701 EAST LAMBERTH ROAD, BEING 0.242 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 ALSO BEING

REPLAT – J.H. CARRAWAY'S SUBDIVISION, BLOCK 2, LOT 1R, BEING A

PART OF LOT 1, BLOCK 2, DR. J.H. CARRAWAY’S SUBDIVISION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF J.H. CARRAWAY’S SUBDIVISION, BLOCK 2, LOT 1R, BEING A PART OF LOT 1, BLOCK 2, J.H. CARRAWAY’S SUBDIVISION.

PART OF LOT 1, BLOCK 2, J.H. CARRAWAY’S SUBDIVISION 701 E. LAMBERTH (JOHN MABARY)

The property is located at 407 Progress Drive, the northwest corner of Howe Drive and Progress Drive in the Blalock Industrial Park. The owners would like to replat the property into three lots for industrial 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF FIRST UNITED METHODIST CHURCH OF SHERMAN (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 401 NORTH ELM STREET, 215 WEST MULBERRY STREET AND 400 NORTH CROCKETT STREET, BEING 4.602 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF THE METHODIST CHURCH ADDITION

FINAL PLAT – METHODIST CHURCH ADDITION 401 N. ELM, 215 W. MULBERRY & 400 N. CROCKETT (FIRST UNITED METHODIST CHURCH OF SHERMAN)

The property is located at 401 North Elm Street, 215 West Mulberry Street and 400 North Crockett Street, bound by Washington Street, Crockett Street, Mulberry Street and Elm Street and the parking lot across Mulberry Street; First United Methodist Church is the tenant. The property is zoned a C-1 (Retail Business) District and is also located in the Central Business District. The owner would like to replat 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 300-400 EAST NORTHCREEK DRIVE, BEING 12.00 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT NO. 275 AND THE J. JENNINGS SURVEY, ABSTRACT NO. 647, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF MAGNOLIA VILLAGE

PRELIMINARY PLAT – MAGNOLIA VILLAGE 300-400 BLOCKS E NORTHCREEK DR. (YOUNG ENTERPRISES, LP)

The property is located in the 300-400 blocks of Northcreek Drive between Travis Street and Sherman Town Center. The owners would like to plat the property into forty-five (45) lots for residential development of single family homes. 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 KRITT CONCRETE, LLC (OWNERS), CROSS ENGINEERING CONSULTANTS, INC. (ENGINEER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 600-800 BLOCKS BAKER PARK DRIVE, BEING 5.392 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF PARKHAVEN ESTATES, PHASE 1**

**FINAL PLAT –
PARKHAVEN
ESTATES,
PHASE 1
600-800 BLKS.
BAKER PARK
DR.
(KRITT
CONCRETE,
LLC)**

The property is located in the 600-800 blocks of Baker Park Drive between Calgary Drive and Center Street and is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into 23 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.

VARIANCE

The request of Greater Texoma Association of Realtors, Inc. (Owners) and FASTSIGNS Texoma (Sign Contractor/Applicant) concerning the property at 810 East Peyton Street, being 0.367 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.5, Subsection (1) and Section 7, Subsection (5) to allow a 2' front setback for a 4'7" tall, 38 square foot monument sign in lieu of the permitted 32 square foot with a required 15' setback in a C-2 (General Commercial) District.

**VARIANCE –
FRONT
SETBACK FOR
SIGN
810 E. PEYTON
(GREATER
TEXOMA
ASSOCIATION
OF REALTORS,
INC.)**

David Norman, PO Box 1865, Sherman, TX

Mr. Norman appeared to represent the request and answer any questions. The property is located at 810 East Peyton, the southeast corner of Peyton and Loy Lake Road; Greater Texoma Association of Realtors is the tenant. The property is zoned a C-2 (General Commercial) District.

Mr. Norman explained they are requesting a variance to allow a 2' front setback off the Peyton Street property line for a 4'7" x 8' monument sign to replace the existing sign. "The existing sign has been there for many years. The sign will not block the view of traffic." They had seen the Staff Review Letter and would abide by the Recommendations.

Ben Vincent, President Greater Texoma Association of Realtors, Inc., 810 E. Peyton, Sherman, TX

Mr. Vincent explained "we are trying to update our image to be consistent with our planning. That building has been like a secret society since the '70's; it hasn't been updated. We are trying to update the sign to be current with that intersection. We have Landmark Bank on one corner, we are on the southeast corner and Domino's Pizza is on the other corner; so it is a busy corner. We would like to update it; it hasn't been updated since the mid '70's when that building was built. The sign will not distract traffic in any way."

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

ACTION TAKEN.

Motion by Commission Member Thorpe to approve a variance to allow a 2' front setback for a 4'7" tall, 38 square foot monument sign at 810 East Peyton Street subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION & SITE PLAN

THE REQUEST OF PAGA LTD (OWNERS) AND BWG ARCHITECTURE (ARCHITECT) CONCERNING THE PROPERTY AT 1915 NORTH FM 1417 (HERITAGE PARKWAY), BEING LOT 1, BLOCK 1, OF THE REPLAT OF LOT 2, BLOCK 1 OF SKYLINE BUSINESS PARK, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.4 TO ALLOW THIRTY-ONE (31) OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED FORTY-EIGHT (48) FOR DOMINO'S PIZZA AND RETAIL SHELL BUILDING IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A DOMINO'S PIZZA AND RETAIL SHELL BUILDING

**EXCEPTION –
PARKING
(WITHDRAWN)**

**SITE PLAN –
DOMINO'S
PIZZA & RETAIL
SHELL
BUILDING
1915 N. FM
1417
(HERITAGE
PARKWAY)
(PAGA LTD)**

Steve Palmer, 120 Summer View Dr., Pottsboro, TX

Mr. Palmer appeared to represent the request and answer any questions. The property is located at 1915 North FM 1417 (Heritage Parkway) between Skyline Drive and Lamberth Road. The property is zoned a C-1 (Retail Business) District and is also located in the O-1.1 (FM 1417 Overlay) District.

Mr. Palmer explained he would like to construct a 9,475 square foot, single story retail shell. The exterior finish on the building will be masonry. "We are requesting an exception to allow thirty-one (31) parking spaces in lieu of the required forty-eight (48). The Domino's Pizza will occupy approximately 1,800 square feet and the rest will be shell for future tenants; our target is office use." He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Thorpe asked if there was a reason why parking is a hindrance to this development.

Mr. Palmer explained "it is only a one acre tract, so for density purposes, I'm putting a 10,000 square foot building there, so it will limit the amount of parking available."

Chairman Gilbert stated "so if I understand correctly, there are

certain types of uses that would allow a parking ratio of 1/200 and there are other uses that allow 1/400, so in this situation you are asking for a reduction based on a 1/200 ratio.”

Mr. Palmer responded “that is correct.”

Chairman Gilbert asked “Are those ratios taken into consideration, do they consider the 1,800 square foot allocated for the Domino’s Pizza or is that just the general parameter for the entire building.”

Scott Shadden, Director of Developmental Services explained “each different use has a different parking requirement, right now the Domino’s Pizza is the only thing that we know that is going in there, so he has this request as the most restrictive requirement by the zoning ordinance. If he went in with an office, the ratio would be 1/400 and he would actually be over parked by six spaces, but if he goes in with all retail; that requires more parking. We don’t know at this point what it is going to be, so what we would be doing is checking each time one comes in.”

Chairman Gilbert explained that was his follow up question “when someone comes in, will the variance exclude them from complying or will they still have to comply.”

Mr. Shadden explained “if he has a variance to allow this number of parking spaces for that building, then if they came in 1/200 and they got over, they would be ok. It sounds like to me, he is trying to pre-plan the worst possible scenario.”

Mr. Palmer responded “that is correct.”

Mr. Shadden explained “It depends how you layout a building, if you put a wall up and say this area over here is storage and this is retail, the storage ratio is 1/1,000. It is not anything where we can say you need exactly this many parking spaces; he needs from (25) twenty-five to (48) forty-eight, he is asking for the middle of the road. That’s putting a parking space everywhere you can find to put a parking space on that lot.”

Commission Member Davis felt “this is the busiest part of town, ten years from now, a nail place or what-ever, everybody comes up here because it has been cut back.”

Chairman Gilbert felt “a tenant will not be there in the first place or be there very long if they don’t have the parking needed. Whether we approve this or not, a premarket is not going to determine whether a tenant is going to be liable there. I don’t know what the chances are that there will be a tenant with a 1/400 ratio in every spot, but (17) seventeen parking spaces is a considerable difference, it maybe that this doesn’t matter, depending on the use. Have you looked at any alternatives or do you have a Plan B to allow for any more parking spaces?”

Mr. Palmer responded “no, I don’t have a Plan B.”

Chairman Gilbert explained “I think we have to take into consideration that it is a new building in the FM 1417 (Heritage Parkway) Overlay District, there are architectural requirements, landscaping requirements and such that we be open to some sort of compromise on a new development in this area.”

Commission Member Vanderveer explained “I know it’s speculative as what will go in there, but if those five spaces are divided evenly, it’s about 1,500 square feet apiece; you stick two retails in there, that’s half his parking spaces according to the ordinance. I know we don’t know what is going to go in there, but think about it like that.”

Commission Member Elliott stated “I sure would like to see something go in there, I like the idea of growth and especially in the Overlay District, it’s going to look very nice, so depending what is going in there, it could be spec or it couldn’t be, he is asking for a middle ground, it kind of makes sense, he is not far off and I don’t see where you would add more spaces unless you shave off a little on the back side.”

Chairman Gilbert explained “I drove by the Domino’s today on Loy Lake and I noticed an eighteen wheeler was there for delivery, I guess you have taken that into consideration on your site plan.”

Mr. Palmer responded “the back alley, we have put on there. What is happening in the restaurant business, the City has gotten so congested, so we have to take an opportunity to put another store on the west side. It is an absolute nightmare, as I’m sure you are well aware of coming from our Loy Lake store, trying to go all the way over to deliver south of FM 1417 (Heritage Parkway); it doesn’t work, there’s not a good cross street east and west., so this was an opportunity for me to put a store in over here and it made perfect sense. Keep in mind also, as far as the customer base, if you ever drive by our store, there is hardly any customer’s cars actually there because we have a convenience window, so if you order pizza for pick-up, you are just shooting through that window and picking it up, transaction takes about twenty-five seconds. Keep that in mind if there is not excess parking on the property, because they are shooting through that drive thru.”

Mr. Shadden explained “the uses are limited to what his parking is, there are a lot of permitted uses, he could fill the building up with office and he would have extra parking.”

Chairman Gilbert explained “so we are putting the cart before the horse here.”

Mr. Shadden explained “you could grant it as submitted, you could grant less than he submitted, you can’t grant more, you can’t restrict uses, because that would be a zone change or he could withdraw the parking request at this time, if he comes up and has to have it later he could apply for it at that time; so there are a lot of options here.”

Mr. Palmer agreed to withdraw the request for the exception and

approach with each tenant.

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

Letter received from:

Addison Holdings, LLC, PO Box 1283, Sherman, TX

“As a property owner and neighbor, I am writing to you regarding the notice received from you on November 4, 2016, regarding the request of PAGA, Ltd. This notice discusses the request of PAGA, Ltd, to allow thirty-one (31) parking spaces in lieu of the required forty-eight (48) parking spaces. This area currently has limited parking. Eliminating seventeen (17) required parking spaces for the proposed retail activity will have a negative impact on neighboring landowners and businesses including my property. The elimination of seventeen (17) required parking spaces will cause users of this retail center to use the parking lots of surrounding businesses.”

“I am not opposed to PAGA's development. It will be a great addition for the 1417 corridor. However, their parking ratio requirement needs to be more in line with what is required under Ordinance No. 2280. A variance request for a few parking spaces is drastically different from requesting a variance to eliminate seventeen (17) required parking spaces. PAGA can easily reduce the size of their proposed building or re-configure their site plan to be more in line with the required parking ratio under Ordinance No. 2280. Therefore, I am in opposition to this exception and respectfully ask the Board to require PAGA, Ltd. adjust their site plan or building size to allow parking to be more in line with the requirements of Ordinance No. 2280.”

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A DOMINO'S PIZZA AND RETAIL SHELL BUILDING

ACTION TAKEN.

Motion by Commission Member Vanderveer to accept his withdrawal of the exception and approve the site plan for a Domino's Pizza and Retail Shell Building at 1915 North FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Davis.

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

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 SPAVINAW DEVELOPMENT, LLC (OWNERS), IVY'S LASH & NAIL BAR (TENANT) AND IVY NGUYEN (REPRESENTATIVE) CONCERNING THE PROPERTY AT 1711 NORTH FM 1417 (HERITAGE PARKWAY), SUITE 500, BEING PART OF BLOCK 1, WESTERN HILLS ADDITION, SECTION 5, AS

**SUP & SITE
PLAN –
PERMANENT
MAKE-UP
1711 N. FM 1417
(HERITAGE**

FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW PERMANENT MAKE-UP (TATTOO STUDIO) AT IVY'S LASH & NAIL BAR IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

**PARKWAY),
SUITE 500
(SPAVINAW
DEVELOPMENT,
LLC)**

Jason Sofey, 116 W. Lamar, Sherman, TX and Ivy Nguyen, 1711 N. FM 1417 (Heritage Parkway), Suite 500, Sherman, TX

Mr. Sofey and Ms. Nguyen appeared to represent the request and answer any questions. The property is located at 1711 North FM 1417 (Heritage Parkway), Suite 500, the southeast corner of Taylor Street and FM 1417 (Heritage Parkway); Ivy's Lash & Nail Bar is the tenant. The property is zoned an M-1 (Light Manufacturing) District and is also located in the O-1.1 (FM 1417 Overlay) District.

Mr. Sofey explained his tenant would like to provide permanent make-up as a service for the eyelash and nail spa center. They had seen the Staff Review Letter and would abide by the Recommendations.

Ms. Nguyen explained "permanent make-up is similar to tattoo, but it is different, permanent make-up is on the top of the skin, tattoo is done deep in the third layer of the skin; the skin has three layers. Permanent make-up is on the top of the skin, so we call it semi-permanent; it stays on about six months and people will have redo it again; we still use the needle.

Chairman Gilbert stated his only concern, "I think it is a viable use for the business but was concerned if the tenant moved out or the building was sold; it might not be best for a tattoo parlor to be able to have that use."

Mr. Sofey explained "since this is a Specific Use Permit, you have the ability to put a restriction on the request."

Mr. Shadden asked if permanent make-up is limited to the face.

Ms. Nguyen responded "yes, face, eyebrows."

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 Vanderveer to approve the Specific Use Permit and site plan to allow permanent make-up limited to Ivy Nguyen only and to the face only at Ivy's Lash & Nail Bar located at 1711 North FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Vanderveer.

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

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 WALLACE HOLDINGS, LP (OWNER) AND JOE GILBERT (REPRESENTATIVE) CONCERNING THE PROPERTY IN THE 3000 BLOCK NORTH HICKORY STREET, BEING LOTS 1-6, HICKORY ESTATES, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW SIX (6) TWO-FAMILY DWELLINGS (DUPLEXES) IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

SUP & SITE PLAN – TWO-FAMILY DWELLINGS (DUPLEXES) 3000 BLK. N. HICKORY (WALLACE HOLDINGS, LP)

(WITHDRAWN)

Joe Gilbert sent in a request to withdraw this request.

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

THE REQUEST WAS WITHDRAWN.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:25 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY