

STATE OF TEXAS §

June 19, 2018

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 June 19, 2018.

MEMBERS PRESENT: CHAIRMAN MAHONE, VICE-CHAIRMAN ELLIOTT  
COMMISSION MEMBERS: DAVIS, ADAMS, DOWNTAIN,  
WOOD AND SIMS

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 May 22, 2018 regular meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Downtain. All present voted AYE.  
MOTION CARRIED.

**APPROVE MINUTES**

**APPOINT BOARD OF ADJUSTMENTS**

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, ELLIOTT, DOWNTAIN, DAVIS AND ADAMS.

**BOARD OF  
ADJUSTMENTS**

**CONSENT AGENDA (ITEMS 9, 15, 16, 18, 19, 21, 22 & 23)**

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

**CONSENT AGENDA**

A member of the audience requested Item #22 "Replat approval of Lots 16-27, Block 5, all of Blocks 6 & 7, and Lots 1-6, Block 8 and the Unopen portion of Copley Street and all of Ray Street and Lila Street, Copley Addition" be removed from the consent agenda.

The Commission reviewed the Consent Agenda. Vice-Chairman Elliott moved to approve the Consent Agenda Items 9, 15, 16, 18, 19, 21 & 23, subject to the Staff Review Letters. Second by Commission Member Adams. All present voted AYE.

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

**REPLAT – CONSENT AGENDA ITEM**

THE REQUEST OF ONE GANESHA LTD. (OWNERS), DEAN GILBERT (DEVELOPER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 6100 BLOCK OF NORTH U.S. HIGHWAY 75, BEING 2.761 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875, ALSO BEING LOTS 2 AND 3, BLOCK A, DR. SWAMY ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

REPLAT APPROVAL OF LOTS 2 AND 3, BLOCK A, DR. SWAMY ADDITION

REPLAT – LOTS 2 & 3, BLOCK A, DR. SWAMY ADDN. 6100 BLOCK N. US. HIGHWAY 75 (ONE GANESHA LTD.)

The property is located in the 6100 block of North U.S. Highway 75; the southeast corner of FM 691 and Highway 75. The owners would like to replat Lots 2 and 3, moving lot lines to enlarge one of the 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 MIKE CROSS AND ROBERT SCOGGINS (OWNERS), PLAIN AND SIMPLE INVESTMENTS, LLC (PROSPECTIVE BUYER), RELATED SOLUTIONS, LLC (DEVELOPER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1400-1600 BLOCKS OF FM 697, BEING 36.79 ACRES IN THE W.D. WOOLEY SURVEY, ABSTRACT NO. 1335 AND THE WINFRED BAILEY SURVEY, ABSTRACT NO. 66, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

FINAL PLAT APPROVAL OF THE HANCOCK RANCH SUBDIVISION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

FINAL PLAT – HANCOCK RANCH SUBDIVISION (ETJ) 1400-1600 BLOCKS FM 697 (PLAIN & SIMPLE INVESTMENTS)

The property is located in the 1400-1600 Blocks of FM 697 between Hogg Skin Road and JP Cave Road in the City of Sherman's extra territorial jurisdiction (ETJ). The owners would like to plat the property into fourteen (14) lots. They had seen the Staff Review Letter and would abide by the Recommendations.

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

**REPLAT – CONSENT AGENDA ITEM**

THE REQUEST OF STEVEN AND LISA HUGHES (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2208 POST OAK DRIVE, BEING 0.819 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND BEING A PART OF LOT 7, BLOCK C, TURTLE CREEK WEST ADDITION AND PART OF LOTS 1 AND 2, BLOCK 1, TOM C. SULLIVAN'S REPLAT AND A PART OF THE REPLAT OF VALLEY VIEW

REPLAT – HUGHES TURTLE CREEK WEST ADDN., A REPLAT OF A PT. OF LOT 7, BLOCK C, TURTLE CREEK WEST ADDITION AND A PT. OF LOTS 1 & 2, BLOCK 1, TOM

**ADDITION, LOTS 1 AND 2, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**REPLAT APPROVAL OF THE HUGHES TURTLE CREEK WEST ADDITION, A REPLAT OF A PART OF LOT 7, BLOCK C, TURTLE CREEK WEST ADDITION AND A PART OF LOTS 1 AND 2, BLOCK 1, TOM L. SULLIVAN'S REPLAT OF A PART OF THE REPLAT – VALLEY VIEW ADDITION.**

The property is located at 2208 Post Oak Drive, north of Alpine Drive and is zoned an R-1 (One Family Residential) District. The owners would like to Replat two lots into one lot. 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 ARTISAN DEVELOPMENT COMPANY, INC. (OWNERS) AND GREG EDWARDS ENGINEERING SERVICES (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2800-3000 BLOCKS WEST PARK AVENUE AND THE 2000-2600 BLOCKS WEST MOORE STREET, BEING 36.0 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**PRELIMINARY PLAT APPROVAL OF PEBBLEBROOK ESTATES, PHASE IV.**

The property is located in the 2800-3000 Blocks West Park Avenue and the 2000-2600 Blocks West Moore Street The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into 136 single family residential lots with 3 open 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.**

**REPLAT – CONSENT AGENDA ITEM**

**THE REQUEST OF SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND GLOBITECH INC. (OWNERS) AND TEAGUE, NALL AND PERKINS (ENGINEERS/SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 200 WEST F.M. 1417 (HERITAGE PARKWAY), BEING 26.801 ACRES IN THE SHEROD DUNMAN SURVEY, ABSTRACT NO. 329 AND ALL OF LOT 1, BLOCK 1 IN THE NORTHGATE TECHNOLOGY PARK AND IN TRACT 2 OF THE BLALOCK INDUSTRIAL PARK, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**REPLAT APPROVAL FOR NORTHGATE TECHNOLOGY PARK ADDITION LOT 1R, BLOCK 1**

The property is located at 200 West FM 1417 (Heritage Parkway); the southeast corner of FM 1417 (Heritage

**L. SULLIVAN'S  
REPLAT OF A PT. OF  
THE REPLAT –  
VALLEY VIEW  
ADDITION  
2208 POST OAK DR.  
(STEVEN & LISA  
HUGHES)**

**PRELIMINARY PLAT  
– PEBBLEBROOK  
ESTATES, PHASE IV  
2800-3000 BLKS. W.  
PARK AVE. & 2000-  
2600 BLKS. W.  
MOORE ST.  
(ARTISAN  
DEVELOPMENT CO.)**

**REPLAT –  
NORTHGATE  
TECHNOLOGY PARK  
ADDN., LOT 1R,  
BLOCK 1  
200 W. FM 1417  
(HERITAGE  
PARKWAY)  
(SEDCO &  
GLOBITECH, INC.)**

Parkway) and Howe Drive; GlobiTech is the tenant. The owners would like to Replat the property into one lot for industrial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

**SITE PLAN – CONSENT AGENDA ITEM**

THE REQUEST OF GMR SHERMAN LLC, DBA GLOBAL MEDICAL REIT SHERMAN, LLC (OWNERS) CARRUS SPECIALTY HOSPITAL (TENANT), PAUL JUUL (REPRESENTATIVE), TLC ENGINEERING (ENGINEER) MCCALLA DESIGN GROUP, PLLC (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 1810 WEST U.S. HIGHWAY 82, BEING LOT 4, CARRUS MEDICAL PLAZA REPLAT LOT 2, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

**SITE PLAN APPROVAL FOR AN ADDITION FOR PATIENT ROOMS AND REHAB GYM AT CARRUS SPECIALTY HOSPITAL**

**SITE PLAN –  
CARRUS SPECIALTY  
HOSPITAL ADDITION  
FOR PATIENT  
ROOMS & REHAB  
GYM  
1810 W. U.S.  
HIGHWAY 82  
(GMR SHERMAN  
LLC, DBA GLOBAL  
MEDICAL REIT  
SHERMAN, LLC)**

The property is located at 1810 West U.S. Highway 82; Carrus Specialty Hospital is the tenant. The property is zoned a C-1 (Retail Business) District and is also located in the O-1 (75 & 82) Overlay District.

Carrus Specialty Hospital currently consists of a 24 bed license for Rehabilitation hospitalization and a 16 bed license for Long Term Acute Care hospitalization. They are a “post-acute care facility” which means they do not compete with the primary care hospitals, but rather take referrals of patients from those that need extended hospitalization in order to be given sufficient time to heal or rehabilitate before being discharged. They are seeking approval to extend 2 “short” wings on the South side of the facility to a length equal to that of the other existing wings. The first step is to expand the physical therapy gym to better cope with the patient volume, which is the wing in the center of the facility. They also need an additional 8 bed capacity for the Rehabilitation hospital which would be the wing at the Southeast corner of the 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.

**FINAL PLAT – CONSENT AGENDA ITEM**

THE REQUEST OF KAZEM & ZOHREH GANJI (OWNERS) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 10739 STATE HIGHWAY 56, BEING 2.013 ACRES IN THE AARON BURELSON SURVEY, ABSTRACT NO. 61, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

**FINAL PLAT – KAZ  
ADDITION, PHASE 2  
(ETJ)  
10739 STATE  
HIGHWAY 56  
(KAZEM & ZOHREH  
GANJI)**

**FINAL PLAT APPROVAL OF THE KAZ ADDITION, PHASE 2  
IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL  
JURISDICTION (ETJ).**

The property is located at 10739 State Highway 56 between Northeast FM 1417 and Pecan Valley Court in the City of Sherman's extra territorial jurisdiction (ETJ). The owners would like to plat the property into two (2) lots. They had seen the Staff Review Letter and would abide by the Recommendations.

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

**EXCEPTION & SITE PLAN**

**THE REQUEST OF DEAN GILBERT (OWNER), SUTTON &  
CROW (SURVEYOR) AND KENT HUGHLETT, ARCHITECT  
PLLC (ARCHITECT) CONCERNING THE PROPERTY AT  
2031 WEST HOUSTON STREET, BEING 1.248 ACRES IN  
THE J B MCANAI SURVEY, ABSTRACT NO. 763, AS  
FOLLOWS:**

***BOARD OF ADJUSTMENTS***

**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.5,  
SUBSECTION (5)(D) TO ALLOW PREFINISHED METAL  
PANELS ON THE EAST AND WEST SIDE OF A SELF-  
STORAGE FACILITY IN LIEU OF THE REQUIRED  
MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT.**

***PLANNING AND ZONING COMMISSION***

**SITE PLAN APPROVAL FOR A CLIMATE CONTROLLED  
SELF STORAGE FACILITY**

**EXCEPTION -  
FACADE**

**SITE PLAN –  
CLIMATE  
CONTROLLED SELF-  
STORAGE FACILITY  
2031 W. HOUSTON  
ST.  
(DEAN GILBERT)**

**Dean Gilbert, 801 E. Taylor Street, Sherman, TX and Kent  
Hughlett, 529 S. Crockett, Sherman, TX**

Mr. Gilbert and Mr. Hughlett appeared to represent the request and answer any questions. The property is located at 2031 West Houston Street between Binkley Park Drive and Arapaho Trail East; a self-storage facility is located on the property.

Mr. Gilbert explained "I built the existing self-storage warehouses in 1974, the cement block building has deteriorated and has been demolished; I left the slab and the back wall. I intend to rebuild the facility with the same footprint. The front facing West Houston Street will be brick veneer and I am requesting an exception for the east side only to be metal since the walls will be mostly metal doors; the west wall will be masonry. It already has a fence around it and an entry drive." He had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Hughlett explained "it will be a climate controlled self-storage facility with thirty-two units; it will be fire sprinkled. The side that faces Houston Street will be brick and pretty much rebuild the footprint that existed."

Commission Member Davis asked how tall the west wall

was; the retaining wall, “are you going to build it up any more with brick or metal.”

Mr. Gilbert explained “they would probably have to come up two foot higher, pour a cap on it, put rebar in it and pour concrete in it and reinforce it, put a cap on it and the roof will come off that cap. The west side will be just like it is now. The east side is approximately 410’ with thirty-two doors, 320’ will already be metal; it would be difficult to put in headers that would hold any masonry. We think it will be a great improvement of what has been there. The metal panels will be “R” type panels; it’s the Mueller Metal type product.”

Commission Member Davis asked “if there was a second option because you are going up the hill and it faces Houston Street all the way.”

Mr. Hughlett explained “you are pretty much going to see garage doors; they would be metal anyway; it is just going to be a small part in between the doors that will be seen.”

Chairman Mahone asked about the north wall; it’s a small wall compared to the rest of the building, “what will that finish be.”

Mr. Hughlett explained “it would be “R” panel also; it’s opposite of the highway.”

Mr. Gilbert explained there is a utility easement that runs through the property also.

Vice-Chairman Elliott stated “with the utility easement, it would be hard to do anything different other than what is planned.”

Mr. Gilbert responded “pretty much, we use it for the driveway.”

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

***Board of Adjustments***

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the exception to allow prefinished metal panels on the east side of a self-storage facility at 2031 West Houston Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, AND ADAMS.**

**VOTING NAY: DAVIS**

**MOTION CARRIED**

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Adams to approve the site plan for a climate controlled self-storage facility at 2031 West Houston Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

**VOTING AYE: MAHONE, SIMS, DAVIS, ELLIOTT, ADAMS, WOOD AND DOWNTAIN.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**EXCEPTION**

**THE REQUEST OF JOB BAWI CEM AND HNIANG KHEN (OWNERS) AND NOLAN PIKE (REPRESENTATIVE) CONCERNING THE PROPERTY AT 3520 BALLAM STREET, BEING LOT 1, BLOCK D, PEBBLEBROOK SOUTH, PHASE II, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H)(2) TO ALLOW A 6' PRIVACY FENCE, 1' FROM THE SIDE STREET PROPERTY LINE IN LIEU OF THE PERMITTED 4' IN HEIGHT EXTENDING CLOSER THAN 25' TO A FRONT LINE STREET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.**

**EXCEPTION - FENCE  
3520 BALLAM  
STREET  
(JOB BAWI CEM &  
HNIANG KHEN)**

**Tim Pike, 3403 Ballam Street, Sherman, TX**

Mr. Pike appeared to represent the request and answer any questions. The property is located at 3520 Ballam Street in the Pebblebrook subdivision in southwest Sherman off South FM 1417 (Heritage Parkway); the southeast corner of Ballam Street and Peggey's Cove.

Mr. Pike explained “the owner would like to erect a 6' tall fence, 1' from the side street property line.” He presented pictures of other homes in the neighborhood on corner lots that have received variances for their fences. “This home backs up to a house on Hanan Street that recently received a variance for a six foot fence on the property line.” 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 exception.

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the exception to allow a 6' privacy fence, 1' from the side street property line in lieu of the permitted 4' in height extending closer than 25' to a front line street in an R-1 (One Family Residential) District at 3520 Ballam Street subject to the Staff Review Letter and the fence as submitted. Second by Commission

Member Downtain.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF RODNEY AND TRINA WECKER (OWNERS) AND SHEARER DESIGN & ASSOCIATES (ARCHITECT) CONCERNING THE PROPERTY AT 2912 WEST WASHINGTON STREET, BEING LOT 2, BLOCK 1, WASHINGTON BEND ADDITION, AS FOLLOWS;

*BOARD OF ADJUSTMENTS*

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 10' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 15' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – SIDE SETBACK  
2912 W. WASHINGTON STREET  
(RODNEY & TRINA WECKER)

Rodney Wecker, 1209 N. Leslie Avenue, Sherman, TX

Mr. Wecker appeared to represent the request and answer any questions. The property is located at 2912 West Washington Street between Creekbend Circle and Timber Creek Road.

Mr. Wecker explained he is requesting the variance to construct a residential dwelling, 10' from the side property lines rather than 15'; "it will allow me to set the house farther back from Washington Street. The lot is irregularly shaped; it would look nicer setting the house back farther." He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained "the front setback is 25', if you moved the house up to 25'; you wouldn't have an issue."

Mr. Wecker responded "I wouldn't have an issue, but it would be really close to the street and it's at a curve. Our original plan was to set the house back 25', but after looking at the way the house would sit we decided to request the variance."

Scott Shadden, Director of Developmental Services explained "it's kind of a uniquely shaped lot."

Vice-Chairman Elliott explained "so you feel moving it forward will negatively affect the character of the neighborhood."

Mr. Wecker responded "very much so."

Commission Member Davis asked if he would be the first house there.



Mr. Wecker responded “yes, on those four lots there. I own the property on the right of this lot and I submitted a letter from the owner on the left; they did not have a problem with the setback.”

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

A letter was received from:

Stacey Caskey, 2916 W. Washington, Sherman, TX 75092

“As the owner of the property adjacent to yours in the Washington Bend Subdivision, specifically 2916 W. Washington Street, Sherman, TX 75092, please let this letter serve as my support, and consent to the extent it is required, approving the variance exception request related to the construction of your home. I understand you are seeking approval from the Planning and Zoning Commission to reduce the required side yard distance from 15 feet to 10 feet. Again, I do not oppose this exception request.”

**ACTION TAKEN.**

Motion by Vice-Chairman Elliott to approve the variance to allow a 10’ side yard setback in lieu of the required 15’ in an R-1 (One Family Residential) District at 2912 West Washington Street subject to the Staff Review Letter. Second by Commission Member Davis.

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS AND ADAMS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**ZONE CHANGE & SITE PLAN**

**THE REQUEST OF TRINITY BAPTIST CHURCH (OWNERS), DEPARTMENT OF FAMILY & PROTECTIVE SERVICES (TENANT), ROBERT MINSHEW (REPRESENTATIVE), SCALES ENGINEERING (ENGINEER) AND GOODWIN/LASITER/STRONG (ARCHITECT/SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2607 LOY LAKE ROAD, BEING LOTS 2 & 3, BOB ALLEN ADDITION, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

- **ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-O (OFFICE) DISTRICT.**
- **SITE PLAN APPROVAL FOR DEPARTMENT OF FAMILY & PROTECTIVE SERVICES OFFICE**

**ZONE CHANGE – R-1 TO C-O  
SITE PLAN – OFFICE FOR DEPT. OF FAMILY & PROTECTIVE SERVICES  
2607 LOY LAKE RD.  
(TRINITY BAPTIST CHURCH)**

**Larry Wornet, 207 Craik Street, Marlin, TX**

**Mr. Wornet appeared to represent the request and answer any questions. The property is located at 2607 Loy Lake**

Road between Lamberth Road and U.S. Highway 82. The property is zoned an R-1 (One Family Residential) District.

Mr. Wornet explained they would like to rezone the property to a C-O (Office) District to construct an 18,000 square foot, brick office building for the Department of Family & Protective Services; “it will be one of their regional administration offices.” Parking will be provided for 65 spaces. “There are two lots there now; if the zoning is approved we will go ahead with replatting of the property into one lot.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked if a fence was required.

Mr. Shadden explained “a fence is required anywhere it touches residential property; a minimum six foot.”

Appearing from the audience:

Linda Stodghill, 4 Peachtree Place, Sherman, TX

Ms. Stodghill explained her property is on the south side of this property on Peachtree in the cul-de-sac. “How will drainage affect me; last spring when we had all the rain, I get run off from that lot now and it flooded two of my bedrooms in my house. I would like to know if it is going to get better or worse.”

Tom Pruitt, Assistant City Engineer, explained the Staff Review Letter addresses that “a privately owned and maintained detention will be required and engineering plans shall be provided to the Engineering Department for review and approval.”

Commission Member Davis explained “the plan he has submitted is north of you, so there is quite a bit of greenery, he is going to build on the north side leaving some greenery for now; that could help.”

Chairman Mahone explained “there will be a detention pond on the north side of your property to collect water.”

Ms. Stodghill asked about the fence, there is a fence there, “I think it’s my fence; will they be putting up a fence of their own.”

Mr. Shadden explained “where they touch your property they are required to put up a minimum six foot fence on the property line. The detention they were talking about delays how fast the water runs off the property now; they have to design it where it cannot run off any faster after they have built the detention pond.”

Mary Petterson, 2508 Bennett, Sherman, TX

Ms. Petterson explained she lives across the alley. She wanted to know if they were getting access off of the alley; “I’m thinking of traffic.”

Chairman Mahone did not see any access off the alley.

Mr. Wornet addressed the detention issue; “we will catch all our water from the parking lot and the building going into the detention pond. Loy Lake is loaded with storm drains; our goal is to put all of our water slowly into the back of the inlet boxes on Loy Lake Road. Any water we create due to concrete, roofs or whatever, we are going to catch it, put it into the storm sewer.”

“We will put up a six foot cedar fence abutting the residential properties.”

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

*Planning & Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Adams to approve the zone change from an R-1 (One Family Residential) District to a C-O (Office) District and site plan for a Department of Family and Protective Services Office at 2607 Loy Lake Road subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF CECI BATES VENTURES, LLC, HOMES BY JLS OF TEXOMA AND MAGNOLIA VILLAGE LP (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 502 EAST NORTHCREEK DRIVE, 4706-4723 INDIO LANE, 400-516 CARNEROS DRIVE, 4701-4733 DRY CREEK ROAD AND 400-505 SONOMA COURT, BEING LOTS 1-5, BLOCK A, LOTS 1-19, BLOCK B, LOTS 1-21, BLOCK C, MAGNOLIA VILLAGE ADDITION, AS FOLLOWS:

*PLANNING AND ZONING COMMISSION*

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

SUP – PATIO HOMES  
502 E. NORTHCREEK  
DR., 4706-4723 INDIO  
LANE, 400-516  
CARNEROS DR.,  
4701-4733 DRY  
CREEK RD., & 400-  
505 SONOMA CT.  
(CECI BATES  
VENTURES, LLC,  
HOMES BY JLS OF  
TEXOMA &  
MAGNOLIA VILLAGE,  
LP)

Scott Bates, CeCi Bates Custom Homes, PO Box 2136, Pottsboro, TX and Jason Basserman, JLS Custom Homes of Texoma, 5022 S.H. 91, Denison, TX

Mr. Bates and Mr. Basserman appeared to represent the request and answer any questions. The property is located at 502 East Northcreek Drive, 4706-4723 Indio Lane, 400-516 Carneros Drive, 4701-4733 Dry Creek Road and 400-

505 Sonoma Court in the Magnolia Village Subdivision off Northcreek Drive.

Mr. Bates explained “the plans they have for the homes in the Magnolia Village subdivision is to mimic the Magnolia Homes that she has in Waco, Texas. Some of the homes we are doing are farmhouse style; the homes are more long and narrow than the standard more traditional home sits. We are not truly building a patio home, the houses are more side yard loaded; we are trying to provide the homeowner more in the rear yard which allows us to encroach more in the back. These houses have front porches which take up more of the front yard and push the house back farther as well. When they filed the plat, they should have turned it in as a patio home subdivision.” They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Basserman explained they are still following the front setback of 25’, just not the rear setback.

Commission Member Davis asked if they had any elevations or pictures of the houses they plan to build.

Mr. Bates responded they did not bring any pictures, but it is just a farmhouse style, they are a little bit wider and longer than they are square. “The standard lot would restrict how we use the backyard area. We are still using the front and side yard setbacks; it’s just the backyard in and the traditional setting is not allowing us to use the plans to work in that style. Some of the plans are close to encroaching into the rear setback. It was the best interest when we talked to the Building Department to change it to a patio home setting than filing a variance on every individual plan. The plans are consistent; I have five or six and Jason has six, there a few that need an encroachment into the rear yard setback.”

Commission Member Downtain asked if there were any plans to replat any of the lots.

Mr. Bates responded “no; they should have been set up for a patio home development from the start.”

Commission Member Davis asked Mr. Shadden if this is approved for a patio home development, “aren’t they supposed to have some open space in the development.”

Mr. Shadden explained “if they go over fifty lots, then they have to have a green space; this is under that.”

Mr. Bates explained they do have green space on the lot, where the detention pond is located.

Mr. Basserman explained they have put in benches and a walking area around the detention pond.

Chairman Mahone asked Mr. Shadden since they just need the rear yard setback, can't we just approve that.

Mr. Shadden responded "no, we can't go from a Specific Use Permit to a variance because that's a Board of Adjustment from a Planning and Zoning Board. A patio home if approved, then that changes the setbacks on the lot."

Vice-Chairman Elliott explained "typically they could build a different design home, if they wanted to encroach on the side setback."

Mr. Shadden explained "the front setback would be twenty to twenty-five feet, ten foot from the rear and five foot on the sides."

Vice-Chairman Elliott stated "right now the plans are good, the back yard is the only deal, but if for some reason they pull out of this program and someone else comes in to develop the lots for true patio homes down the road."

Mr. Shadden explained "I'm not sure there is any difference, a home is a home if it fits in that footprint; it's still going to have one parking space per bedroom, the rest of the stuff is going to be the same, a patio home reduces the setback, when you get over fifty lots you have to provide a green space. It groups it and gives them more leeway with setbacks."

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

Letters were received from:

Earl McKinney, 4803 Hilre, Sherman, TX

"There is only one street east and west, that is Northcreek Drive. I already have a hard time getting onto it. We don't need more congestion. It is zoned R-1 (One Family Residential) District, let it stay."

Laura Barlow, 4800 Indio Lane, Sherman, TX

"This area is very busy. Cars, trucks, motorcycles are speeding and running stop signs. Please consider speed bumps on Northcreek Drive, currently it is not a safe area due to traffic from Town Center."

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the Specific Use Permit to allow patio homes at 502 East Northcreek Drive, 4706-4723 Indio Lane, 400-516 Carneros Drive, 4701-4733 Dry Creek Road and 400-505 Sonoma Court subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, ADAMS, WOOD AND SIMS.**

**VOTING NAY: DAVIS**

**MOTION CARRIED**

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

**SPECIFIC USE PERMIT**

**THE REQUEST OF ZAKIAH US LLC AND WYLDEWOOD HOMES, LLC (OWNERS) CONCERNING THE PROPERTY LOCATED IN THE 2300 BLOCK OF PEGGEY'S COVE, 3300-3500 BLOCKS OF HANAN STREET AND 2300-2400 BLOCKS OF SOUTHRIDGE LANE, BEING LOTS 19-39, BLOCK E AND LOTS 38-42, BLOCK G, PEBBLEBROOK SOUTH, PHASE III, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

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

**SUP – PATIO HOMES  
2300 BLK. PEGGEY'S  
COVE, 3300-3500  
BLKS. HANAN ST. &  
2300-2400 BLKS.  
SOUTHRIDGE LN.  
(ZAKIAH US, LLC &  
WYLDEWOOD  
HOMES, LLC)**

**Tim Pike, Wyldewild Homes, 3403 Ballam Street, Sherman, TX**

**Mr. Pike appeared to represent the request and answer any questions. The property is located in the 2300 Block of Peggy's Cove, 3300-3500 Blocks of Hanan Street and 2300-2400 Blocks of Southridge Lane in the Pebblebrook South, Phase III Subdivision.**

**Mr. Pike explained "the owners are requesting a Specific Use Permit to construct patio homes on the lots. The rear setback will still be twenty-five feet; we mostly need the setback on the sides because some of our houses do not fit on the lot. We would like to continue what we have been doing throughout the subdivision which has already been approved for patio homes." 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.**

**A letter was received from:**

**Timothy & Teresa Monson, 3519 Hanan Street, Sherman, TX**

**"I object to the approval of this proposal in an area that already has an established R-1 community present. The construction of patio homes in the Pebblebrook development will create a contrast to the existing construction styles of the area and change the residential density that would normally be attributed to the R-1 theme. I appreciate your consideration of my letter in the review of permit and site plan approval."**

**ACTION TAKEN.**

**Motion by Commission Member Adams to approve the Specific Use Permit to allow patio homes in the 2300 Block of Peggy's Cove, 3300-3500 Blocks of Hanan Street and 2300-2400 Blocks of Southridge**

Lane subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

**SPECIFIC USE PERMIT**

THE REQUEST OF OWEN CENTRAL, LLC (OWNERS) AMANDA'S NAILS (TENANT) AND KATIE CAMPBELL (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 2121 NORTH FM 1417 (HERITAGE PARKWAY), SUITE O, BEING PART OF BLOCK 4, WESTERN HILLS ADDITION, SECTION 5, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW MICRO-BLADING, PERMANENT MAKE-UP (TATTOO STUDIO) IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

SUP – MICRO-BLADING, PERMANENT MAKE-UP (TATTOO STUDIO)  
2121 N. FM 1417 (HERITAGE PARKWAY), SUITE O (KATIE CAMPBELL)

**Katie Campbell, 32 Circle Drive, Denison, TX**

Ms. Campbell appeared to represent the request and answer any questions. The property is located at 2121 North FM 1417 (Heritage Parkway), Suite O; the southeast corner of FM 1417 (Heritage Parkway) and West Lamberth Road.

Ms. Campbell explained “I am requesting a Specific Use Permit to allow micro-blading which is a semi-permanent tattoo for the eyebrows. Micro-blading is a semi-permanent tattoo; a small blade made from micro-needles is used to create hair like strokes, giving a very natural look. The blade is dipped into pigment to deposit color into the skin.”

“I currently work at this location doing eyelash extensions and make-up. I started part time in February and became full time in June. I went to school in Denton at Ogle and got a job in March, 2016 working in Dallas doing eyelash extensions; I did it for a year and a half and recently moved back here.” She had seen the Staff Review Letter and would abide by the Recommendations.

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

Commission Member Wood explained “in the past we tied the Specific Use Permit to the applicant, so they would not be able to transfer it to another location.”

Ms. Campbell was agreeable to that.

**ACTION TAKEN.**

Motion by Commission Member Wood to approve the Specific Use Permit to allow micro-blading, permanent make-up (Tattoo Studio) in a C-1 (Retail Business) District/O-1.1 (FM 1417 Overlay) District at 2121 North FM 1417 (Heritage Parkway), Suite O subject to the Staff Review Letter and limited to Katie Campbell. Second by Commission Member Davis.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

**EXCEPTION & SITE PLAN**

THE REQUEST OF YELLOW EQUIPMENT & TRMS (OWNERS), YRC FREIGHT (TENANT), SHAW SERVICES, LLC (CONTRACTOR/REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 211 DORSETT DRIVE, BEING 5 ACRES IN THE SHEROD DUNMAN SURVEY, ABSTRACT NO. 329 AND IN TRACT 2 OF THE BLALOCK INDUSTRIAL PARK, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

- SITE PLAN APPROVAL TO ORDINANCE NO. 2252 ARTICLE IV SECTION 410 (2) (J) FOR AN EQUIPMENT & TERMINAL BUILDING FOR YRC FREIGHT IN THE BLALOCK INDUSTRIAL PARK.
- EXCEPTION TO ORDINANCE NO. 2252 ARTICLE IV, SECTION 410 (2) (M) TO ALLOW “R” TYPE PANELS ON AN EQUIPMENT AND TERMINAL BUILDING FOR YRC FREIGHT IN THE BLALOCK INDUSTRIAL PARK.

EXCEPTION -  
FACADE  
SITE PLAN –  
EQUIPMENT &  
TERMINAL BUILDING  
FOR YRC FREIGHT  
211 DORSETT  
(YELLOW  
EQUIPMENT &  
TRMS)

(TABLED)

A letter was received from Christopher Masoner, Counsel for YRC Worldwide, Inc. on June 19, 2018 at 3:45 p.m. requesting to table the request until the July 17, 2018 Planning and Zoning Commission Meeting.

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

**ACTION TAKEN.**

Motion by Commission Member Davis to table the request for YRC Freight in the Blalock Industrial Park at 211 Dorsett Drive. Second by Commission Member Sims.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.



**SPECIFIC USE PERMIT**

THE REQUEST OF SHERMAN MONTESSORI PRESCHOOL INC. (OWNERS) AND ALLISON WEST (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1111 NORTH RICKETTS STREET, BEING LOT 50, BLOCK 1, BIRGE-FAIRVIEW ADDITION, 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 PARKING LOT IN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

SUP – PARKING LOT  
1111 N. RICKETTS  
(SHERMAN  
MONTESSORI  
PRESCHOOL, INC.)

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

**Allison West, Ashley Ford and Rebecca Nash, Belden Street Montessori Preschool, 618 W. Belden, Sherman, TX**

Ms. West, Ms. Ford and Ms. Nash appeared to represent the request and answer any questions. The property is located at 1111 North Ricketts Street between Belden and Hunt Streets. The property is zoned an R-1 (One Family Residential) District.

Ms. West explained they are requesting to build a ten space parking lot for employees of the Belden Street Montessori School to help with congestion the school might cause on Belden Street. “Parents might have an opportunity to stop at the school, come in and not cause overcrowding in front of the school. We have between ten and fifteen employees at the school, two of them live close by and walk to work, the other employees are stacked in the front parking lot area, four cars can fit barely and three cars on the side, some of the employees have to park in the street. If a parent brings their child in and they cannot park, they are unloading from the street. We want to keep as much green area as possible on Ricketts Street, we don’t want it to look like a big parking lot, and we want it to look more like a nature park. Employees will not be coming in and out very often; it would just be at the beginning of the day and maybe for lunch.” She had seen the Staff Review Letter and would abide by the Recommendations.

**Appearing from the audience:**

**Robby Pruitt, 1132 N. Lockhart, Sherman, TX**

Mr. Pruitt explained his west property line would back up to their east property line. “One of our concerns is the water shed in that area, because for the last several years the water backs up into my backyard. There is a little detention pond, whether it be natural or man-made off their property. I would like to know where the parking lot is going to go because I’m afraid it might make the drainage worst in the area.”

Ms. West explained “the parking lot will be right off of Ricketts Street; it won’t be behind the school.”

Ms. Ford explained “we recently addressed the drainage on that lot that backs up to you and off to an “L” on Ricketts Street is where the parking lot will go.”

Mr. Pruitt explained he thought the low lying area was intentional for a detention area; “it’s been like that for twenty-five years, all the water would go in there and evaporate over a few days. The last five to ten years has progressively gotten worse. In the spring of 2017, I had six inches of water, almost to my house, I have a one hundred eighty foot back yard and it was half way full of water; that was my only concern.”

Ms. Ford explained they have no plans to put any concrete in that area.

Commission Member Davis explained “this corner touches the school property; are you going to walk around the block or have a cut-through back there.”

Ms. West explained they plan to have a walkway to the back of the school.

Commission Member David asked about the fence.

Ms. West asked if the six foot fence needs to go between us and residential property. “The other side of our lot is City property with an existing fence; does there need to be a fence there as well.”

Commission Member Davis explained “everything around this lot is zoned residential.”

Mr. Shadden explained “they will need to have a fence on the north and south property lines. The Specific Use Permit can be conditional and you could require them to not fence against the City property on the south.”

Brandon Shelby, City Attorney explained “they could put that as a condition on the Specific Use Permit, that there would not be a fence required on the south side.”

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

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the Specific Use Permit to allow a parking lot in an R-1 (One Family Residential) District at 1111 North Ricketts Street subject to the Staff Review Letter and the condition that there could be an optional fence on the south side. Second by Commission Member Davis.

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**ZONE CHANGE**

**THE REQUEST OF SOUTHWEST PREMIER PROPERTIES, LLC (OWNERS) AND KYLE BOOTHE, BLUESTONE PARTNERS (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 4070 LOY LAKE ROAD, BEING 10 ACRES IN THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

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

**ZONE CHANGE – R-1  
TO C-1  
4070 LOY LAKE RD.  
(SOUTHWEST  
PREMIER  
PROPERTIES, LLC)**

**Kyle Boothe, 2414 Westhaven Drive, Sherman, TX**

**Mr. Boothe appeared to represent the request and answer any questions. The property is located at 4070 Loy Lake Road between Graham Drive and Kerr Chapel Road; Central Freight is the tenant.**

**Mr. Boothe explained they are requesting to change the zoning on the property to a C-1 (Retail Business) District to match the surrounding properties and the City's Master Plan. The property was annexed into the City as an R-1 (One Family Residential) District many years ago. "The owners plan continuing the existing use of the property. The zone change will also help with the site plan on the neighboring lot which is the Marriott Hotel which is beginning construction." They had seen the Staff Review Letter and would abide by the Recommendations.**

**Mr. Shadden explained "this was a staff recommendation because the Marriott was going to need a variance on the setback because it is residential property; we thought it was best to go ahead and get it zoned commercial at this time, it takes away the need for the variance for the setback. The only thing that would need to be upgraded would be if they had new development."**

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

**ACTION TAKEN.**

**Motion by Commission Member Wood to approve the zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District at 4070 Loy Lake Road subject to the Staff Review Letter. Second by Commission Member Adams.**

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**SITE PLAN & EXCEPTION**

**THE REQUEST OF SHERMAN ECONOMIC DEVELOPMENT CORPORATION AND GLOBITECH INC. (OWNERS), JUSTIN WALTON, TEAGUE, NALL AND PERKINS (ENGINEERS/SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 200 WEST F.M. 1417 (HERITAGE PARKWAY), BEING LOT 1, BLOCK 1 IN THE NORTHGATE TECHNOLOGY PARK AND IN TRACT 2 OF THE BLALOCK INDUSTRIAL PARK, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**SITE PLAN AND EXCEPTION APPROVAL TO ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2) (J) AND SECTION 410 (2) (L) FOR GLOBITECH FAB 3 EXPANSION AND TO ALLOW A RETAINING WALL, SECURITY FENCE AND PLANT SCREENING TO HAVE A 38' SETBACK ALONG A PORTION OF HOWE DRIVE IN THE BLALOCK INDUSTRIAL PARK**

**SITE PLAN –  
GLOBITECH FAB 3  
EXPANSION  
EXCEPTION –  
RETAINING WALL,  
FENCE &  
SCREENING  
SETBACK  
200 W. FM 1417  
(HERITAGE  
PARKWAY)  
(SEDCO &  
GLOBITECH)**

**Justin Walton, Teague, Nall & Perkins, 2420 Trails Lane, Plano, TX**

**Mr. Walton appeared to represent the request and answer any questions. The property is located at 200 West FM 1417 (Heritage Parkway); the southeast corner of FM 1417 (Heritage Parkway) and Howe Drive; GlobiTech is the tenant.**

**Mr. Walton explained “Globitech is nearing capacity on their existing fabrication facility and would like to expand by adding an additional Fab 3 which is similar in size to the existing fabs. The proposed expansion will be 44,340 square foot and is designed to connect to the existing building; the exterior finish will be brick. There are currently 206 employees and they are proposing 57 additional employees. Parking will be provided for 142 spaces. The variance is for a seventeen foot encroachment into the 55.7' setback along Howe Drive for a retaining wall, security fence and plant screening.” They had seen the Staff Review Letter and would abide by the Recommendations.**

**Mr. Shadden explained “they have to build a retaining wall because the fire lane could not have a steep grade; this is basically to accommodate the fire lane.”**

**Commission Member Davis asked “why the big setbacks in Blalock.”**

**Mr. Shadden explained “Blalock is kind of our star industrial park, it has bigger open areas, setbacks required and 55.7 feet is the minimum setback all the way around the lot. It was in a wonderful era of the 1960's and it has**

worked out very well for Sherman.”

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

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Vice-Chairman Elliott to approve the site plan for GlobiTech Fab 3 Expansion and to allow a retaining wall, security fence and plant screening to have a 38’ setback along a portion of Howe Drive in the Blalock Industrial Park at 200 West FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.

VOTING NAY: NONE

MOTION CARRIED

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

**REPLAT**

THE REQUEST OF MITCHELL ENTERPRISES, INC. (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK OF COPLEY STREET, BEING 10.704 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

REPLAT APPROVAL OF LOTS 16-27, BLOCK 5, ALL OF BLOCKS 6 & 7, AND LOTS 1-6, BLOCK 8 AND THE UNOPEN PORTION OF COPLEY STREET AND ALL OF RAY STREET AND LILA STREET, COPLEY ADDITION.

REPLAT – LOTS 16-27, BLK. 5, ALL OF BLKS. 6 & 7, & LOTS 1-6, BLK. 8 & THE UNOPEN PORTION OF COPLEY ST. & ALL OF RAY ST. & LILA ST., COPLEY ADDN.  
700 BLK. COPLEY STREET  
(MITCHELL ENTERPRISES, INC)

Chairman Mahone explained this item was pulled from the Consent Agenda. The Replat already conforms to all the regulations as required by the State.

The property is located in the 700 Block of Copley Street between Wells Avenue and Leslie Lane. The property is zoned an R-1 (One Family Residential) District. The owners would like to Replat the property into (35) thirty-five lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

**Peter Tracy, 705 Valentine, Sherman, TX**

Mr. Tracy voiced his concerns about drainage, lot size, fences and utility contractors trespassing on his property.

**Terry Mathews, 713 Valentine, Sherman, TX**

Mr. Mathews voiced his concerns about drainage.

Mr. Shadden explained “anytime a fence is built in an utility easement, it’s at the owner’s risk; if the utility company needs to take it down they will and they are not required to

put it back. You have the option whether or not to put it in the easement or not; it would be at your risk.”

Gayla Hawkins, 745 Valentine, Sherman, TX

Ms. Hawkins expressed her concerns about drainage. “

Tom Pruitt explained “there is a difference between detention and retention, retention will hold water, so a detention area will allow drain water to flow into it and it will let it out slowly back into the system.”

Gail & Lawrence Mocek, 761 Copley, Sherman, TX

Mrs. Mocek presented pictures of a flood that comes through there all the time; “these pictures were taken three hours after the event, there is nowhere for the water to run.”

Mr. Mocek asked “can’t anybody make them have an engineering report on this area so it doesn’t flood.”

Mr. Pruitt explained “as far as drainage issues, the developer will be required to provide detention that will address any additional runoff. State Law dictates that you can’t increase flow to your neighbor. We work with the developer to try to get them to oversize, to maximize the detention on this development that would help, but most of the time the detention pond will address issues that are downstream; it’s not going to address issues upstream, usually issues from upstream is from somewhere else.”

Mr. Mocek stated “that’s real good, that’s all we need, but we are getting the feeling that this guy really doesn’t care; there is no one to make him do it right.”

Mr. Pruitt explained “the engineer that designs will review his plans and will address those issues.”

Chairman Mahone encouraged them to take this to City Staff, to the Engineering Department and your City Council. “It sounds like the Engineering Department has not heard about this based on their comments earlier.”

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

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the Replat subject to the Staff Review Letter.

Second by Commission Member Adams.

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.**

**VOTING NAY: NONE**

**MOTION CARRIED**

**THE COMMISSION FOUND THE REQUEST CONFORMS TO**

**THE INTENT OF THE ORDINANCE.**

**OTHER BUSINESS**

**CONSIDER UPDATES TO THE O-1 (75 & 82) OVERLAY DISTRICT ORDINANCE FOR RECOMMENDATION TO THE CITY COUNCIL.**

**OTHER BUSINESS –  
CONSIDER UPDATES  
TO THE O-1 (75 & 82  
OVERLAY) DISTRICT  
ORDINANCE**

**Scott Shadden, Director of Developmental Services**

Mr. Shadden explained “the City has overlays district on the highways that are going through the City, FM 691, Highway 75, 82, 1417, Sam Rayburn and 289. This is an extension of the (75 & 82) Overlay District to take it from FM 1417 to the west City limits. It raises the building standards somewhat, it increases setbacks and regulates a few uses, increases architectural design, requires the ten foot landscape and irrigated strip across the front. This is all for new commercial and multi-family development; it doesn’t affect single family residential. Existing can stay and be maintained from here on out, if you go to add on or build new then it would need to comply with this overlay district. This would get in line with the rest of the overlay districts throughout the City. It is the same rules we have had on 82 and 75 for some time, it’s just taking it from 1417 west to the City Limits. We are making a recommendation to the City Council and they will have the final decision.”

**Scott Davis, 2326 Brumelow, Whitesboro, TX**

Mr. Davis explained he had two properties in this area and wanted to see a map of the area.

Mr. Shadden explained “it is five hundred (500) feet on either side of Highway 82. It does not affect residential properties. If the property is outside the City, this would not apply; it’s just what is in the City today. This is an overlay district, so if you are zoned agriculture, residential, it stays that zone, this district overlays that for any development within five hundred feet for a commercial development to comply with these regulations.”

Mr. Davis explained “the City comes up ten feet into my property with a fire hydrant and water lines going through there; the City had nothing to do with it. Now I have a well; it’s down twelve hundred feet, it’s a water well that the oil company put in the 1920’s or 1930’s when they needed the water. My question is with the highest elevation with the water well right there, are there any restrictions on how I can develop that.”

Mr. Shadden explained “the City has a zoning map that you can take a look at with different zones, residential, commercial and industrial; they also have a master plan map for areas to be annexed, so you would need to be in line with those.”

Mr. Davis explained “the masterplan cuts my property in half on the east-west line, which is really strange.”

Mr. Shadden explained “the masterplan is not a concrete plan, the zoning map is concrete; it goes with the lines that are on the zoning map. The masterplan suggest the zoning, it could move over property lines. We don’t zone outside the City limits.”

Mr. Davis explained “when we bought it, it was outside the City and this just transpired in the last six months. We had development plans going on and then we got this in the mail.”

Dean Gilbert, 600 Gayle Hill Lane, Sherman, TX.

Mr. Gilbert explained he has four hundred and thirteen acres that adjoins Highway 82. “A few years ago, the City sent me a letter asking me to voluntarily annex my property one thousand feet deep which was twenty-three acres or if I did not they would institute involuntary annexation. The development that has occurred off the boot line water line off 1417 is all substandard and would not meet current City Code, much less an overlay zone. I feel like there is a trust issue for people up and down Highway 82 and the City of Sherman because if you look at your map in front of you, there are several influential land owners that are not annexed into the City, they did not follow through with its threat of involuntary annexation and now those people that voluntarily agreed to be annexed to encourage proper development are being hit with an overlay zone for the one’s that did not agree are not in it. I think if you want an overlay zone at FM 1417 and 289 that’s great, but annexation of the property, which I would encourage the City to get after whoever would not voluntarily be annexed and treat us all the same; don’t hang a burden on me because my neighbor wouldn’t voluntarily annex, I think it is something that needs to be done, it needs to be annexation rather than overlay. I understand there is an ulterior motive for this and surely if we need an overlay zone to achieve that ulterior motive then let’s water it down to what the current City standards are. Current City specs are strong, they carry a big hammer and they certainly create good development without an overlay zone. The property on Highway 82 is worth about ten thousand an acre and the property on Highway 75 is worth ten dollars a square foot; there’s a sizable difference in property values. If you want to kill development on Highway 82, then pass this, but if you want to encourage orderly development go annex those people that would not agree to voluntary annexation and put us all on the same playing field. All property north of Highway 82 has no water or sewer and we are being treated like its Highway 75.”

Chairman Mahone explained “most of us would agree the current boundary of the overlay district has been a good thing.” He asked Mr. Shadden if this is proposed in anticipation of the growth in that area to try and get ahead of the building that will go in that area.”



Mr. Shadden explained “yes.”

Chairman Mahone asked if he could give some examples of what could go there now and how that would change?

Mr. Shadden explained “the overlay district regulates aesthetics mostly, it’s going to be pitches, roofs, things like that, it takes four architectural features, a landscaped area, and it’s a gateway coming in from the west. There are some uses not permitted in the overlay district such as sexually oriented businesses.”

Vice-Chairman Elliott explained “this is more or less to protect from certain things coming in and we may appreciate in the future that now something could come in and be locked in, for example a Dollar General on FM 1417 (Heritage Parkway) and that situation and we said oops and we would like that to look better now, but it’s grandfathered, something of that nature.”

Mr. Shadden stated “not that many years ago FM 1417 (Heritage Parkway) was undeveloped and you had some of that stuff that was less desirable, it went in and it’s still there.”

Mr. Davis asked about the four point four two acres that I am talking about, “we had a client in Pepper Spray, I don’t know if you are familiar with Rover Resorts down in McKinney, that’s my brother. There is no pet resort up here in North Texas; I’m not talking about a kennel, I’m talking about acreage where dogs get to run, you can have them groomed, you can shampoo them, you might have a cup of coffee and sit with them; that is what we are planning. Has anyone seen Rover Resort in McKinney, you drive into the port-a-cache, doors open up automatically, the dogs get out and literally run inside the building; that’s how much they enjoy it. It’s built on ten acres, they have a Labrador legume, a pond, a boat dock, a sand beach; it’s a beautiful facility and he spent over a million dollars on it. That’s what we were intending on doing and so we started the project and then we get this, so we put everything on hold to find out where we are going.”

Vice-Chairman Elliott explained “it sounds like the type of facility you want to build or something similar to that would probably meet those requirements. For you, this would be a benefit because you are going to build a very nice facility and it keeps the guy next to you from putting a dump in or whatever.”

Mr. Davis responded “I think it will, this will be an improvement, and that was my only concern.”

Commission Member Downtain explained “this would be better to protect you and align you more similarly with other businesses.”

Chairman Mahone asked about the properties outside the City.

Vice-Chairman Elliott asked if they were to be annexed later, would they be subject to this.

Mr. Shadden responded “they would”.

Chairman Mahone asked if the overlay district would automatically extend to five hundred feet as soon as they annexed without any further changes from us.

Mr. Shadden explained “when they annex they would be subject to the overlay district, if they develop outside the City they would not be subject to the overlay district. This came to our attention when we did the Preston Club zoning last month on the residential annexation and considered that we need to take a look at our overlay district that stops at FM 1417 (Heritage Parkway), to protect the adjacent property owners as people develop the land.”

No other citizens appeared before the Planning and Zoning Commission to discuss the O-1 (75 & 82 Overlay) District.

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the updates to the O-1 (75 & 82 Overlay) District. Second by Commission Member Davis.

**VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS, ADAMS, WOOD AND SIMS.**

**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 6:46 p.m.

**ADJOURNMENT**

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**CHAIRMAN**

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**SECRETARY**