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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF ROSSI REALTY, LLC AND MICHAEL STANLEY (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 5012 AND 5016 EAGLE RIDGE TRAIL (FORMERLY 129 AND 141 EAGLE RIDGE TRAIL), BEING 0.436 ACRES IN THE DANIEL BICKENBACK SURVEY, ABSTRACT NO. 128 AND BEING ALL OF LOTS 13 AND 14 OF PRESTON CLUB, THE CLASSICS, PHASE TWO, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 13 & 14, PRESTON CLUB, THE CLASSICS, PHASE TWO.

REPLAT – LOTS 13 & 14, PRESTON CLUB, THE CLASSICS, PHASE TWO
5012 AND 5016 EAGLE RIDGE TRAIL (ROSSI REALTY, LLC AND MICHAEL STANLEY)

The property is located at 5012 and 5016 Eagle Ridge Trail (formerly 129 and 141 Eagle Ridge Trail) in the Preston Club housing addition that was recently annexed into the City of Sherman. The owners would like to replat the property by moving the lots lines on 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 ROSSI REALTY, LLC AND CHRISTOPHER & AMY SWINDELL (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 3218, 3222 AND 3226 PRESTON CLUB DRIVE (FORMERLY 218, 220 & 222 PRESTON CLUB DRIVE), BEING 0.459 ACRES IN THE MCMULLEN & MCGLOIN SURVEY, ABSTRACT NO. 762 AND THE DANIEL BICKENBACK SURVEY, ABSTRACT NO. 128 AND BEING A REPLAT OF LOTS 11, 12 AND 13, BLOCK 11 OF PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 11, 12, & 13, BLOCK 11, PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE.

The property is located at 3218, 3222 and 3226 Preston Club Drive (formerly 218, 220 and 222 Preston Club Drive) in the Preston Club housing addition that was recently annexed into the City of Sherman on May 22, 2017. The owners would like to replat three lots 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 – LOTS 11, 12, & 13, BLOCK 11, PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE.
3218, 3222 AND 3226 PRESTON CLUB DRIVE (ROSSI REALTY, LLC & ADAM & BREANN CHAPMAN)

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF KAM CORNERS, LP (OWNERS) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1000 NORTH TRAVIS STREET, BEING

PRELIMINARY PLAT – KAM KORERS ADDITION
1000 N. TRAVIS

4.2957 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF KAM KORNERS ADDITION.

(KAM CORNERS, LP)

The property is located at 1000 North Travis Street, between Sam Rayburn Freeway, Travis Street and College Street; Kam Corners Shopping Center. The owner would like to plat the property 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN HOTELS, LLC (OWNERS) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 4344 LOY LAKE ROAD, BEING 3.309 ACRES IN THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137 AND BEING ALL OF LOT 2 OF AMERISTATE PLAZA, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOT 2 AMERISTATE PLAZA.

REPLAT – LOT 2
AMERISTATE PLAZA
4344 LOY LAKE
ROAD
(SHERMAN HOTELS,
LLC)

The property is located at 4344 Loy Lake Road, north of Sherman Town Center and is zoned a C-1 (Retail Business) District. The owner would like to replat the property 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.

VARIANCE

THE REQUEST OF CHRIS MARTIN (OWNER) AND TATCHIO AND ASSOCIATES (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 4312 TEXOMA PARKWAY, BEING LOT 1R, REPLAT OF SIDNEY HEIGHTS ADDITION AND LOT 1, REPLAT OF PART OF BLOCK 4 OF THE REPLAT OF MIDWAY MALL, AS FOLLOWS:
BOARD OF ADJUSTMENTS
VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTIONS (5)(D) AND (13)(H) TO ALLOW A 6' WROUGHT IRON FENCE ON THE FRONT PROPERTY LINE ALONG TEXOMA PARKWAY IN LIEU OF THE REQUIRED 25' IN A M-1 (LIGHT MANUFACTURING) DISTRICT.

VARIANCE - FENCE
4312 TEXOMA
PARKWAY
(CHRIS MARTIN)

Rod Tatchio, 3512 Frisco Rd., Sherman, TX

Mr. Tatchio appeared to represent the request and answer any questions. The property is located at 4312 Texoma Parkway between Gallagher Drive and Frisco Road; Mandy's Mini Storage Facility is the tenant. The owner is requesting to erect a six foot wrought iron security fence with a sliding gate on the property line along Texoma Parkway. He had

seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Vice-Chairman Patterson to approve the variance to allow a 6' wrought iron security fence on the front property line along Texoma Parkway at 4312 Texoma Parkway subject to the Staff Review Letter. Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF KASHMIR SINGH AND SANDEEP KAUR (OWNERS) AND TATCHIO & ASSOCIATES (ARCHITECT) CONCERNING THE PROPERTY AT 1730 SOUTH FM 1417 (HERITAGE PARKWAY), BEING 2.590 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A LIQUOR STORE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

**SUP – LIQUOR
STORE
1730 S. FM 1417
(HERITAGE
PARKWAY)
(KASHMIR SINGH &
SANDEEP KAUR)**

Rod Tatchio, 3512 Frisco Road, Sherman, TX and Kashmir Singh, 1730 S. FM 1417 (Heritage Parkway), Sherman, TX

Mr. Tatchio and Mr. Singh appeared to represent the request and answer any questions. The property is located at 1730 South FM 1417 (Heritage Parkway) between Park Avenue and Quail Run Road; City Mart Convenience Store is the tenant. The property is zoned a C-2 General Commercial District and is also located in the O-1.1 (FM 1417 Overlay) District.

Mr. Tatchio explained the owners would like to open a liquor store in the south corner of the existing convenience store, the building will be divided up; it will have two separate entrances. He had seen the Staff Review Letter and would abide by the Recommendations.

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

Commission Member Vanderveer wanted to mention “what they have discussed at other stores: the bright lights that outline a window, since there is a major highway right there; I would like to impose a restriction on that, they can’t have

bright lights at night or flashing lights, something that would try to grab your attention or distracting.”

Chairman Mahone asked if the existing convenience store is already in compliance with that.

Scott Shadden, Director of Development Services explained he is in compliance right now; this is the first building to upgrade to the FM 1417 (Heritage Parkway) Overlay District requirements.

Commission Member Davis asked if his parking requirements would change.

Mr. Shadden explained “it would be the same parking requirement, the same type use; he is just dividing the existing building and it is still on one lot. The parking requirement is based on square footage.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow a liquor store at 1730 S. FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Bridges.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF WILSON CHILDREN’S TRUST (OWNERS), PATRICK A. CRAVENS (TENANT) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 221 SOUTH TRAVIS STREET, BEING THE NORTH 20’ OF LOT 5, BLOCK 8, ORIGINAL TOWN PLAT, LESS AND EXCEPT THE EAST 12’ OWNED BY THE CITY OF SHERMAN FOR AN ALLEY, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A SOCIAL ENTERTAINMENT LOUNGE IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.

Patrick Cravens, 210 Kansas, Sherman, TX

Mr. Cravens appeared to represent the request and answer any questions. The property is located at 221 South Travis Street between Lamar and Jones Streets. The property is zoned a C-1 (Retail Business) District and is also located in the Central Business District. The business will be providing broadcast and live entertainment, food & beverage in a facility with social and business amenities such as; relaxing lounge seating, recorded Jazz and Neo Soul background

SUP – SOCIAL
ENTERTAINMENT
LOUNGE
221 S. TRAVIS
(WILSON
CHILDREN’S TRUST
& PATRICK
CRAVENS)

music, big screen TV's, karaoke and open mic night, free Wi-Fi, as well as copy, fax and print service. The existing building is brick and metal; the owner plans to remove the metal on the upper part of the building.

Mr. Cravens explained he would like to open a social entertainment lounge in the downtown area for the not average club. "This would be a place where individuals, after working in the downtown area, can have a quiet place where they can come, lounge and be able to actually hear what they're looking at on the TV screen. They'll also be able to enjoy beverages from the coffee/wine bar, as well as being able to listen to any overhead music that is piped in; there will be free Wi-Fi for our visitors. We will have a limited food menu, providing a basic appetizer type menu for our visitors as well. It's a place where Council Members can come after a long Planning and Zoning Meeting, who don't want to go home just yet, can stop by and kick their feet up and relax, look at the internet or the evening news. We will have a minimum kitchen and will offer coffee, wine and a limited more high-end spirits for sale."

Commission Member Vanderveer asked if this would be basically for individuals twenty-one and up.

Mr. Cravens responded "yes, basically. We are aware of what the laws pertaining to the sale and use of alcohol are, so at this time we have not established an age restriction, because of the nature of the business, it will kind of weed itself out, where we will not have that problem."

Commission Member Bridges asked the business hours.

Mr. Cravens responded "right now, I don't know what our hours are going to be, but probably opening around 10 a.m. and closing about 10 p.m., we will see how the crowd flows."

Mr. Shadden explained he would have to comply with the City, Federal and State regulations.

Commission Member Vanderveer asked if there was a sound ordinance downtown.

Mr. Shadden responded "yes."

Chairman Mahone asked Mr. Cravens if he planned to take down the metal on the upper portion of the building.

Mr. Cravens explained he plans to remove the metal, "at this time we do not know what is under there; hopefully it is brick that can be repaired or something that will conform to the requirements for that area."

Chairman Mahone asked if he plans to continue the historical preservation of the building.

Mr. Cravens responded “yes; I have information for a very good tuck-point person that could do repair work on the building.”

Chairman Mahone asked if he had a time frame if this is approved.

Mr. Cravens explained “we have everything in place to get started on the renovation work immediately, we’re targeting for football opening season — the end of August, first of September is when we’re looking to have this up and going. The renovation work is very moderate, we want to keep the historical look, it has the original hardwood floors in it., we would move in furnishings, update the exterior and put in the kitchen. The timeline is a little tight, but I think we can get it done.” He had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the Specific Use Permit to allow a social entertainment lounge in a C-1 (Retail Business) District/Central Business District at 221 South Travis Street subject to Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF BUFFALO GAP STREET PROPERTIES, LLC (OWNERS), D-BAT TEXOMA (TENANT), JOE FLORES (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4113 NORTH FRISCO ROAD, BEING 4.643 ACRES IN THE IN THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969 AND THE J. HENDRIX SURVEY, ABSTRACT NO. 503, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.5, SUBSECTION (5)(D) TO ALLOW A METAL BUILDING WITH A 48” BRICK WAINSCOT ON THREE SIDES OF THE BUILDING IN LIEU OF THE REQUIRED MASONRY ON THE SIDES OF ALL BUILDINGS VISIBLE FROM FRONT STREET RIGHT-OF-WAY IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW 35 PARKING SPACES IN LIEU OF THE 88 PARKING SPACES REQUIRED FOR A BASEBALL AND SOFTBALL TRAINING CENTER WITH

EXCEPTION – EXTERIOR FAÇADE

EXCEPTION – PARKING

SUP & SITE PLAN – BASEBALL & SOFTBALL TRAINING CENTER WITH BATTING CAGES
4113 N. FRISCO STREET
PROPERTIES, LLC)

BATTING CAGES (COMMERCIAL AMUSEMENT CENTER) IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW (D-BAT TEXOMA) A BASEBALL AND SOFTBALL TRAINING CENTER WITH BATTING CAGES (COMMERCIAL AMUSEMENT CENTER) IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

Joe Flores, 3618 Puesta De Sol, San Antonio, TX and Chase Tidwell, 4614 Amesbury, Sherman, TX

Mr. Flores and Mr. Tidwell appeared to represent the request and answer any questions. The property is located at 4113 North Frisco Road, the northeast corner of Frisco Road and Dripping Springs Road and is zoned a C-2 (General Commercial) District.

D-Bat Texoma is a baseball and softball training facility with the vision to provide a quality teaching environment with quality instruction to enhance the baseball and softball experience for players at all levels from Little League through the collegiate and professional levels. They would like to construct a 1,760 square foot metal building with 48" brick wainscot on three sides of the building (the front and two sides). They are requesting an exception to the parking requirements to allow a minimum of 35 parking spaces including handicap parking for the first phase of the project; then they would increase the parking to 88 parking when phase two - the baseball field is completed.

Mr. Tidwell explained "D-Bat is a national chain of baseball and softball training facilities. We are franchise number thirty-two; there are forty-seven of them now, including eight in China. I've coached college baseball for eighteen years, my kids are getting to the age now where I want to watch them grow and I want to coach my kids. I have been approached by the CEO of D-Bat sports to put one in, he let me pick an area, this is the area where I am from (Southern Oklahoma); my wife is a teacher in Texas; we picked this location because once we did the demographic review; this is one of the top seven fastest growing markets in the State of Texas right now. We want to bring this type of facility to the kids here to help train not only here, but across the river. It's a great deal, we will have a pro-shop with real baseball and softball training equipment, sport specific, not like you find at the sporting goods stores. We will have over fifty camps a year. It is a membership based system. They are very popular south of here and we want to bring the brand here to Texoma."

Mr. Flores explained "they are stand-alone buildings; they are always metal buildings, there are all over the country, there are about forty going up in the next year or so. We don't usually have bright colors; we stay with neutral colors or earthy tones, usually gray. The buildings are from 14,000-

19,000 square feet, the bigger one's are 35,000 square feet; this is an average size building.”

Chairman Mahone asked Mr. Flores why they are requesting the exception for the masonry.

Mr. Flores explained “usually we don't have any buildings with wainscot or any type masonry. We have about four different models, we work within a budget for each model, we are required to put more parking spots at this location; the cost went up in the parking spaces. Also, the east side of the building is facing the railroad tracks and we just wanted you to consider that.”

Chairman Mahone stated “you are asking the exception for the north, south and west sides, is that correct? Do you think that conforms with the look and character of the other buildings in the vicinity to have the four foot wainscot.”

Mr. Flores explained “what I know about Sherman and what I have seen in the area; yes.”

They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer stated “I know it's not Texoma Parkway but it is within eyeshot, and I know several other times we have limited metal on buildings in that area and one of them sits off of Texoma Parkway that we limited.”

Chairman Mahone asked if they had considered doing brick for the facing wall only, the west wall, then the 4' wainscot for the north and south wall.

Mr. Flores stated “we will do that if that is what you ask.”

Chairman Mahone asked about the exception for the parking spaces.

Mr. Flores explained “D-Bat's usually range from 35,000 square feet, being the extreme largest to about 14,000 square feet. There is no D-Bat in the country that has more than twenty parking spaces, the reason why, mainly because they have lessons for one male and one female at a time; they are basically from thirty minutes to an hour and then they rotate out; so when one person is getting a lesson, they are getting ready to leave, there is another one coming in, they probably overlap fifteen to twenty minutes. I'm from San Antonio, they have a 35,000 square foot D-Bat and there are about fourteen parking spaces; I have never had trouble with parking.”

Commission Member Patterson asked if there would be fourteen practices at this facility at one time.

Mr. Tidwell explained “there could be, but there can only be one at a time, we are able to practice on the infield off to the

side, but it will be turf only, for practice not for a game, probably only max would be two teams at a time, one outside and one in the cages. The only other thing that would take up parking spaces would be a birthday party, which is one of our specials, or if we move into the future we want the Little League to come for meetings or drafts for their once a year drafts; we want them at our facility; you are looking at 12, 15, 18 cars at a time, it is a destination place, we want the parents to drop the kids off and go shopping and come back and get them.”

Mr. Flores explained “even though that is the highest; 22 parking spots, I considered what information I got from the City of Sherman, we tried to inch up to what you were looking at and also looking at it as an amusement park; it’s not really an amusement park, it’s not your typical batting cages from the eighty’s, where you go, you have a good time, you go, you come hit and you go every once in a while; it’s an actual academy, it’s a learning facility.”

Commission Member Davis explained “you are training these youth for an hour, the pro-shop is not open and the batting cages are not open for a youth group or somebody to pull up, everybody drives up there and starts batting.”

Mr. Tidwell explained “they have to make appointments; everything is done online or use the app on their phone, if the cage is open they can come in.”

Commission Davis explained “it is more of a private deal; not open to the public; you are closed unless somebody is in a meeting or scheduled something.”

Mr. Tidwell responded “yes; you can walk in without a membership, but it will cost you more.”

Commission Davis stated “you are having this baseball meeting with everybody and the spots are full and here comes some people because it is the start of baseball season and everybody needs to buy their bats, gloves and sliding britches and they want to hit the balls; it sounds like you are planning for this to be the worst, but worst could be bigger; I hope it is for you.”

Mr. Tidwell explained “there will be some walk up traffic to the pro-shop.”

Commission Member Gilbert asked if they grant the exception; that runs with the property, “is that correct.”

Mr. Shadden responded “yes, unless you put a limit.”

Commission Member Gilbert asked what the parking ratio was for a commercial amusement center.

Mr. Shadden responded “1 ½ per cage for a batting cage,

retail is different.”

Commission Member Gilbert stated “it’s not just one broad number, it is different for retail for the pro-shop versus the warehouse. My only concern, I haven’t seen to date where someone has asked for something this large for parking, but given that it is a little bit different what is normal.”

Mr. Flores explained “if you go to one of the sporting goods facilities you are going to spend about an hour or forty-five minutes looking for shoes, gloves and a lot of other things. Usually kids come in fifteen minutes before their lesson, the pro-shop might have a set of batting gloves, bats, gloves, shirts, caps; it’s very limited specific, so they go in twice a week, they already know it is there; there is no one really shopping, if you want a bat you already know which bat and you’re going to get it, you might spend fifteen or twenty minutes, but you are really in and out of the place.”

Chairman Mahone asked how many batting cages will be in this facility.

Mr. Flores responded “ten cages.”

Commission Member Vanderveer asked about the future field. “You would then develop fifty-three more parking spaces, is that correct.”

Mr. Flores responded “they would be glad to do that at that point. The lot that we purchased, there is room for that and we might even be able to make two smaller fields, but we are going to wait to see the climate of Little League and softball and see what we can do, if we do something, it will be turf, it will be waterproof, something we can use rain or shine, something different down the road, hopefully sooner than later.”

Commission Member Vanderveer asked Mr. Shadden “if the eighty-eight parking spaces was based on the proposed building or does that include the baseball field.”

Mr. Shadden responded “that is for the total for the overall project. You could condition this to this business, if anybody parks on the grass the exception goes away and they will have to put in the number of spaces needed.”

Mr. Flores explained “as owners, we wouldn’t want anybody to park on the grass for this specific reason; you are going onto turf and the mud, dirt or whatever you leave there is very hard to clean up.”

Mr. Shadden explained “our traffic control does issue citations for parking on the grass as well.”

Chairman Mahone asked on the wainscoting, “you would be willing to do that on the north and south sides and full brick

on the west side facing the street.”

Mr. Flores responded “yes, sir.”

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

BOARD OF ADJUSTMENTS

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow a metal building with a 48” brick wainscot on the north and south sides and full brick on the west side of the building and to allow 35 parking spaces in lieu of 88 required with the condition no parking on the grass or the exception for the parking goes away at 4113 North Frisco Road subject to the Staff Review Letter.

Second by Commission Member Gilbert.

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

VOTING NAY: NONE

MOTION CARRIED

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW (D-BAT TEXOMA) A BASEBALL AND SOFTBALL TRAINING CENTER WITH BATTING CAGES (COMMERCIAL AMUSEMENT CENTER) IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Patterson to approve the Specific Use Permit and site plan to allow (D-Bat Texoma) a baseball and softball training center with batting cages (commercial amusement center) in a C-2 (General Commercial) District at 4113 North Frisco Road subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF SHERMAN STORAGE 1, LLC (OWNER) AND ROD TATCHIO, TATCHIO & ASSOCIATES (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2105 SOUTH FM 1417 (HERITAGE PARKWAY), BEING LOT 3B, BLOCK 1, REPLAT OF LOT 3 OF COMMUNITY USA ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1,

**SUP – SELF-STORAGE
FACILITY ADDITION
2105 S. FM 1417
(HERITAGE PARKWAY)
(SHERMAN STORAGE 1,
LLC)**

SUBSECTION (4) AND SECTION 7, SUBSECTION (1B) TO ALLOW THE ADDITION OF A SELF-STORAGE FACILITY TO HAVE AN EXTERIOR METAL FACADE IN LIEU OF THE REQUIRED MASONRY IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

PLANNING AND ZONING BOARD

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW THE ADDITION OF A SELF-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

Rod Tatchio, 3512 Frisco Road, Sherman, TX

Mr. Tatchio appeared to represent the request and answer any questions. The property is located at 2105 South FM 1417 (Heritage Parkway) between Park Avenue and OB Groner Road. The property is zoned a C-1 (Retail Business) District and also located in the O-1.1 (FM 1417) Overlay District.

The owner would like to construct a 1,975 square foot addition to the existing self-storage facility; the exterior finish on the addition will be metal. The storage facility is surrounded by a perimeter masonry wall on the exterior buildings. They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Tatchio explained “I did the original plans on this facility and they left a spot for more buildings in the future. The entire perimeter with the exception from building to building is masonry. This building is behind the buildings on the property line, so it’s behind the masonry buildings. You will be able to see a very small portion of it, but it’s only the end of the building that is exposed from FM 1417 (Heritage Parkway), so we are asking that we be allowed to build this building using the same materials that we used on the other buildings that are on the interior.”

Chairman Mahone explained “the exterior buildings are all brick and the two interior buildings are already metal and you want to add a third metal building.”

Commission Member Vanderveer explained “the middle metal building that is already built can be seen from the gate, right, and it’s the same façade.”

Mr. Tatchio responded “yes.”

James Goodson, 810 Brookhurst, Richardson, TX

Mr. Goodson explained he owns property across the highway from this property. “I do object to using anything other than brick on the building, it would change the aesthetics of the area. There are a lot of us that hope the west side of FM 1417 (Heritage Parkway) will grow like the east side has, if you allow these type of changes, that won’t happen.”

Janet Goodson, 810 Brookhurst, Richardson, TX

Mrs. Goodson explained “we have owned this property for over thirty years and twenty years ago we were incorporated into the City. We were extremely happy and we knew that you would have good codes. To allow the metal to be shown from the highway, changing it from masonry, definitely devalues our property. More metal will be showing if they add a metal building, could they not put metal where it will be showing from the highway.”

Commission Member Elliott asked “if building this building, does it not trigger the interior buildings to be masonry.”

Mr. Shadden explained “he is already zoned for it and he is not changing those buildings. I would recommend that he brick the ends of the buildings that are visible from the highway.”

Chairman Mahone asked Mr. Tatchio if he would consider bricking the facing side of the existing metal building and the new building.

Mr. Tatchio responded “yes, if that would make the project go ahead.”

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

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (4) AND SECTION 7, SUBSECTION (1B) TO ALLOW THE ADDITION OF A SELF-STORAGE FACILITY TO HAVE AN EXTERIOR METAL FACADE IN LIEU OF THE REQUIRED MASONRY IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow the addition of a self-storage facility to have an exterior metal façade with the condition of bricking the west end of the two buildings which are visible through the fence on the west side of the property facing the highway at 2105 South FM 1417 (Heritage Parkway).

Second by Commission Member Patterson.

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

VOTING NAY: NONE

MOTION CARRIED

PLANNING AND ZONING BOARD

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW THE ADDITION OF A SELF-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Gilbert to approve the Specific Use Permit to allow the addition of a self-storage facility in a C-1 (Retail Business) District/O-1.1 (FM 1417 Overlay) District at 2105 South FM 1417 (Heritage Parkway) subject to Staff Review Letter. Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF SHERMAN STORAGE 1, LLC (OWNER) AND ROD TATCHIO, TATCHIO & ASSOCIATES (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2115, 2119, 2123 AND 2127 SOUTH FM 1417 (HERITAGE PARKWAY), BEING LOT 3B, BLOCK 1, REPLAT OF LOT 3 OF COMMUNITY USA ADDITION, AS FOLLOWS:

PLANNING AND ZONING BOARD

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A CLIMATE CONTROLLED SELF-STORAGE FACILITY IN AN EXISTING RETAIL CENTER A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

SUP – CLIMATE
CONTROLLED SELF-
STORAGE FACILITY
2115, 2119, 2123 & 2127
S. FM 1417 (HERITAGE
PARKWAY)
(SHERMAN STORAGE 1,
LLC)

Rod Tatchio, 3512 Frisco Road, Sherman, TX

Mr. Tatchio appeared to represent the request and answer any questions. The property is located at 2115, 2119, 2123 & 2127 South FM 1417 (Heritage Parkway) between Park Avenue and OB Groner Road. The property is zoned a C-1 (Retail Business) District and also located in the O-1.1 (FM 1417) Overlay District.

Mr. Tatchio explained “the new owners would like to renovate approximately 5,000 square foot of unfinished retail space in the existing retail center for a climate controlled self-storage facility. The tenant on the north end of the retail center (2111 S. FM 1417, Heritage Parkway) will remain.” They had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow a climate controlled self-storage facility in an existing retail center a C-1 (Retail Business) District/O-1.1 (FM 1417 Overlay) District at 2115, 2119, 2123 & 2127 South FM 1417 (Heritage Parkway)

subject to Staff Review Letter. Second by Commission Member Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF SHERMAN COLLISION REPAIR, LLC (OWNERS) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1330 SOUTH AUSTIN STREET, BEING 0.5722 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING THE SOUTH 87.5 FEET OF LOT 8, BLOCK 23 AND THE NORTH 100 FEET OF LOT 4, BLOCK 24 OF THE B.H. MOORE HEIRS ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF SCR 1 ADDITION, BEING A REPLAT OF A PART OF LOT 8, BLOCK 23 AND A PART OF LOT 4, BLOCK 24 AND PART OF THE FORMER HESTER STREET RIGHT-OF-WAY BETWEEN BLOCKS 23 & 24, B.H. MOORE HEIRS ADDITION.

REPLAT – SCR 1
ADDITION, BEING A
REPLAT OF A PART OF
LOT 8, BLOCK 23 AND A
PART OF LOT 4, BLOCK
24 & PART OF THE
FORMER HESTER
STREET ROW BETWEEN
BLOCKS 23 & 24, B.H.
MOORE HEIRS
ADDITION
1330 & 1402 S. AUSTIN
(SHERMAN COLLISION
REPAIR, LLC)

Dwight Fleming, 1317 S. Sam Rayburn Freeway, Sherman, TX

Mr. Fleming appeared to represent the request and answer any questions. The property is located at 1330 and 1402 South Austin Street between Olive and Dulin Streets. The property is zoned an R-1 (One Family Residential) District and also located in the O-1.2 (Sam Rayburn) Overlay District. The owner would like to replat two lots and part of the former Hester Street right-of-way into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

Eddie Burchwell, 307 W. Hester, Sherman, TX

Mr. Burchwell explained “what they basically want to do is Replat this and make it commercial; everything on Austin Street in that area is residential. I live on Hester Street and if I look down at this location, I see a City of Sherman commercial trash bend in the former Hester Street right-of-way that was closed. It is site, sound, trash and everything else down there; I’m opposed to it; they have already made changes to the lot, they made a parking lot on one of the lots and they moved the fence. They had a dumpster that was visible from the road that had car parts that were visible from Austin Street piled in there; it was behind the fence that was moved.”

Chairman Mahone explained “the Replat is different from the zoning. He is not asking for any exceptions or variances for the Replat, so we are required to pass it.”

Mr. Shadden explained “this is platting the street right-of-way

that they have acquired into a lot.”

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the Replat of the SCR 1 Addition at 1330 and 1402 South Austin Street subject to Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF SHERMAN COLLISON REPAIR, LLC (OWNER) AND SARTIN & ASSOCIATES, (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1330 SOUTH AUSTIN, BEING THE PROPOSED LOT 1 OF THE SCR ADDITION, A REPLAT OF A PART OF LOT 8, BLOCK 23 AND A PART OF LOT 4, BLOCK 24 AND PART OF THE FORMER HESTER STREET RIGHT-OF-WAY BETWEEN BLOCKS 23 & 24, B.H. MOORE HEIRS ADDITION, AS FOLLOWS:

ZONE CHANGE – R-1 TO
C-2
SUP – AUTO REPAIR
PARKING LOT
1330 S. AUSTIN
(SHERMAN COLLISION
REPAIR, LLC)

PLANNING AND ZONING BOARD

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.
- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN AUTO REPAIR PARKING LOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

Dwight Fleming, 1317 S. Sam Rayburn Freeway, Sherman, TX

Mr. Fleming appeared to represent the request and answer any questions. The property is located at 1330 South Austin Street and part of the former Hester Street right-of way between Olive and Dulin Streets. The property is zoned an R-1 (One Family Residential) District and also located in the O-1.2 (Sam Rayburn) Overlay District.

Mr. Fleming explained “the owner would like to rezone the property to a C-2 (General Commercial) District and request a Specific Use Permit for a parking lot for his auto repair business (Sherman Collision Repair) at 1317 South Sam Rayburn Freeway. He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone stated “he needs the Specific Use Permit because it is attached to the existing business.”

Mr. Shadden responded “right, increasing the size of the existing business. It is my understanding with discussions with Mr. Fleming there will be no wrecked or dismantled cars visible to the public at all; they will be inside the fence between the building and the fence. They may have employee parking on the asphalt that is outside the fence. As far as the dumpster, we haven’t talked about that, but I would recommend that the dumpster be screened with the fence where it is not visible to the people up the street, work out something with the Sanitation Department where they can get a truck in there to pick it up, you may have to open and close the gate; whatever it takes. Would you agree to do that?”

Mr. Fleming responded “yes, sir.”

Chairman Mahone read some of the items from the Staff Review Letter that the owner will have to comply with.

- The fence shall be setback 25’ from the Austin Street property line.
- No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
- Parking is permitted on paved surfaces only (concrete or asphalt).
- A parking space is considered to be 9’x20’.

Eddie Burchwell, 307 W. Hester, Sherman, TX

Mr. Burchwell explained “my parents purchased this property in 1949 and we have lived there continuously; I currently live there after they deceased. There are approximately twenty residential houses just on Hester Street; that does not include Austin Street or Rusk Street, just Hester Street. I have talked to five or ten of those neighbors and not one of them was in favor of them allowing this commercial body shop to expand into these properties on Austin Street. The comments range from noise, to decreasing values of the property, to the fact that we currently have and have been using residential streets for deliveries and pick up for everything for the back part of the property. They cut a hole in the fence; they moved the fence back without permission. The dumpster on the other side of the fence that was full of automobile body parts that were visible above the fence. You have a house on Austin Street that is even with where their fence is going to go, so they would look out of their house into the back of that property where these dumpsters and cars are located; and that’s just the way it sits today. We are too close for a commercial body shop; it doesn’t belong in a residential area. The neighbors I talked to said they couldn’t come today because they had to work and the other comment they stated was what difference does it make?”

Commission Member Davis explained “they sent out twenty notices and did not receive any back, so they didn’t have to be here, they could have written on the notice and sent it back.”

Mr. Burchwell understood that, “but the neighbors in that neighborhood, it is either rental property or its people that are immigrants, they are afraid to come up here for one thing.”

Commission Member Davis explained “someone owns the place they are renting.”

Mr. Burchwell understood but “I have owned my property since 1949 and I know what it would do to my property. The fact that they have done things before you even heard what they were proposing to do, illegally; it’s kind of like, well we are going to do it and I have heard this from the City before what would you like us to do, make them tear it down. They do things before they even come before you and they are going to get approval.”

Chairman Mahone explained “the Planning and Zoning Board is making a recommendation to the City Council, so you understand this will also go to the City Council.”

Mr. Burchwell understood “but they normally take your recommendation and pass it.”

Chairman Mahone explained “we don’t have an enforcement section, there are other points in the City that have that and you should definitely report those to those people if you think there is an issue.”

Commission Member Vanderveer asked if there were any other nonresidential properties that face or front Austin Street.

Mr. Shadden explained “it is a mixture; there are some houses there that are zoned commercial; that people got zoned a long time ago for future use and development. Austin Street has been the cut off for people that have requested commercial zoning. There are several businesses along the highway that go back to Austin Street and are zoned commercial; there are some that are zoned residential as well; it’s mixed on that side. I’m not aware of commercial being on the east side of Austin Street.”

Mr. Fleming stated “whatever you decide, we will get in compliance, doing everything what the City mandates, but we desperately need additional parking.”

Chairman Mahone asked Mr. Fleming, “you mentioned earlier that you were considering putting a fence up at some point; would you consider that in conjunction with the Specific Use Permit.”

Mr. Fleming agreed, “that’s the goal to try to get as much blocked out.”

Mr. Shadden asked if he would consider putting up an eight foot wood fence.

Mr. Fleming responded “they would do whatever they want.”

Mr. Shadden recommended “an eight foot fence, 25’ off the Austin Street property line, having the dumpster inside the fence and I would advise Mr. Fleming to not stack parts higher than the fence.”

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the zone change from an R-1 (One Family Residential) District to a C-2 (General Commercial) District, the Specific Use Permit and site plan to allow an auto repair parking lot at 1330 South Austin Street subject to Staff Review Letter and subject to an eight foot solid fence such as wood, the dumpster inside the fence and not stacking parts in a visible manner above the dumpster. Second by Commission Member Davis.

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

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 RUBEN & ADRIANA ALVAREZ (OWNERS) CONCERNING THE PROPERTY AT 1704 AND 1706 NORTH TRAVIS STREET, BEING LOT 2, BLOCK 1, MOSELEY ADDITION, REPLAT OF LOT 16 & THE EAST 20’ OF LOT 15, W.M. SHANNON’S SUPPLEMENT, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A LANGUAGE SCHOOL (PRESCHOOL 3-5 YEARS OLD) IN A C-O (OFFICE) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

SUP – LANGUAGE SCHOOL (PRESCHOOL 3-5 YEARS OLD)
1704 & 1706 N. TRAVIS
(RUBEN & ADRIANA ALVAREZ)

(TABLED)

Ruben & Adriana Alvarez, 3115 S. Maurice, Denison TX

Mr. and Mrs. Alvarez appeared to represent the request and answer any questions. The property is located at 1704 and 1706 North Travis Street between Fairview and Texas Streets. The property is zoned a C-O (Office) District and is located in the O-1 (75 & 82 Overlay) District. They plan to have four employees. Six parking spaces will be provided, as well as a circle driveway for drop off and pick-up of the children. They had seen the Staff Review Letter and would abide by the Recommendations.

Mrs. Alvarez explained “the project will be a language school for children 3-5 years old; it will be a bilingual school where English and Spanish will be instructed in a commercial

program with an introduction to French. Currently the building is a duplex and we plan to combine it to make just one building to have two classrooms. I understand that this is a small property and that is why I am just starting with two classrooms with the option to have a third one.”

Chairman Mahone asked if this would be an all-day school.

Mrs. Alvarez responded “yes, it will be all day. I expect to have eight to twelve students for each classroom.”

Chairman Mahone remarked “so it is for thirty-six kids.”

Mrs. Alvarez explained “initially it will be twenty-four kids, but up to thirty-six.”

Commission Member Davis asked where she planned to put the circle driveway.

Mrs. Alvarez explained “right now there is a driveway in the front yard, so we are planning to build a concrete parking lot and have the circle driveway in that area on Travis Street.”

Chairman Mahone explained “there are six parking spots on the site plan; how many people do you expect working there.”

Mrs. Alvarez responded “three teachers.”

Chairman Mahone asked if the site plan was to scale, “because the parking spots are nine feet wide and the section where the parking is located is not wide enough for that many spaces.”

Mrs. Alvarez explained “the drawing is incorrect.”

Commission Member Vanderveer asked if there was any type of traffic study on Travis Street.

Clint Philpott, Director of Engineering explained “Travis is a very busy street and we have in the past not allowed dual driveways on Travis because of the traffic volume; it is a TXDOT road. Our driveway standards for commercial development require a minimum spacing being twenty-five feet between two driveways.”

Commission Member Vanderveer stated “there is not enough space between the driveways.”

James R. Melton, 8212 Farmington Road, Gunter, TX

“I have the property at 1700 North Travis under contract to purchase. I am concerned with the lot being so small, providing enough parking and ingress and egress for thirty-six children to come into that place off of Travis Street. There is an alley on the north side of their property where they are showing their parking; the alley has been abandoned but the easement remains for utilities.”

Mr. Philpott explained “you may pave over an easement, but if they need to maintain the utilities, it is at the owner’s expense.”

Mrs. Alvarez explained “if having thirty-six children is the concern with the residents, maybe just having twenty-four will be an option.”

Chairman Mahone explained “the main concern is the traffic.”

Commission Member Vanderveer was concerned about not seeing on the drawing what is proposed, “the site plan is changing and we are not getting it on the drawing.”

Chairman Mahone asked if they would consider tabling this item to allow time to redraw the site plan.

Mr. and Mrs. Alvarez agreed to table the request.

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

A letter was received from:

Carolyn Beach, 114 W. Texas, Sherman, TX

She wrote “I am against this property being used for other than office space. We already have too much traffic pulling in/out of the Medicine Shoppe and I feel having a school located across the street would make traffic impossible! Sometimes I have to wait on cars before I can even pull in or out of my driveway!”

ACTION TAKEN.

Motion by Commission Member Vanderveer to table the request at 1704 and 1706 North Travis Street. Second by Commission Member Bridges.

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

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

EXCEPTION

THE REQUEST OF V PROP LLC (OWNER) AND LYNN VESSELS CONSTRUCTION LLC (TENANT) CONCERNING THE PROPERTY LOCATED AT 132 COMFORT WAY, BEING 3.494 ACRES IN THE J.M. HAMBRIGHT SURVEY, ABSTRACT NO. 538, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 5, TO ALLOW THE REPLACEMENT OF AN EXISTING OFFICE BUILDING ON A NONCONFORMING LOT IN AN R-A (SINGLE FAMILY AGRICULTURAL) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

EXCEPTION –
REPLACEMENT OF
EXISTING OFFICE ON
NONCONFORMING LOT
132 COMFORT WAY
(V PROP LLC)

Lynn Vessels, 132 Comfort Way, Sherman, TX

Mr. Vessels appeared to represent the request and answer any questions. The property is located at 132 Comfort Way off West U.S. Highway 82; Lynn Vessels Construction is the tenant. The property was annexed into the City of Sherman, October 24, 2011 by Ordinance 5726 and is zoned an R-A (Single Family Agricultural) District.

The existing office building was recently damaged by a storm and the owner would like to replace it with a new 54' x 40' building. He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked Mr. Vessels if he would be demolishing the existing office building after the new building is built.

Mr. Vessels responded “yes.”

Mr. Shadden explained “this is a newly annexed area, Mr. Vessels acquired this through family through years of business outside the City. There are several buildings on his property, some are metal buildings. My understanding is that he does not have any street frontage, several pieces that have been subdivided all different ways, not just his, but some others. His office building that has been there was a portable classroom that was moved in and is falling down. He came to me and said it was not practicable to upgrade every building on this lot to City standards. He wants to replace his office building with a building that will conform. We also talked about providing some asphalt paving for parking. That is where we are at, It was annexed, he’s trying to put a bow on it and do the best we can do with it. That’s why we are not asking for a zone change, but to replace this one building and if they come back in with a major project, then they will need to do a zone change and everything will need to come up to codes. That’s the request for your consideration.”

Chairman Mahone explained “parking spaces have been added on the site plan and there is a picture showing cars parking on the grass; I’m assuming you are not having that anymore and that is why you are adding the parking spaces.”

Mr. Vessels agreed.

Vice-Chairman Patterson asked his plans for construction of this new building.

Mr. Vessels explained “it would be slab on grade, wood frame, masonry siding and composition roof.”

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the

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exception to allow the replacement of an existing office building on a nonconforming lot in an R-A (Single Family Agricultural) District/O-1 (75 & 82 Overlay) District at 132 Comfort Way subject to Staff Review Letter and providing an improved surface parking lot in conjunction with the construction of the building. Second by Commission Member Elliott.

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

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 6:39 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY