

STATE OF TEXAS §

August 22, 2017

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 22, 2017.

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

MEMBERS ABSENT: NONE

CALL TO ORDER

Chairman Mahone 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 18, 2017 regular meeting. Motion by Commission Member Vanderveer to approve the Minutes as written. Second by Commission Member Bridges. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, GILBERT, PATTERSON, ELLIOTT AND VANDERVEER.

BOARD OF ADJUSTMENTS

CONSENT AGENDA (ITEMS 12, 13, 15, 16, 20, 23 & 24)

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

CONSENT AGENDA

Chairman Mahone explained there was a request from Heath Voyles, Kimley Horn and Associates to table Item #16 – Site plan approval for an addition to Wal-Mart.

The Commission reviewed the Consent Agenda. Commission Member Patterson moved to approve the Consent Agenda except for Item #16 subject to the Staff Review Letters. Second by Commission Member Vanderveer. All present voted AYE.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ONE GANESHA LTD (OWNERS) WINKELMANN & ASSOCIATES, INC. (ENGINEERS/SURVEYORS) AND DEAN GILBERT, JR. (DEVELOPER) CONCERNING THE PROPERTY LOCATED IN

FINAL PLAT – DR. SWAMY ADDITION, PHASE 1, LOTS 1-9, BLOCK A 6000-6100 BLKS. N.

THE 6000-6100 BLOCKS OF U.S. HIGHWAY 75 NORTH AND THE 3000-3200 BLOCKS OF F.M. 691, BEING 17.035 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875 AND THE DAVID HARRISON SURVEY, ABSTRACT NO. 587, AS FOLLOWS:

HWY. 75 & 3000-3200
BLKS. FM 691
(ONE GANESHA,
LTD)

PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF DR. SWAMY ADDITION, PHASE 1, LOTS 1-8, BLOCK A

The property is located in the 6000-6100 blocks of North U.S. Highway 75 and the 3000-3200 blocks of FM 691; the southeast corner of Highway 75 and FM 691. The property is zoned a C-2 (General Commercial) District and also located in the (75 & 82) Overlay District and the (FM 691) Overlay District. The owners would like to plat the property into eight 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 HERITAGE DEVELOPMENT PARTNERS, LLC (OWNERS) AND BROCKETTE/DAVIS/DRAKE, INC. (CIVIL ENGINEERS/SURVEYOR) CONCERNING THE PROPERTY IN THE 2800-3600 BLOCKS SOUTH U.S. HIGHWAY 75, BEING 6.8410 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND IN TRACT 4 OF THE BLALOCK INDUSTRIAL PARK, AS FOLLOWS:

FINAL PLAT –
SHERMAN
CROSSROADS
MEDICAL NO. 2
2800-3600 BLKS. S.
U.S. HWY. 75
(HERITAGE
DEVELOPMENT
PARTNERS, LLC)

PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF SHERMAN CROSSROADS MEDICAL NO. 2

The property is located in the 2800-3600 Blocks of South U.S. Highway 75, the northwest corner of Highway 75 and FM 1417 West; just north of the new West Travis Street extension. The owners 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.

PRELIMINARY & FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF PATRICIA REEVES (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 5184 DRIPPING SPRINGS ROAD, BEING 0.588 ACRES IN THE JOHN MCCLENIHAN SURVEY, ABSTRACT NO. 789, AS FOLLOWS:

PRELIMINARY &
FINAL PLAT – LOT 1,
BLOCK 1, LEO’S
ADDITION (ETJ)
5184 DRIPPING
SPRINGS ROAD
(PATRICIA REEVES)

PLANNING AND ZONING COMMISSION
PRELIMINARY AND FINAL PLAT APPROVAL OF LOT 1, BLOCK 1, LEO’S ADDITION LOCATED IN THE EXTRA TERRITORIAL JURISDICTION OF SHERMAN.

The property is located at 5184 Dripping Springs Road in the

City of Sherman's extraterritorial jurisdiction. The owner would like to plat the property into one lot to sell the lot. She 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 BOB TATE AND TATE CONSTRUCTION (OWNERS), GLMSS PROPERTIES, LLC (PROSPECTIVE BUYERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 1800-2000 BLOCKS OF NORWOOD STREET, BEING 21.191 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 120 AND THE WILLIAM THOMPSON SURVEY, ABSTRACT NO. 1209, ALSO BEING LOTS 1-8, KINGS RIDGE ADDITION, AS FOLLOWS:

PLANNING AND ZONING BOARD

REPLAT APPROVAL OF KINGS RIDGE ADDITION LOCATED IN THE EXTRA TERRITORIAL JURISDICTION OF SHERMAN.

The property is located in the 1800-2000 blocks of Norwood Street, which is south of U.S. Highway 82 and west of FM 1417 (Heritage Parkway) adjacent to the Carriage Estates subdivision. The property owners in the Kings Ridge Addition have requested annexation into the city limits and will have the final public hearing at the August 21, 2017, City Council Meeting. The owners would like to replat twenty lots into eight 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

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

PLANNING AND ZONING BOARD

PRELIMINARY PLAT APPROVAL OF BAC SHERMAN RE ADDITION.

The property is located at 4113 North Frisco Road, the northeast corner of Frisco Road and Dripping Springs Road. The owners would like to plat the property into one lot for commercial development. He 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- KINGS
RIDGE ADDITION
1800-2000 BLKS.
NORWOOD STREET
(ETJ)
(BOB TATE & TATE
CONSTRUCTION)

PRELIMINARY PLAT
– BAC SHERMAN RE
ADDITION
4113 N. FRISCO RD.
(BUFFALO GAP
STREET
PROPERTIES, LLC)

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF STANLEY BLYTHE (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 6120 NORTH U.S. HIGHWAY 75, BEING 4.112 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265, AS FOLLOWS:

PLANNING AND ZONING BOARD

FINAL PLAT APPROVAL OF SHERMAN LANDING ADDITION PHASE I.

The property is located at 6120 North U.S. Highway 75; the southwest corner of Highway 75 and FM 691. The owner would like to plat the property into two lots for commercial development and right-of-way dedication for Gateway Boulevard. 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.

VARIANCES & REPLAT

THE REQUEST OF MITCHELL ENTERPRISES, LTD (OWNERS), STEVE MITCHELL (REPRESENTATIVE) AND VILBIG & ASSOCIATES, INC. (CIVIL ENGINEER) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 400-500 BLOCKS OF LAUREL CREEK DRIVE, BEING 9.92 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AND BEING A PART OF BLOCKS 5 AND 6 OF LAUREL CREEK ADDITION, SECTION ONE, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW THE FOLLOWING LOT WIDTHS: LOT 5, BLOCK A – 46.29', LOT 6, BLOCK A – 40', LOT 7, BLOCK A – 56.32', LOT 8, BLOCK A, – 53.25', LOT 9, BLOCK A, – 40.10', LOT 10, BLOCK A, – 40', LOT 11, BLOCK A, – 40', LOT 19, BLOCK A, – 40.02', LOT 20, BLOCK A, – 40.03', LOT 21, BLOCK A, – 40', LOT 22, BLOCK A, – 40.14', IN THE PROPOSED REPLAT OF LAUREL CREEK, PHASE 4 IN LIEU OF THE REQUIRED SIXTY (60) FEET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LAUREL CREEK, PHASE 4, A REPLAT OF BLOCKS 5 & 6 OF LAUREL CREEK, SECTION 1

David Vilbig, 517 W. Woodard, Denison, TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 400-500 blocks of Laurel Creek Drive. The owner would like to replat the property into twenty-six lots for residential development. The owner is requesting a variance for lot widths on the following lots:

Lot 5 - 46.29'	Lot 8 - 53.25'	Lot 11 - 40'	Lot 21 - 40'
Lot 6 - 40'	Lot 9 - 40.10'	Lot 19 - 40.02'	Lot 22 - 40.14'

FINAL PLAT – SHERMAN LANDING ADDITION, PHASE I 6120 N. HWY. 75 (STANLEY BLYTHE)

VARIANCES LOT WIDTHS
REPLAT – LAUREL CREEK, PHASE 4, A REPLAT OF BLKS. 5 & 6 OF LAUREL CREEK, SECTION 1 400-500 BLKS. LAUREL CREEK DR. (MITCHELL ENTERPRISES, LTD)

Lot 7 - 56.32'	Lot 10 - 40'	Lot 20 - 40.03'	
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Mr. Vilbig explained he has done a number of subdivisions where they have been allowed to have the lot width of 60' at the building setback line (25' from the front property line). The lots we are requesting variances on are in cul-de-sacs or on curves and bubbles and the lots are actually bigger than they need to be, but the lot frontage is not sixty feet. They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained all the lots conform to the minimum size requirements.

Appearing from the audience:

Sandy Jarvis, 212 Laurel Creek Drive, Sherman, TX

Mrs. Jarvis explained she has lived in the Laurel Creek subdivision for twenty-five years; we live on Laurel Creek, Section 1. "We have not been shown the plat whether it be fourteen or fifteen homes, not twenty-six. Laurel Creek only has one entrance and one exit basically; we have no sidewalks on the street. Laurel Creek, Section 1 has two cul-de-sacs and I'm not sure that we have that setback issue on our cul-de-sacs. Then, you have Laurel Creek, II, which is just the main thoroughfare down and then back up and around you have the other cul-de-sac. The average home acreage in Laurel Creek, which we own part of the creek which comes off of Highway 56, is a half-acre to an acre or more."

"The biggest concern we have is the amount of traffic that is flowing down this one street and everybody coming off of Highway 56. I was wondering if anyone has done any transportation impact studies because we already had increased population in that area."

"There has been flooding on the two sides with the rain and also at the Laurel Creek area with the natural springs and the other things that have been an issue for the last twenty-five years. Have you done any hydraulic studies, have you looked at TXDOT about the speed limits coming off Highway 56 without a turn lane in or out of Laurel Creek subdivision, have you looked at anything with the ambulance services just to make sure we have those safety issues, because there is no other exit, they are not leaving out to catch on FM 1417 (Heritage Parkway) or Washington Street or anything like that."

"Isn't there some kind of residential thing about the number of parking spaces available on the City street for friends and family that come or visit or housekeepers, lawn men and things like that; I didn't know if these smaller confined areas would support this type of size."

"Basically, my biggest concern is safety of the people that are already there, we walk up and down and stroll the kids in

baby carriages, we do not have sidewalks in our subdivision and we do have site line problems; we have issues with people speeding down the road. What has the City of Sherman done and the Engineer to protect the residents that are already there and the ability for us to still have quality of lives and our properties?”

Clint Philpott, Director of Engineering explained “there have not been any traffic impact analysis studies done. This was part of the original master plan to have this area be lots when it was designed. TXDOT, once there is enough traffic at intersections, TXDOT will do their study to see if signalization needs to be done, unfortunately they don’t do predictions, they have to wait until it meets the amount of traffic before they will put a signal in place.”

Sandy Jarvis explained “I just spoke to TXDOT and they said the City has to request it unless there is a police or fire issue and there has been some calls for that because the City of Sherman has to pay for this hydraulic study, we might have one on the table right now and I didn’t know if that was something that you were aware of; they just told me.”

Mr. Philpott responded “I’m not aware of that.”

Mr. Vilbig explained “we have not done any traffic impact analysis on this site and the rest of the subdivision. As far as the flood study goes, we are in the process of doing a flood study, this area is flood prone. Since the FEMA map was produced, there has been a flood control lake built upstream, we have a Hydraulic Engineer who is doing the analysis of it, we will have the lots a minimum of three feet above the 100 year water surface elevation, the floodplain study is ongoing and has been submitted to FEMA.”

Commission Member Vanderveer asked the elevation of the proposed development; “is it higher or lower.”

Mr. Vilbig explained “it is about the same as the other lots, there are some lots east of it that are low, but this project will be out of the floodplain. The FEMA flood study makes sure it will not impact anybody upstream or downstream.”

Chairman Mahone asked Mr. Shadden about parking in the street.

Scott Shadden, Director of Development Services explained “the City does not have a requirement for street parking.”

Mrs. Jarvis explained “there are certain times of the year where you cannot get in or out because there are cars parked in the street. We are just concerned with the safety and quality of all of us being able to get in and out without being hurt and the flooding, because we have experienced a lot of that.”

Chairman Mahone asked if they knew how many additional lots there would be because of the variance request.

Mr. Vilbig responded “three. ”

Chairman Mahone explained “the lots they are requesting the exceptions on, if they took away three of the lots, then they could fit the rest of them in there without requiring to have any exception at all.”

Commission Member Gilbert explained “what they are asking for is not unusual, in O’Hanlon Ranch, Pebblebrook, North Haven, Austin Landing, they all have cul-de-sacs and in those cul-de-sacs the lot’s square footage is larger than the other lots but they are narrower at the front, so what they are asking instead of having sixty foot at the front, they are narrower, but the square footage of the lot is actually larger than what is required, it is not something that is an unusual request as far as the lot design and size go. All the other concerns that you have are not related directly to the shape of the lot.”

Sandy Mischkot, 421 Hidden Valley, Sherman, TX

Mrs. Mischkot explained “my husband and I bought our home in May of 1979, so we have been there a very long time. We have been through floods and I am also an Insurance Agent. I wanted to talk a little bit about flood insurance that most of these people will have to start buying. When we first moved there, we were told at that time that there was a thirty year program that was going to incorporate three projects and that was supposed to take care of our flooding, the first two were done and we still didn’t have success. Then, finally when the Dean Gilbert Lake was built, it was like a miracle, we absolutely didn’t have any high water at all, and we haven’t since then, until Mr. Mitchell around 2007, took his big equipment and started making dirt roads and everybody flooded that year; even the people on the east side flooded that year. This is the third time we have been here about this property, what I need to impress upon you is, no matter what he is planning to do, no matter how many houses he plans to build, it is going to cause us to flood. The last time we were here we had the traffic problem that we addressed and the City Council at that time told him that he was going to have to build a road that would go out to FM 1417 (Heritage Parkway) because of the one way in and the one way out. He was also wanting to build a senior citizen type structure and he was told at the meeting that in case of a fire or flood, there would be no way for emergency vehicles to get in and the people to get out, so when the cost was presented, I think it was around a million dollars to build the road, he said no, he didn’t want that kind of cost.”

“On the insurance aspect of it, flood insurance right now, if you are in a cheap zone, can run \$300 - \$400 per year but most of the homes on my street are in a high premium and that is going to run a couple thousand dollars a year on top

of their homeowners insurance. I'm a widow now and I cannot afford that. My plea to you is, you have to turn this down again, this about the third time we have been here on this and I don't care what he does, even if he puts in expensive drainage in, there is no guarantee that is going to work and we are still going to flood. Just pushing some dirt around back there and we walked back there after we were at this meeting to see what he had done and it was just a dirt road, but he had stopped the flow of these fishers in the ground with no drainage under this dirt road; that's what caused all of us to flood again. Since he has stopped what he was doing back there, we haven't flooded anymore; we haven't even had an accumulation of water in our street. I urge you to stop and don't let him build anything back there; he hasn't even done the studies yet."

Chairman Malone explained "what the board is looking at is twenty-three houses versus twenty-six houses."

Lisa Martin, 330 Chisholm Trail, Sherman, TX

Mrs. Martin explained "the traffic on Highway 56, it has become an issue, on any given morning we leave to take our kids to school, if we don't get out the door by 7:20 a.m., we will wait for quite some time to even pull out on Highway 56 and even then it is not safe, it is very dangerous; the Sory School zone is right up the street from us. Drive into our neighborhood, come about 7:25 a.m., pause like you are about to turn left and wait and just look, you will get a huge visual of what our concern is."

Commission Member Vanderveer asked Mr. Vilbig if he was involved in the Laurel Ridge cul-de-sac or the Shenandoah cul-de-sac.

Mr. Vilbig explained "those projects all happened before I was involved in this project."

Vice-Chairman Patterson asked if he had been approached about possibly putting an exit on FM 1417 (Heritage Parkway).

Steve Mitchell, 300 Laurel Creek Dr., Sherman, TX

Mr. Mitchell explained "that would involve a property owner on the other side of the creek; I do not own the property all the way to FM 1417 (Heritage Parkway). No traffic studies and the proposal to make a bridge and street; that is not anything I know about."

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

Commission Member Gilbert explained "the neighborhood concerns with the flooding and the traffic study are beyond our realm of expertise and we are not here to address those items; those are all with the City Staff with their review of the submitted documents. I don't know that we can have the

expertise to address flooding or traffic studies with regards to this project.”

Commission Member Vanderveer explained “at some point when you buy a property you know the size, you know the shape, you know the potential, I know we keep saying seeing this over and over, but at some point you have to understand what you have to work with and you work within it. It seems like everyone just buys it and ask for forgiveness later. I know from a financial standpoint, twenty-six lots makes more sense than twenty-three, but this is a lot of request here.”

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Elliott to approve the variances to allow the following lot widths: Lot 5, Block A – 46.29’, Lot 6, Block A – 40’, Lot 7, Block A – 56.32’, Lot 8, Block A, – 53.25’, Lot 9, Block A, – 40.10’, Lot 10, Block A, – 40’, Lot 11, Block A, – 40’, Lot 19, Block A, – 40.02’, Lot 20, Block A, – 40.03’, Lot 21, Block A, – 40’, Lot 22, Block A, – 40.14’, in the proposed Replat of Laurel Creek Phase 4 in lieu of the required sixty (60) feet in an R-1 (One Family Residential) District for the property in the 400-500 Blocks of Laurel Creek Drive. Second by Commission Member Gilbert.

VOTING AYE: MAHONE, GILBERT, PATTERSON AND ELLIOTT.

VOTING NAY: VANDERVEER

MOTION CARRIED

Planning and Zoning Commission

Replat approval of Laurel Creek, Phase 4, a Replat of Blocks 5 & 6 of Laurel Creek, Section 1

ACTION TAKEN.

Motion by Commission Member Davis to approve the Replat of Laurel Creek, Phase 4, a Replat of Blocks 5 & 6 of Laurel Creek, Section 1 subject to the Staff Review Letter for the property in the 400-500 Blocks of Laurel Creek Drive. Second by Commission Member Adams.

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

VOTING NAY: VANDERVEER

MOTION CARRIED

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

VARIANCES

THE REQUEST OF V. R. WREN (OWNER), VERTICAL BRIDGE (COMMUNICATIONS INFRASTRUCTURE), T- MOBILE (COMMUNICATIONS CARRIER) AND SMW ENGINEERING GROUP, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4016 TEXOMA PARKWAY, BEING 2.11 ACRES IN THE W. F. PATTERSON SURVEY, ABSTRACT NO. 969, AS FOLLOWS:

BOARD OF ADJUSTMENTS

**VARIANCE – SEPARATION FROM ANOTHER TOWER
VARIANCE – SETBACK FROM RESIDENTIAL 4016 TEXOMA PARKWAY (V.R. WREN)**

- VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (15)(V) TO ALLOW A 900' SEPARATION FROM ANOTHER MONOPOLE TELECOMMUNICATIONS TOWER IN LIEU OF THE REQUIRED 1,000 FEET IN AN M-1 (LIGHT MANUFACTURING) DISTRICT.
- VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (15)(II) TO ALLOW A 200' SETBACK FROM A RESIDENTIAL ZONE FOR A 100' TELECOMMUNICATIONS TOWER IN LIEU OF THE REQUIRED 400 FEET IN AN M-1 (LIGHT MANUFACTURING) DISTRICT.

Dr. Rick Wren, 4020 Texoma Parkway, Sherman, TX and Bob Steinweg, Vertical Bridge 1732 Manor Lane, Plano, TX

Dr. Wren and Mr. Steinweg appeared to represent the request and answer any questions. The property is located at 4016 Texoma Parkway between Gallagher Drive and Frisco Road and is zoned an M-1 (Light Manufacturing) District.

Dr. Wren explained he has owned this property for over thirty years and basically the property is unusable because of a pipe line that runs down the middle of the property and railroad tracks run down the back of it that has not been used in the last twenty years. AMS Wireless would like to erect a 100' cell tower at the northwest corner of this property. He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer asked where the nearest tower was to this property and the residential.

Dr. Wren explained "it is north, two properties; there is a building on the property that used to make generators."

Mr. Shadden explained the property on the west side of this property is zoned an R-1 (One Family Residential) District.

John Munson, 1127 W. Morton, Denison, TX

Mr. Munson explained "we have the tower to the north of this property. You have Cable One to the south and Channel 12 across the street; you have two more towers across the street. I did some research and got a copy of the ordinance, we lease to American Tower and my understanding from a past consultant is that T-Mobile is already co-locating on the tower to the north. I tried to contact American Tower; they would not confirm that one way or another. The City has a co-location, distance and setback requirement in the ordinance, why would you not pay attention to your ordinances; I'm not sure what is driving this location. It supposedly requires that he has evidence that American Tower will not permit T-Mobile to co-locate, my understanding is that T-Mobile is already on the tower at 4200 Texoma Parkway. I'm a concerned citizen and came to ask a few questions."

Bob Steinweg explained T-Mobile currently exist on the tower 900 feet to the north of this proposed tower. The question would be, why would T-Mobile initiate the idea and the need for a new tower? It basically boils down to height. T-Mobile is currently ninety feet high on the current tower and if the site is built on Dr. Wren's property, T-Mobile would be one hundred feet and ten feet makes quite a difference in the wireless world because it makes a significant difference in optimizing the coverage in your license area. You can't go above one hundred feet on the current tower so the only way T-Mobile can accomplish one hundred feet would be to build a new tower. The guide tower the gentleman referred to that currently exist are towers that the ownership is never seen fit to allow wireless communications providers to locate on those guide towers; it really is not part of the equation. When T-Mobile came up with the search ring specifying where they wanted consideration for greater height, it was rather a small area and Dr. Wren's property was the only property in that search ring that would lend itself to a hundred foot tower. The need was greater height and the only real solution was an additional tower and ultimately T-Mobile would remove themselves from the ninety foot location on the current tower and locate on the new tower on Dr. Wren's property

Chairman Mahone asked if they had looked at moving the tower so that it would comply with the distance requirement.

Dr. Wren explained "they could not move it because of the pipeline."

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

Commission Member Gilbert asked if any of the residentially zoned property has been developed.

Mr. Shadden explained "the property was annexed as an R-1 (One Family Residential) District; the Burton's property. Mr. Burton called and did not have any problem with the location of the tower."

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the variance and site plan approval to allow a 900' separation from another monopole telecommunications tower in lieu of the required 1,000 feet and variance to allow a 200' setback from a residential zone for a 100' telecommunications tower in lieu of the required 400 feet in an M-1 (Light Manufacturing) District subject to the Staff Review Letter for the property at 4016 Texoma Parkway. 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.

VARIANCE

THE REQUEST OF STEPHEN AND PENNY TICKNOR (OWNERS) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 121 WEST MOORE STREET, BEING PART OF LOTS 13 & 14, BLOCK 5, HARE & RANDOLPH'S ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(B) & (H)(2) TO ALLOW A 2' SETBACK FROM THE FRONT PROPERTY LINE FOR A 6' PRIVACY FENCE IN LIEU OF THE PERMITTED 4' IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – FRONT
SETBACK FOR
FENCE
121 W. MOORE
(STEPHEN & PENNY
TICKNOR)

Stephen Ticknor, 823 S. Crockett, Sherman, TX

Mr. Ticknor appeared to represent the request and answer any questions. The property is located at 121 West Moore Street between Travis and Crockett Streets. The property is zoned an R-2 (Multi-Family Residential) District.

Mr. Ticknor explained “we live at 823 South Crockett Street and purchased the property behind us at 121 West Moore Street. We would like to erect a (6) six foot privacy fence, 2' from the front property line along Moore Street to keep people from driving across the property and dumping trash on the lot. The 2' from the property will coincide with the stop sign and is behind the stop sign enough where it would give enough visibility for traffic flow and it would also lessen the amount of lawn maintenance on that side of the fence.” Mr. Ticknor provided pictures of what the fence would look like. 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 Commission Member Vanderveer to approve the variance to allow a 2' setback from the front property line for a 6' privacy fence in lieu of the permitted 4' in an R-2 (Multi-family Residential) District subject to the Staff Review Letter for the property at 121 West Moore Street.

Second by Vice-Chairman Member Patterson.

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.

TEMPORARY USE PERMIT

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

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

BOARD OF ADJUSTMENTS

(RENEW) TEMPORARY USE PERMIT UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A HAUNTED HOUSE FROM SEPTEMBER 29TH THROUGH OCTOBER 31ST, 2017 AND FEBRUARY 9TH AND 10TH, 2018 IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT, R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND C-1 (RETAIL BUSINESS) DISTRICT.

John LeBlanc, 221 W. Texas, Sherman, TX

Mr. LeBlanc appeared to represent the request and answer any questions. The property is located at 1400 West Taylor Street across from Fairview Park; it was formerly the Anderson Slaughterhouse. Temporary Use Permits to allow the Hatch & Kravens Slaughterhouse Haunted House attraction were granted in 2007-2010 and 2012-2016.

Mr. LeBlanc explained “we would like to open a haunted slaughterhouse, September 29th through October 31st, 2017; and February 9th and 10th, 2018 for a Valentine's Show. Optional Alternate dates for rain-outs and Grayson and Austin College nights (if needed) will be October 1st, 8th, 19th and 26th, 2017. Hours of operation will be Friday and Saturday, 8 p.m. - 12 a.m., Sunday thru Thursday, 8 p.m. - 11 p.m.. We will be utilizing the existing structure, a temporary electric pole with low voltage LED lighting; outside loud speakers will not be used. Signs will be placed thirty (30) days prior to opening and removed ten (10) days after each showing. No changes in the requests from prior years. Parking will be provided in front of the haunted house and to the east.” 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 Temporary Use Permit.

ACTION TAKEN.

Motion by Commission Member Gilbert to approve the Temporary Use Permit to allow a Haunted House from September 29th through October 31st, 2017 and February 9th and 10th, 2018 in an R-1 (One Family Residential) District, R-2 (Multi-Family Residential) District and C-1 (Retail Business) District subject to the Staff Review Letter for the property at 1400 West Taylor Street. 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.

EXCEPTIONS & SITE PLAN

THE REQUEST OF MONTGOMERY LIVING TRUST, CLIFF & DON MONTGOMERY, TRUSTEES (OWNERS) AND BEST PAWN (TENANT) CONCERNING THE PROPERTY LOCATED AT 6400 TEXOMA PARKWAY, BEING 1.756 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.5, SUBSECTION (4)(1) AND SECTION 7, SUBSECTION (1B) TO ALLOW A 4,000 SQUARE FOOT, METAL STORAGE BUILDING IN LIEU OF THE REQUIRED MASONRY EXTERIOR FAÇADE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.3 (FM HIGHWAY 691) OVERLAY DISTRICT.**
- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.5, SUBSECTION (6)(C)(II) TO NOT REQUIRE A 10’ BUFFER STRIP, LANDSCAPED AND IRRIGATED ADJACENT TO THE F.M. 691 RIGHT-OF-WAY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.3 (FM HIGHWAY 691) OVERLAY DISTRICT.**
- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.5, SUBSECTION (7) TO ALLOW AN 8’ BOARD ON BOARD FENCE IN LIEU OF THE REQUIRED MASONRY FENCE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.3 (FM HIGHWAY 691) OVERLAY DISTRICT.**

PLANNING AND ZONING BOARD

SITE PLAN APPROVAL FOR A STORAGE BUILDING AND AN ADDITION TO BEST PAWN.

Cliff Montgomery, 6400 Texoma Parkway, Sherman, TX

Mr. Montgomery appeared to represent the request and answer any questions. The property is located at 6400 Texoma Parkway; the southwest corner of Texoma Parkway and F.M. 691; Best Pawn is the tenant. The property is zoned a C-2 General Commercial District. The owners were approved to add approximately 7,773 square foot to the existing 4,033 square foot building for a total of 11,806 square foot at the July 22, 2014, Planning and Zoning Commission Meeting.

Mr. Montgomery explained “we are requesting site plan approval for a 4,000 square foot metal storage building and an addition to the existing building for lease spaces; the addition will match the existing building. We are requesting a variance to allow metal siding on the proposed storage building; it will be behind the building and will not be seen from the street. The building will be twelve foot tall and will be used for storage/warehouse with no retail use. The height of the existing retail building will be raised to match the new

EXCEPTION – EXTERIOR FAÇADE

EXCEPTION – BUFFER STRIP

EXCEPTION – FENCE

SITE PLAN – STORAGE BUILDING & ADDITION TO BEST PAWN

6400TEXOMA PARKWAY (MONTGOMERY LIVING TRUST, CLIFF & DON MONTGOMERY, TRUSTEES)

building, which will be connected and will not be seen from Texoma Parkway.”

“The fence is on back side of the property, behind the building is a chain link fence and I plan to take it down and would like to put up an 8’ board on board fence. The fence will not be seen from the highways.”

“When I built my concrete parking lot a year and a half ago, the requirement for the 10’ irrigated and landscaped area along FM 691 was not there; I did put a 3’ wide landscape strip along FM 691 and I would like to extend that all the way down, but if I put in the 10’ strip, it will take away parking.” 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 exceptions or site plan.

Board of Adjustments

ACTION TAKEN.

Motion by Vice-Chairman Patterson to approve the exceptions to allow a 4,000 square foot, metal storage building in lieu of the required masonry exterior façade, an exception to allow an 8’ board on board fence in lieu of the required masonry fence and an exception to not require a 10’ buffer strip, landscaped and irrigated adjacent to the F.M. 691 right-of-way for the property at 6400 Texoma Parkway. Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Board

ACTION TAKEN.

Motion by Commission Member Downtain to approve the site plan for a storage building and an addition to Best Pawn subject to the Staff Review Letter for the property at 6400 Texoma Parkway. Second by Commission Member Adams.

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

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE

THE REQUEST OF JOHN & JULIA BELL (OWNERS), RICK OWENS (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1518 SOUTH AUSTIN STREET,

**ZONE CHANGE – C-2
TO R-1
1518 S. AUSTIN
(JOHN & JULIA
BELL)**

BEING LOT 21R, BLOCK 1 OF THE REPLAT OF PART OF LOT 20 & 21, MAYHEW'S SECOND SUPPLEMENT, AS FOLLOWS:

PLANNING AND ZONING BOARD

ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Rick Owens, 6903 Farmington Road, Sherman, TX

Mr. Owens appeared to represent the request and answer any questions. The property is located at 1518 South Austin Street between Olive and Staples Streets. The property is zoned a C-2 (General Commercial) District and also located in the O-1.2 (Sam Rayburn Overlay) District.

Mr. Owens explained “the building sits between residential homes on either side and across the street; it has been a commercial building in the past. The owners would like to change the zoning on the property to an R-1 (One Family Residential) District. We have talked to the owners across the street and adjacent to the property and they are hoping it will become residential. There is an existing metal building located on the property that was used as Grayson Home Health and a sign company; the owners plan to convert it to a residential dwelling.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained “they could have gone for a Specific Use Permit for residential and kept the zoning on the property as commercial.”

Mr. Owens explained “the owners don’t have any thoughts of using the property as commercial and they want this for long term.”

Mr. Shadden explained “the building will need to be brought up to residential codes.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change from a C-2 (General Commercial) District to an R-1 (One Family Residential) District subject to the Staff Review Letter for the property at 1518 South Austin Street.

Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF MB SHERMAN TOWN CENTER, LP (OWNERS), CINEMARK USA, INC. (TENANT) AND MEGAN AUDERER, CHANDLER SIGNS (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3310 TOWN CENTER STREET, BEING LOTS 1, 3 & 4, BLOCK 4, SHERMAN TOWN CENTER, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(N)(1) TO ALLOW TOTAL WALL SIGNAGE ON THE EAST ELEVATION OF THE CINEMARK BUILDING TO BE 435 SQUARE FOOT IN LIEU OF THE ALLOWED 300 SQUARE FOOT IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

A letter was received from Megan Auderer, Chandler Signs on August 21, 2017 at 2:41p.m. requesting to table this request.

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

ACTION TAKEN.

Motion by Vice-Chairman Patterson to table the request to allow total wall signage on the east elevation of the Cinemark Building to be 435 square foot in lieu of the allowed 300 square foot in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District for the property at 3310 Town Center Street. Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

EXCEPTIONS

THE REQUEST OF HERITAGE DEVELOPMENT PARTNERS, LLC (OWNERS), BROCKETTE/DAVIS/DRAKE, INC. (CIVIL ENGINEERS/SURVEYOR) AND CURTIS GROUP ARCHITECTS, LTD (ARCHITECT) CONCERNING THE PROPERTY IN THE 2800-3600 BLOCKS SOUTH U.S. HIGHWAY 75, BEING 3.0170 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 AND ALSO BEING LOT 1, BLOCK 1, OF THE PROPOSED SHERMAN CROSSROADS MEDICAL NO. 2 ADDITION AND IN TRACT 4 OF THE BLALOCK INDUSTRIAL PARK, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2252 ARTICLE IV SECTION 410 (2) (J) TO ALLOW A MEDICAL OFFICE BUILDING IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.
- EXCEPTION APPROVAL UNDER ORDINANCE NO. 2280 SECTION 6.4, SUBSECTION (4) AND SECTION

EXCEPTION – WALL SIGNS
3310 TOWN CENTER STREET
(CINEMARK USA, INC.)

(TABLED)

EXCEPTION – MEDICAL OFFICE BUILDING

EXCEPTION – PARKING
2800-3600 BLKS. S. U.S. HWY. 75
(HERITAGE DEVELOPMENT PARTNERS, LLC)

6.8.4, SUBSECTION (9) TO ALLOW 202 PARKING SPACES IN LIEU OF THE REQUIRED 206 SPACES FOR A MEDICAL OFFICE BUILDING IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

Jim Riley, 4144 North Central Expressway, Ste. 1100, Dallas, TX

Mr. Riley appeared to represent the request and answer any questions. The property is located in the 2800-3600 Blocks of South U.S. Highway 75, the northwest corner of Highway 75 and FM 1417 West; just north of the new West Travis Street extension. The owners would like to construct a 41,056 square foot two-story medical office building at this location.

Mr. Riley explained “this building will be located north of the Davita Medical Office Building that is under construction now. We are requesting an exception to allow 202 parking spaces in lieu of the required 206 spaces. The pad is packed with parking and there is no more room for parking; the lot is an odd ball shaped property.” 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 exceptions.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exceptions to allow a medical office building and to allow 202 parking spaces in lieu of the required 206 spaces for a medical office building in the Blalock Industrial Park/Blalock Commercial Overlay District for the property in the 2800-3600 Blocks of South US Highway 75. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF WAL-MART REAL ESTATE BUSINESS TRUST (OWNERS), HEATH VOYLES, KIMLEY HORN AND ASSOCIATES, INC. (REPRESENTATIVE) AND SGA DESIGN GROUP (ARCHITECT) CONCERNING THE PROPERTY AT 401 EAST U.S. HIGHWAY 82, BEING LOT 1B, BLOCK 1, WAL-MART ADDITION, SECTION 1, REPLAT LOTS 1A & 1B, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ADDITION TO WAL-MART

**SITE PLAN –
ADDITION TO
WAL-MART
401 E HWY. 82
(WAL-MART REAL
ESTATE BUSINESS
TRUST)**

(TABLED)

A letter was received from Heath Voyles, Kimley Horn and Associates, Inc. on August 21, 2017 at 9:18 a.m. requesting

to table this request.

ACTION TAKEN.

Motion by Commission Member Vanderveer to table the site plan for an addition to Wal-Mart for the property at 401 East Highway 82. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

SPECIFIC USE PERMIT

THE REQUEST OF ELLIOTT SMITH (OWNER) CONCERNING THE PROPERTY AT 506 NORTH GRAND AVENUE, BEING LOTS 3, 4, 7 & 8, BLOCK 18, COLLEGE PARK 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 BED AND BREAKFAST WITH EXISTING BUILDING FINISHES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT, R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

**SUP & SITE PLAN –
BED & BREAKFAST
506 N. GRAND
(ELLIOTT SMITH)**

Elliott Smith, 506 N. Grand Avenue, Sherman, TX

Mr. Smith appeared to represent the request and answer any questions. The property is located at 506 North Grand Avenue between Pacific Street and the Railroad Tracks. The property is zoned an R-1 (One Family Residential) District, an R-2 (Multi-Family Residential) District and also located in the College Park Overlay District. The property was approved for a Specific Use Permit to allow a bed and breakfast in an R-1 (One Family Residential) District in 2003, but the Specific Use Permit went away after it closed down around 2010.

Mr. Smith explained “I purchased the property a couple of months ago. The two-story house was built in or around 1900, it consists of 5 bedrooms and 3 bathrooms. The front parlors and entire upstairs bedrooms and bathrooms will be used for the Bed and Breakfast while, in addition to the fifth bedroom downstairs and the back parlor will be reserved for cooking meals and as a personal residential space. Parking will be available behind the house to accommodate one car per unit for a total of five spaces.” 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 and site plan.

ACTION TAKEN.

Motion by Vice-Chairman Patterson to approve the Specific Use Permit and site plan to allow a bed and

breakfast with existing building finishes in an R-1 (One Family Residential) District, R-2 (Multi-family Residential) District and College Park Overlay District subject to the Staff Review Letter for the property at 506 North Grand Avenue. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF ONCOR ELECTRIC DELIVERY COMPANY (OWNERS) AND KARL CRAWLEY (APPLICANT) CONCERNING THE PROPERTY AT 2002 WEST MOORE STREET, BEING 57.3 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (5) TO ALLOW AN ELECTRICAL SUBSTATION TO BE 90’ TALL IN LIEU OF THE ALLOWED 35’ IN HEIGHT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING BOARD

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

EXCEPTION –
ELECTRICAL
SUBSTATION
HEIGHT

SUP – ADDITION TO
EXISTING
ELECTRICAL
SUBSTATION
2002 W. MOORE
(ONCOR ELECTRIC
DELIVERY
COMPANY)

Karl Crawley, 900 Jackson Street, Ste. 640, Dallas, TX

Mr. Crawley appeared to represent the request and answer any questions. The property is located at 2002 West Moore Street between West Steadman Street and Park Avenue; the ONCOR Electric Delivery Substation is located on this property. The property is zoned an R-1 (One Family Residential) District. The existing substation was in place prior to annexation into the City of Sherman and is non-conforming. ONCOR Electric Delivery would like to expand and update their existing facility on West Moore Street. Payne Switching Station is the existing station that has been there since the 1930's.

Mr. Crawley explained “the need to expand ONCOR transmission facilities in North Texas is being driven by proposed generating facilities and load growth in the area. The addition of Stone Creek Switching Station will increase operational flexibility and allow for future expansion in the area. The upgrade will include new equipment and a small Control Building. The majority of the new construction will be located on the southwest corner of the tract with another smaller expansion on the existing facility near the center of the site.”

“Along with the Specific Use Permit request, an exception is

needed to allow a maximum height of 90 feet for some of the new equipment. The site is crossed by three sets of transmission lines with poles of varying height with some being at 90 feet in height. The trees along Moore Street will remain in place for the most part and with the site sloping away (down) from the street the new construction will not be intrusive.” They had seen the Staff Review Letter and would abide by the Recommendations.

Thomas Bragg, 1806 W. Moore Street, Sherman, TX

Mr. Bragg explained he lives next door to this property to the north. He wanted to know the actual footprint of the substation. He also wanted to know if they would be removing any of the trees on the lot. He was concerned with the exception for the height; he understood the 90’ is for the lightning mask and night time lighting on the project site. “I would request that any security lighting around the perimeter be turned down.”

Mr. Crawley explained “it will be 300’ x 400’ on a little over an acre or two.” He showed Mr. Bragg the site plan. “The transmission lines will vary in height and the lightning mask will be the highest point; it is just a pole that is grounded. I don’t believe we will put any security lighting and at 90’ it doesn’t require the red lighting on the top of it.”

Mr. Shadden explained “the FAA will require that. The site lighting would need to not be shining on the neighbors, maybe some LED down lights; we want to keep it off residential properties.”

Mr. Bragg was satisfied with the site plan that was provided.

Mr. Shadden asked if they would be willing to put in the LED lights.

Todd Thompson, ONCOR explained “I will review tonight what lighting is out there, I think we have four guard lights, they are probably twenty-five years old, I will ensure that we get some horizontal cutoff, we have some right now that will allow us to start using them in the City and see if we can get those up to put at that site.”

Chairman Mahone asked Mr. Bragg if he currently sees the lights from the substation.

Mr. Bragg explained “there is one that shines through at night on the tall building; I would be quite happy if that one would be turned down and replaced also.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow an electrical substation to be 90’ tall in lieu of the allowed 35’ in height in an R-1 (One Family Residential) District subject to providing downward LED lighting as discussed for the property at 2002 West Moore Street. Second by Commission Member Gilbert.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Board

ACTION TAKEN.

Motion by Commission Member Downtain to approve the Specific Use Permit and site plan approval to allow an addition to an existing electrical substation in an R-1 (One Family Residential) District subject to the Staff Review Letter for the property at 2002 West Moore Street. Second by Vice-Chairman Patterson.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE, EXCEPTIONS & SITE PLAN

THE REQUEST OF TY AND SARA OSMANI (OWNERS) AND SEVEN D FOUR ARCHITECTURE (ARCHITECT) CONCERNING THE PROPERTY AT 429 NORTH SAM RAYBURN FREEWAY, BEING ALL OF LOT 2 AND PART OF LOT 1, BLOCK 1, OF THE REPLAT OF PART OF LOT 6 AND 7 OF THE J.B. SHANNON DEED, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- **VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW A CONVENIENCE STORE ON THE REAR PROPERTY LINE IN LIEU OF THE REQUIRED 10’ IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.**
- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (4) TO ALLOW ELEVEN (11) PARKING SPACES IN LIEU OF THE REQUIRED TWENTY-THREE (23) PARKING SPACES FOR A CONVENIENCE STORE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.**
- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.2, SUBSECTION (6)(C)(2) TO NOT REQUIRE THE 10’ BUFFER STRIP, LANDSCAPED AND IRRIGATED IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.**

VARIANCE – REAR SETBACK

EXCEPTION – PARKING

EXCEPTION – BUFFER STRIP

**SITE PLAN – CONVENIENCE STORE WITH FUELING STATION
429 N. SAM RAYBURN FREEWAY
(TY & SARA OSMANI)**

(TABLED)

**PLANNING AND ZONING BOARD
SITE PLAN APPROVAL FOR A CONVENIENCE STORE WITH
FUELING STATION.**

**Kevin Dingman, Seven D Four Architecture, 8446 Winged
Foot Drive, Frisco, TX**

Mr. Dingman appeared to represent the request and answer any questions. The property is located at 429 North Sam Rayburn Freeway, the southeast corner of Washington Street and Sam Rayburn Freeway. The property is zoned a C-1 (Retail Business) District and also located in the Central Business District and the Sam Rayburn Overlay District.

Mr. Dingman explained “the owners would like to demolish the existing convenience store and construct a 4,500 square foot convenience store further back towards Rusk Street to get it out of the floodplain; the building will be approximately six feet higher than the existing pumps. The existing fueling station will remain and they would like to extend it, adding two new gas pumps. The exterior of the building will be stone. They are requesting variance to allow the building to be built on the rear property line and exceptions to allow eleven parking spaces in lieu of the required twenty-three, the building is not a typical retail building; you are usually at the gas pumps about thirty seconds. They are also requesting to not require the ten foot landscaped and irrigated buffer strip along Sam Rayburn Freeway because it is all concrete.” They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden asked if they plan on leaving the existing gas tanks.

Mr. Dingman responded “yes”.

Billy Dickerson, 2804 W. Houston, Sherman, TX

Mr. Dickerson explained he owns the property to the east of this property, Budget Auto Glass. “The variance to put the building on the property line is going to create a flood issue between our buildings. I’ve got a 50’ x 30’ building and all my water runs directly right in this area. If he was on the property line, to make the parking lot level, you would have to build it three foot on top of the wall to get the water to split.”

Mr. Dingman explained “we wanted to see what the board would allow before getting topo studies and engineers involved.”

Commission Member Vanderveer asked “aren’t you asking for site plan approval.”

Mr. Dingman responded “I was told that was what we needed to do; we wanted to see what we could do before spending a whole lot of money.”

Commission Member Vanderveer asked if there was any way to get any more parking on the lot.

Mr. Shadden explained “this site plan has parking spaces shown in the right-of-way on Washington Street and the trash dumpster is located in two of the parking spaces. Mr. Chairman they need to bring in a site plan that will comply with the ordinance.”

Chairman Mahone asked if they would like to table the request to revise their site plan.

Mr. Dingman agreed.

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Elliott to table the request at 429 North Sam Rayburn Freeway. Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF AL DENSON, WYLDEWOOD HOMES, LLC (OWNERS) AND JUSTIN ADAMS, (REPRESENTATIVE) CONCERNING THE PROPERTY IN THE 3400-3500 BLOCKS BALLAM STREET AND THE 2200-2300 BLOCKS SOUTHRIDGE LANE, BEING LOTS 1-19, BLOCK C, LOTS 1-14, BLOCK D AND LOTS 30-35, BLOCK K, PEBBLEBROOK SOUTH, PHASE II, AS FOLLOWS:

PLANNING AND ZONING BOARD

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
3400-3500 BLOCKS
BALLAM STREET
AND THE 2200-2300
BLOCKS
SOUTHRIDGE LANE
(AL DENSON,
WYLDEWOOD
HOMES)

Al Denson, 3803 Ward Neal Road, Bells, TX

Mr. Denson appeared to represent the request and answer any questions. The property is located in the 3400-3500 blocks of Ballam Street and the 2200-2300 Blocks of Southridge Lane between Peggey's Cove and Southridge Lane in the Pebblebrook South Addition, Phase II.

Mr. Denson, Wyldeewood Homes, LLC explained they are requesting a Specific Use Permit to allow patio homes on thirty-nine lots; “these days people like less yard.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if he knew if there are any current patio homes in that neighborhood.

Mr. Denson explained “we have built the same homes in Pebblebrook, we didn’t call them patio homes; they are right around the corner on Ridgecrest Lane. We are going to keep our twenty-five foot setback.”

Commission Member Gilbert asked how deep the existing lots were.

Mr. Denson responded, “120’ to 130’.”

Commission Member Gilbert explained “typical setbacks are 25’ in the front and rear and with a patio home there is a 10’ rear yard and 20’ front yard; so they are building a larger house on a smaller lot.”

Chairman Mahone explained he typically is using the Specific Use Permit for the side yard.

Mr. Denson explained they build up to 2,000 square feet.

Justin Adams, 2831 S. Lillis, Denison, TX

Mr. Adams explained these fifty-nine lots are split between two phases; Pebblebrook South, Phase II and III.”

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

ACTION TAKEN.

Motion by Commission Member Bridges to approve the Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District subject to the Staff Review Letter for the property in the 3400-3500 Blocks Ballam Street and the 2200-2300 Blocks Southridge Lane. Second by Commission Member Gilbert.

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

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 AL DENSON, WYLDEWOOD HOMES, LLC (OWNERS) AND JUSTIN ADAMS, (REPRESENTATIVE) CONCERNING THE PROPERTY IN THE 3400-3500 BLOCKS HANAN STREET AND THE 2300 BLOCKS SOUTHRIDGE LANE, BEING LOTS 15-32, BLOCK D, LOTS 36 & 37, BLOCK G, PEBBLEBROOK SOUTH, PHASE III, AS FOLLOWS:

PLANNING AND ZONING BOARD

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO

SUP & SITE PLAN –
PATIO HOMES
3400-3500 BLOCKS
HANAN STREET AND
THE 2300 BLOCK
SOUTHRIDGE LANE
(AL DENSON,
WYLDEWOOD
HOMES)

ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Al Denson, 3803 Ward Neal Rd., Bells, TX

Mr. Denson appeared to represent the request and answer any questions. The property is located in the 3400-3500 blocks of Hanan Street and the 2300 Blocks of Southridge Lane between Peggey's Cove and Southridge Lane in the Pebblebrook South Addition, Phase III.

Mr. Denson, Wyldewood Homes, LLC explained he is requesting a Specific Use Permit to allow patio homes on twenty lots. They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer asked if they were putting up a retention barrier for the mud; the black plastic for the stormwater.

Mr. Denson explained “we just hired a contractor to put up a silt fence because we are tired of cleaning that up.”

Commission Member Vanderveer explained “I drove through there a couple of weeks ago and there were about 4-6 inches of mud in the street.”

Mr. Denson explained they hired a contractor to put up the silt fence; “he is putting it up in pieces.”

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District subject to the Staff Review Letter for the property in the 3400-3500 Blocks Hanan Street and the 2300 Block Southridge Lane. Second by Vice-Chairman Patterson.

**VOTING AYE: MAHONE, GILBERT, PATTERSON, ELLIOTT DAVIS, ADAMS, DOWNTAIN, BRIDGES 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 6:42 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY