

STATE OF TEXAS §

October 17, 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 October 17, 2017.

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

MEMBERS ABSENT: ELLIOTT

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 September 19, 2017 regular meeting. Motion by Vice Chairman Patterson to approve the Minutes as written. Second by Commission Member Vanderveer. 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, VANDERVEER AND DAVIS.

BOARD OF ADJUSTMENTS

CONSENT AGENDA (ITEMS 6, 7, 8 & 14)

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

CONSENT AGENDA

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

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF ALCOHOLIC SERVICES OF TEXOMA (OWNER) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1500 BLOCK OF BAKER DRIVE, BEING ALL OF LOT 2R IN BLOCK 1 OF HELEN PERKINS ADDITION AND ALL OF LOT 6R-A, BLOCK 1, ALCOHOLIC SERVICES ADDITION, CONTAINING 4.054, AS FOLLOWS:

*PLANNING AND ZONING COMMISSION*

REPLAT –  
ALCOHOLIC  
SERVICES  
ADDITION, BLK. 1,  
LOTS 2R-A, 6R-A1 &  
6R-A2  
1500 BLK. BAKER  
DRIVE  
(ALCOHOLIC

REPLAT APPROVAL OF ALCOHOLIC SERVICES ADDITION, BLOCK 1, LOTS 2R-A, 6R-A1 AND 6R-A2.

SERVICES OF TEXOMA)

The property is located in the 1500 block of Baker Drive between Texoma Parkway and Frisco Road and is zoned a C-2 (General Commercial) District. The owner would like to replat the property into three lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

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

SITE PLAN – ADDITION TO WALMART 401 E U.S. HIGHWAY 82 (WALMART REAL ESTATE BUSINESS TRUST)

*PLANNING AND ZONING COMMISSION*

SITE PLAN APPROVAL FOR AN ADDITION TO WAL-MART

This item was tabled at the August 22, 2017, Planning and Zoning Commission Meeting. The property is located at 401 East US Highway 82, the northwest corner of Highways 75 and 82; Wal-Mart is the tenant. The property is zoned a C-2 (General Commercial) District and also located in the O-1 (75 & 82 Overlay) District. Wal-Mart would like to construct a 1,390 square foot addition for their automated pick-up delivery service. The exterior on the new addition will be a metal ribbed panel system. Parking will be provided for 1036 spaces. 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 BUFFALO GAP STREET PROPERTIES, LLC (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED 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:

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

*PLANNING AND ZONING COMMISSION*

FINAL 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 of D-Bat, a baseball/softball training facility. 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 JKL PARTNERS, LLC (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING, (SURVEYOR) CONCERNING THE PROPERTY IN THE 2600 BLOCK NORTH TRAVIS STREET AND THE 100-200 BLOCKS OF WEST MCLAIN STREET, BEING 3.126 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALSO BEING LOT 2, MCLAIN ADDITION, AS FOLLOWS:

***PLANNING AND ZONING BOARD***

REPLAT APPROVAL OF LOT 2R, MCLAIN ADDITION, A REPLAT OF LOT 2 OF MCLAIN ADDITION

REPLAT – LOT 2R,  
MCLAIN ADDITION, A  
REPLAT OF LOT 2  
OF MCLAIN  
ADDITION  
2600 BLK. N. TRAVIS  
& 100-200 BLKS. W.  
MCLAIN  
(JKL PARTNERS,  
LLC)

The property is located in the 2600 Block of North Travis Street and the 100-200 Blocks of West McLain Street; the northwest corner of Travis and McLain Streets. The owners would like to replat the property into three lots for commercial and 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.**

**SPECIFIC USE PERMIT & SITE PLAN**

THE REQUEST OF C SQUARED AUTOMOTIVE, INC. (OWNER), HARRY DHESI, TEXOMA LIQUOR (PROPOSED TENANT) MANGRUM COMMERCIAL, LLC (REPRESENTATIVE) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 2520 TEXOMA PARKWAY, BEING 0.69 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 504, 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 (75 & 82 OVERLAY) DISTRICT.

SUP – LIQUOR  
STORE  
2520 TEXOMA  
PARKWAY  
(C SQUARED  
AUTOMOTIVE, INC.)

**David Mangrum, 3209 Bennett Road, Howe, TX**

Mr. Mangrum appeared to represent the request and answer any questions. The property is located at 2520 Texoma Parkway, the southwest corner of Texoma Parkway and U.S. Highway 82. The property is zoned a C-2 (General Commercial) District and also located in the O-1 (75 & 82 Overlay) District.

Mr. Mangrum explained “the applicants are requesting a Specific Use Permit to allow a liquor store at this location. In the past, this location has been Color Tile, Napa and most recently Dennard’s Outdoor Equipment.” 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 and site

plan.

**ACTION TAKEN.**

Motion by Commission Member Bridges to approve the Specific Use Permit to allow a liquor store at 2520 Texoma Parkway subject to the Staff Review Letter. Second by Vice-Chairman Patterson.

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

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**EXCEPTION & AMENDED SITE PLAN**

**THE REQUEST OF MLJ REAL ESTATE, LP (OWNERS), HOLIDAY POWERSPORTS (TENANT), BATES MARTIN ARCHITECTS, MICHAEL BATES (ARCHITECT/REPRESENTATIVE), HOMEYER ENGINEERING, INC. (CIVIL ENGINEER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 325 WEST U.S. HIGHWAY 82, BEING 3.85 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (4)(B) TO ALLOW THE NORTH AND EAST SIDES OF THE BUILDINGS TO BE ARCHITECTURAL METAL WALL PANELS FOR HOLIDAY POWERSPORTS IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.**

***PLANNING AND ZONING COMMISSION***

**AMENDED SITE PLAN APPROVAL FOR HOLIDAY POWERSPORTS.**

**EXCEPTION –  
FAÇADE**

**AMENDED SITE  
PLAN – HOLIDAY  
POWERSPORTS  
325 W. U.S. HWY. 82  
(MLJ REAL ESTATE,  
LP)**

**Michael Bates, Architect, 521 South Loop 288, Suite 165,  
Denton, TX 76205**

Mr. Bates appeared to represent the request and answer any questions. The property is located at 325 West U.S. Highway 82, between Travis Street and Plainview Road. The property is zoned a C-2 (General Commercial) District and also located in the O-1 (75 & 82) Overlay District. A Specific Use Permit to allow a sales, parts and service for motorsports vehicles for a Honda-Polaris Dealership was approved January 16, 2017.

Mr. Bates explained “Holiday Powersports is currently located at 3908 Texoma Parkway and has fourteen employees. He would like to move the business to 325 West U.S. Highway 82. The owner has redesigned the facility that will house four lines of motorsports vehicles and associated clothing and accessories for the use by motorsports enthusiasts. The site is planned to have two standalone buildings with the larger building (29,729 square feet) housing the showroom, offices and service areas. The smaller building (5,600 square feet) will store motorsports

vehicles that are still contained in their shipping crates. They plan to hire forty-five employees after opening.”

“They are requesting the building facades facing south and west to have a stone wainscot and stucco wall finish. A standing seam metal roof portico will run along the south facade. The portico will break up this elevation and provide shade for the large display windows facing Highway 82. They are requesting an exception for the north and east sides of the buildings to be allowed to be prefinished metal wall panels (“R” panels). All of the parking lots are planned to be paved with concrete and will have curb and gutter; 83 parking spaces will be provided. The vegetation on the east side of the property will remain the same, which will provide a good barrier. The track on the west side of the property has been modified to be used for test driving only.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if the exception for the metal façade would be for both buildings.

Mr. Bates explained “it would be just for the north and east sides of the large building that is 34,904 square feet.”

Joan Swalwell, 4200 Beverly Drive, Dallas, TX

Mrs. Swalwell explained she owns the property on the east side of this tract. The property has a residential home on the lot and she was concerned with screening of the property. “There is a tree line and vegetation adjacent to the properties and I would like it to stay as a barrier between the properties. There is an oil pump on the property as well and the tree line will help with the noise from the pump.”

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

Commission Member Davis asked Mr. Bates if he was willing to brick the east side of the building; “I’m not sure that the east side of the building will not be visible from the highway.”

Vice-Chairman Patterson explained “trees come and go; they die, the trees are not guaranteed to always be there.”

Scott Shadden, Director of Developmental Services asked if they would be willing to maintain the tree line with a live screening, being a condition of the variance.

Mr. Bates responded “yes”.

Chairman Mahone asked if there is vegetation on the north side of the property.

Mr. Bates did not believe there was on the north side.

Commission Member Gilbert commented “the building looks very nice, he has a nice architectural rendering, it looks really attractive from Highway 82, considering what has been there for many years.”

**BOARD OF ADJUSTMENTS**

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the exception to allow the north side of the building to be architectural metal wall panels for Holiday Powersports in lieu of the required masonry and providing a permanent natural barrier on the east side of the property in a C-2 (General Commercial) District/O-1 (75 & 82 Overlay) District for the property at 325 West U.S. Highway 82. Second by Vice-Chairman Patterson.

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

VOTING NAY: NONE

MOTION CARRIED

**PLANNING AND ZONING COMMISSION**

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the amended site plan for Holiday Powersports subject to the Staff Review Letter for the property at 325 West U.S. Highway 82. Second by Commission Member Davis.

VOTING AYE: MAHONE, GILBERT, PATTERSON, 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 & CONCEPTUAL SITE PLAN**

THE REQUEST OF JOE WILSON (OWNER) AND VILBIG AND ASSOCIATES, PLLC (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3300-3400 BLOCKS OF NORTH FM 1417 (HERITAGE PARKWAY), BEING 11.74 ACRES IN THE URIAH BURNS SURVEY, ABSTRACT NO. 121, AS FOLLOWS:

**PLANNING AND ZONING BOARD**

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

**David Vilbig, Vilbig & Associates, 517 W. Woodard, Denison TX**

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 3300-3400 blocks of North FM 1417 (Heritage Parkway); the southwest corner of FM 1417 and U.S. Highway 82.

Mr. Vilbig explained the owner would like to change the zoning on the property to a C-1 (Retail Business) District for

ZONE CHANGE & CONCEPTUAL SITE PLAN – R-1 TO C-1 3300-3400 BLKS. N. FM 1417 (HERITAGE PARKWAY) (JOE WILSON)

future commercial development. 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 zone change.

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District for the property in the 3300-3400 Blocks of North FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Adams.

VOTING AYE: MAHONE, GILBERT, PATTERSON, 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 & CONCEPTUAL SITE PLAN

THE REQUEST OF JOE WILSON (OWNER) AND VILBIG AND ASSOCIATES, PLLC (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3500-3600 BLOCKS OF NORTH FM 1417 (HERITAGE PARKWAY), BEING 28.86 ACRES IN THE URIAH BURNS SURVEY, ABSTRACT NO. 121, AS FOLLOWS:

*PLANNING AND ZONING BOARD*

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

ZONE CHANGE & CONCEPTUAL SITE PLAN – R-A & R-1 TO C-1  
3500-3600 BLKS. N. FM 1417 (HERITAGE PARKWAY)  
(JOE WILSON)

David Vilbig, Vilbig & Associates, 517 W. Woodard, Denison TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 3500-3600 blocks of North FM 1417 (Heritage Parkway); the northwest corner of FM 1417 and U.S. Highway 82.

Mr. Vilbig explained the owner would like to change the zoning on the property to a C-1 (Retail Business) District for future commercial development. 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 zone change.

**ACTION TAKEN.**

Motion by Vice-Chairman Patterson to approve the zone change from an R-A (Single Family Agricultural) District and R-1 (One Family Residential) District to a C-1 (Retail Business) District for the property in the 3500-3600 Blocks of North FM 1417 (Heritage Parkway) subject to the Staff

Review Letter. Second by Commission Member Davis.  
VOTING AYE: MAHONE, GILBERT, PATTERSON, DAVIS,  
ADAMS, DOWNTAIN, BRIDGES AND VANDERVEER  
VOTING NAY: NONE  
MOTION CARRIED

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

PRELIMINARY PLAT, SPECIFIC USE PERMIT & SITE PLAN  
THE REQUEST OF SSCGC HOLDINGS, LLC (OWNER), JOE  
GILBERT CONSTRUCTION, LLC (PROSPECTIVE BUYER)  
AND VILBIG AND ASSOCIATES, PLLC (CIVIL  
ENGINEER/SURVEYOR) CONCERNING THE PROPERTY  
LOCATED IN THE 1400-1600 BLOCKS SOUTH FM 1417  
(HERITAGE PARKWAY), BEING 4.08 ACRES IN THE  
ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS  
FOLLOWS:

*PLANNING AND ZONING COMMISSION*

- PRELIMINARY PLAT APPROVAL OF BROOKHAVEN  
GARDEN HOMES
- 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.

PRELIMINARY PLAT –  
BROOKHAVEN  
GARDEN HOMES

SUP & SITE PLAN –  
PATIO HOMES  
1400-1600 BLKS. S.  
FM 1417 (HERITAGE  
PARKWAY)  
(SSCGC HOLDINGS,  
LLC)

Commission Member Gilbert abstained from this request  
because of a conflict of interest.

David Vilbig, Vilbig & Associates, 517 W. Woodard, Denison  
TX

Mr. Vilbig appeared to represent the request and answer any  
questions. The property is located in the 1400-1600 blocks of  
South FM 1417 (Heritage Parkway) between Quail Run Road  
and West Park Avenue.

Mr. Vilbig explained the prospective buyer would like to plat  
the property into twenty-four (24) lots for residential  
development of patio homes. “The lots are fifty feet wide, the  
front setback is twenty feet and the rear setback is twenty  
feet, they are only one hundred feet deep. The tract is on FM  
1417 (Heritage Parkway) just north of the existing retirement  
center. The property to the north is zoned an R-2 (Multi-  
family Residential) District.” They had seen the Staff Review  
Letter and would abide by the Recommendations.

Brian Gaskill, 1505 Creekview Lane, Sherman, TX

Mr. Gaskill wanted to know if this development would be  
connecting to FM 1417 (Heritage Parkway). “I live just before  
the cul-de-sac on Creekview Lane, there have been times  
when cars are parked in the cul-de-sac that the trash and  
recycling trucks will come and if cars are parked there, they  
will not give service to us because they cannot turn around.”

Chairman Mahone explained “Creekview Lane will connect to  
this development and provide access to FM 1417 (Heritage



Parkway).”

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

An email was received from Bill Magers

“After reviewing the request for the Brookhaven Garden Home Development, I am writing to inform you that SSCGC Holdings, LLC fully supports the project and hopes it will be approved at tonight’s Planning and Zoning meeting. We sincerely believe that it will be an asset to our property and, more importantly, to our community.”

**ACTION TAKEN.**

Motion by Vice-Chairman Patterson to approve the Preliminary Plat, Specific Use Permit and site plan to allow patio homes in an R-1 (One Family Residential) District for the property in the 1400-1600 Blocks South FM 1417 (Heritage Parkway). Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

ABSTAIN: GILBERT

MOTION CARRIED

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

VARIANCE, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF PLATINUM VENTURES, LLC (OWNER) AND NATHAN GRAY, NBS DRAFTING (DRAFTSMAN) CONCERNING THE PROPERTY LOCATED AT 700 NORTH ROSS AVENUE, BEING LOT 6, BLOCK 4, C.J. KELIECHORS 1<sup>ST</sup> ADDITION, AS FOLLOWS:

*BOARD OF ADJUSTMENTS*

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 3’9” SIDE SETBACK ON THE NORTH SIDE FOR A DUPLEX (TWO-FAMILY DWELLING) IN LIEU OF THE REQUIRED 6’ 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 A DUPLEX (TWO-FAMILY DWELLING) IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Nathan Gray, 303 W. Houston, Sherman, TX

Mr. Gray appeared to represent the request and answer any questions. The property is located at 700 North Ross Avenue, the northwest corner of Ross Avenue and Brockett Street.

Mr. Gray explained “we are requesting a variance on the north side of the duplex that is normally six feet; we would

VARIANCE – SIDE SETBACK (DENIED)

SUP & SITE PLAN - DUPLEX (TABLED)

700 N. ROSS (PLATINUM VENTURES, LLC)

like a 3' 9" setback from the property line. The duplex will have three bedrooms per side for a total of six. The property is zoned an R-1 (One Family Residential) District and the owners would like to construct a duplex on the property. Each unit will have a one-car garage and two off street parking spaces." They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer asked if there are other multi-family units in that area.

Mr. Shadden responded "yes, there is, duplexes used to be allowed in an R-1 (One Family Residential) District; there are several on Ross Street".

Chairman Mahone asked about the request for the setback; "what is the reason for the request."

Mr. Gray explained "it is based on the size; the owner is trying to get a three bedroom, two bath, two unit duplex on the lot."

Chairman Mahone asked Mr. Gray if he knew what the distance would be between the new duplex and the house to the north.

Mr. Gray did not know the distance between the buildings.

Mr. Shadden explained "the minimum is six foot between buildings; the building to the north should be at least five foot from the property line, five foot was the setback prior to September 1973."

Chairman Mahone asked what the outside walls would be made of.

Mr. Gray responded "it will be brick exterior, all the way around."

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

Commission Member Davis asked how wide the house would be.

Mr. Gray explained "what threw them off was the ten foot setback off of Brockett Street; we originally thought we would have more than that; it's a corner lot, so it has a larger setback."

Chairman Malone stated "the building is thirty-seven feet wide."

Commission Member Vanderveer asked "from the drawing, are you showing 2' 3" on the bottom right from the property line."

Mr. Gray explained “I am showing 2’3”, but it is encroaching 3’9” into the 6’ space.”

Vice-Chairman Patterson stated “you are 2’3” from the property line, not 3’9”.”

Mr. Gray responded “right, when they called and they needed to know how much I needed, I need 3’9” over the line.”

Mr. Shadden asked between the wall and the property line is what measurement?”

Vice-Chairman Patterson responded 2’3”.

Mr. Shadden explained “they can’t hear the request tonight, we advertised it at 3’9”, the request is wrong.”

Chairman Mahone stated “the request is for a 3’9” setback on the north side property line.”

Mr. Gray explained “that is the discrepancy, they asked me how much I needed and I told them 3’9”.”

Chairman Mahone stated “you actually wanted a 2’3” setback.”

Mr. Shadden explained “he will have to come back.”

Chairman Mahone asked if they need to table the request or do we have to start all over.

Mr. Gray explained “I could see if I could make that work.”

Mr. Shadden explained “you could grant 3’9” and they would have to make it work.”

Vice-Chairman Patterson asked “if he would accept 3’9”, would he accept 6’.”

Commission Member Gilbert stated he felt the space is well used being redeveloped as a duplex; “we don’t have any opposition from the neighbors.”

Vice-Chairman Patterson felt it would be a great fit for the neighborhood.

Commission Member Vanderveer asked “to make it fit, would it be a reduction in bedrooms.”

Mr. Gray explained “it would make it smaller.”

Commission Member Gilbert explained “they have 100’ in depth, they could do a front and back, there are other options.”

Vice-Chairman Patterson felt being that close to Austin College; “you are not going to have any trouble renting it. I just don’t see the need for the variance; I think there are ways to work around it.”

**Board of Adjustments**

**ACTION TAKEN.**

Motion by Commission Member Davis to deny the variance to allow a 3’ 9” side setback on the north side for a duplex in lieu of the required 6’ in an R-1 (One Family Residential) District for the property at 700 North Ross Avenue. Second by Vice-Chairman Patterson.

**VOTING AYE: MAHONE, GILBERT, PATTERSON, DAVIS, AND VANDERVEER**

**VOTING NAY: NONE**

**MOTION CARRIED**

Mr. Shadden explained the site plan could not be approved as it is drawn; you could table the Specific Use Permit.

**PLANNING AND ZONING BOARD**

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to table the request for a Specific Use Permit and site plan approval to allow a duplex in an R-1 (One Family Residential) District for the property at 700 North Ross Avenue. Second by Vice-Chairman Patterson.

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

**VOTING NAY: NONE**

**MOTION CARRIED**

**THE REQUEST WAS TABLED.**

**EXCEPTION, ZONE CHANGE & SITE PLAN**

THE REQUEST OF JKL PARTNERS, LLC (OWNERS), BWG ARCHITECTURE (ARCHITECT) AND UNDERWOOD DRAFTING AND SURVEYING, (SURVEYOR) CONCERNING THE PROPERTY IN THE 2600 BLOCK NORTH TRAVIS STREET AND THE 100-200 BLOCKS OF WEST MCLAIN STREET, BEING THE PROPOSED LOT 3 OF THE REPLAT OF LOT 2R, MCLAIN ADDITION, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(B) TO ALLOW A NATURAL SCREENING (SHRUBS) IN LIEU OF THE REQUIRED 6’ SCREENING DEVICE IN A C-1 (RETAIL BUSINESS) DISTRICT.

***PLANNING AND ZONING BOARD***

ZONE CHANGE AND SITE PLAN APPROVAL FOR AN OFFICE UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.

**EXCEPTION –  
SCREENING**

**ZONE CHANGE – R-2  
TO C-1**

**SITE PLAN - OFFICE  
2600 BLK. N. TRAVIS  
& 100-200 BLKS. W.  
MCLAIN  
(JKL PARTNERS,  
LLC)**

**Jeff Lightfoot, 1718 W. Lamberth, Sherman, TX &**

Bruce Green, BWG Architecture, PO Box 923, Van Alstyne, TX

Mr. Lightfoot and Mr. Green appeared to represent the request and answer any questions. The property is located in the 2600 Block of North Travis Street and the 100-200 Blocks of West McLain Street; the northwest corner of Travis and McLain Streets.

Mr. Lightfoot explained they would like to change the zoning on the property to a C-1 (Retail Business) District to construct a 4,842 square foot, single-story brick veneer/stone office building on one of the lots. Nineteen parking spaces will be provided for the office. They are also requesting an exception to allow a 6 foot wrought iron fence with privet shrubs for screening on the west side of the property. “The remaining portion of the property will remain R-2 (Multi-family Residential) District for future development.” They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Lightfoot explained “we see more need for office space as Travis Street develops. Phase II of this project will mirror the same image of this building. The back portion on West McLain Street will be for duplexes targeting senior living.”

Commission Member Davis asked “why not put up a good fence; shrubs die, they don’t get watered.”

Mr. Lightfoot explained “we are looking at an iron fence with dense fast growing shrubbery; cosmetically it looks better and it would save money. I like the look of greenery versus a concrete wall. The fence will be six foot tall and we will let the greenery (bush) grow that tall as well. An irrigation system will be provided to maintain the shrubs.”

Chairman Mahone asked Mr. Shadden what type of screening would be required if the exception is not granted.

Mr. Shadden responded “a six foot wood fence.”

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

Letter received from:  
James & Susan Carroll, PO Box 1123, Sherman, TX  
The Carroll’s were not opposed to the request.

**BOARD OF ADJUSTMENTS**  
**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the exception to allow a natural screening (shrubs) subject to maintaining the screening and providing an irrigation system in lieu of the required 6’ screening device in a C-1 (Retail Business) District for the property in the 2600 block of North Travis Street

and the 100-200 blocks of West McLain Street.

Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

***PLANNING AND ZONING COMMISSION***

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the zone change from an R-2 (Multi-family Residential) District to a C-1 (Retail Business) District and site plan approval for an office for the property in the 2600 block of North Travis Street and the 100-200 blocks of West McLain Street subject to the Staff Review Letter.

Second by Commission Member Adams.

VOTING AYE: MAHONE, GILBERT, PATTERSON, 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 GLENN T. NIX, JR. (OWNER) AND SARAH GROVES AND STEPHANIE GRAVES, SCULPTED BROW & LASH STUDIO (TENANTS) CONCERNING THE PROPERTY AT 112 NORTH TRAVIS STREET, BEING THE NORTH 22' OF LOT 5 AND THE SOUTH 50' OF LOT 8, BLOCK 2, OTP SHERMAN, 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 TATTOO STUDIO (PERMANENT MAKE-UP) IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.

Glen T Nix, Jr., 112 N. Travis, Sherman, TX and Stephanie Graves, 501 FM 1306, Gainesville, TX & Sarah Groves, 505 E. Wilson, Calera, OK

Mr. Nix, Ms. Graves and Ms. Groves appeared to represent the request and answer any questions. The property is located at 112 North Travis Street between Houston and Laurel Streets. The property is zoned a C-1 (Retail Business) District and also located in the Central Business District.

Ms. Graves explained “this is a new business, Sculpted Brow and Lash Studio, we are starting up for permanent makeup for the eye brows and lash services, which would include lash extensions, lash perms and salon work. The business would be just for us two, very small.”

Ms. Groves explained they were just certified to do permanent make-up, “it is a tool that has nine to twelve fine little needles with ink, you scratch the surface and it makes

SUP & SITE PLAN –  
TATTOO STUDIO  
(PERMANENT MAKE-  
UP)  
112 N. TRAVIS  
(GLENN T. NIX, JR.)

eyebrows, hair strokes to make a fuller brow.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked if they were only doing eye brows, no lips, no eyes, etc.

Ms. Graves stated “no, they don’t plan to do tattoos; we are not certified to do that. The hours of operation will probably be 9-5.”

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 and site plan to allow a tattoo studio (permanent make-up) in a C-1 (Retail Business) District/Central Business District for the property at 112 North Travis Street subject to the Staff Review Letter and limited to make-up and to Sarah Groves and Stephanie Graves. Second by Commission Member Bridges.

VOTING AYE: MAHONE, GILBERT, PATTERSON, 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 5:59 p.m.

**ADJOURNMENT**

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CHAIRMAN

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SECRETARY