

STATE OF TEXAS §

September 18, 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 September 18, 2018.

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

MEMBERS ABSENT: ADAMS

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 August 21, 2018 regular meeting. Motion by Vice-Chairman Elliott to approve the Minutes as written. Second by Commission Member Sims. 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 WOOD.

**BOARD OF
ADJUSTMENTS**

CONSENT AGENDA (ITEMS 6, 7, 9, 10, 11, 15, 16 & 17)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission Member Downtain moved to approve the Consent Agenda Items 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 WORNAT-WEATHERFORD, LLC (OWNERS) AND GOODWIN-LASITER-STRONG (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2607 LOY LAKE ROAD, BEING 2.849 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALSO BEING LOTS 2 AND 3, BLOCK 1, BOB ALLEN ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT – LOT 2 & 3,
BOB ALLEN
ADDITION
2607 LOY LAKE
ROAD
(WORNAT-
WEATHERFORD,
LLC)

REPLAT APPROVAL OF LOT 2 AND LOT 3 OF BOB ALLEN ADDITION.

The property is located at 2607 Loy Lake Road between Lamberth Road and U.S. Highway 82. The property is zoned a C-O (Office) District. The owners would like to replat two lots into one lot to construct an office for the Department of Family & Protective Services. 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 AMERISTATE BANK AND NHAT NGUYEN INVESTMENTS, LLC (OWNERS) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2515 MASTERS STREET, BEING ALL OF LOTS 1 AND 2 OF THE REPLAT OF LOT 3, BLOCK 1, DR. J.H. CARRAWAY'S SUBDIVISION, CONTAINING 2.338 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SECOND REPLAT APPROVAL OF LOT 3, BLOCK 1, DR. J.H. CARRAWAY SUBDIVISION.

The property is located at 2515 Masters Street between Lamberth Road and Peyton Street. The property is zoned a C-1 (Retail Business) District. The owners would like to replat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF WEST CANYON CREEK ESTATES LTD (OWNERS), LYNN VESSELS CONSTRUCTION, LLC (DEVELOPER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3300 BLOCK OF CANYON CREEK DRIVE AND THE 2700 BLOCK OF HILLVIEW LANE, BEING A PART OF TRACT 1 AND A PART OF TRACT 4 OF WEST CANYON CREEK ESTATES, SECTION 3, ALSO BEING 6.925 ACRES IN THE JAMES B. VADEN SURVEY, ABSTRACT NO. 1288, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL BLOCK 2 & BLOCK 3, WEST CANYON CREEK ESTATES, SECTION 3.

The property is located in the 3300 block of Canyon Creek Drive and the 2700 block of Hillview Lane, next to the new Pecan Grove Park in west Sherman. The property is zoned an R-1 (One Family Residential) District. The owners would

SECOND REPLAT OF LOT 3, BLOCK 1, DR. J.H. CARRAWAY SUBDIVISION 2515 MASTERS ST. (AMERISTATE BANK & NHAT NGUYEN INVESTMENTS, LLC)

REPLAT BLOCK 2 & BLOCK 3, WEST CANYON CREEK ESTATES, SEC. 3 3300 BLK. CANYON CREEK DR. & 2700 BLK. HILLVIEW LN. (WEST CANYON CREEK ESTATES, LTD)

like to replat the property into nineteen lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN ISD (OWNERS) TEAGUE, NALL & PERKINS (CIVIL ENGINEER/SURVEYOR) AND MIKE WILSON (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED IN THE 2900 BLOCK OF WEST O. B. GRONER ROAD, BEING 94.76 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF SHERMAN HIGH SCHOOL ADDITION.

FINAL PLAT –
SHERMAN HIGH
SCHOOL ADDITION
2900 BLK. WEST O.B.
GRONER RD.
(SHERMAN ISD)

The property is located in the 2900 Block of West O.B. Groner Road (proposed future West Travis Street Extension); the northwest corner of O.B. Groner Road and West Moore Street. The Sherman Independent School District would like to plat the property into two lots to relocate Sherman High School (grades 9-12) from the current campus at 2201 East Lamar Street to this location in southwest Sherman. 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 DOUGLASS DISTRIBUTING (OWNER), EIKON (ARCHITECT/ENGINEER) AND CHRIS FRERICH (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3707 SOUTH U. S. HIGHWAY 75, BEING LOT 1, BLOCK 1, MBG SHERMAN ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL TO ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2) (J) FOR LEGACY VILLAGE GAS STATION, CONVENIENCE STORE AND CAR WASH IN THE BLALOCK INDUSTRIAL PARK

SITE PLAN –
LEGACY VILLAGE
GAS STATION,
CONVENIENCE
STORE & CAR WASH
3707 SOUTH U.S.
HIGHWAY 75
(DOUGLASS
DISTRIBUTING)

The property is located at 3707 South U.S. Highway 75; the southeast corner of Highway 75 and East FM 1417 (Vietnam Veteran's Parkway). It is located in the Blalock Industrial Park and Blalock Commercial Overlay District. The owner would like to construct Legacy Village Gas Station, Convenience Store and Car Wash at this location. The convenience store will be approximately 7,200 square foot; the exterior will be brick with stone accents. There will be a one-car wash lane and a fueling station canopy with twenty gas pumps, parking will be provided for 39 spaces. A landscape buffer will be landscaped and irrigated along FM 1417 (Vietnam Veteran's Parkway) and Highway 75 access road; it will consists of trees, shrubs

and ground cover. 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 KACY CHEYENNE GOODE HAWKINS (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2712 PLAINVIEW ROAD, BEING 6.842 ACRES IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF GOODE ADDITION IN THE CITY OF SHERMAN EXTRA TERRITORIAL JURISDICTION (ETJ).

FINAL PLAT –
GOODE ADDITION
(ETJ)
2712 PLAINVIEW RD.
(KACY CHEYENNE
GOODE HAWKINS)

The property is located at 2712 Plainview Road, the southwest corner of Plainview Road and FM 1417 (Heritage Parkway). A portion of the property is in the City of Sherman's extra territorial jurisdiction. The owners would like to plat the property into two lots. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF FIRST BAPTIST CHURCH OF SHERMAN (OWNERS) AND DAVID BACA STUDIO (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 400 SOUTH TRAVIS STREET, BEING 3.23 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A CHILDREN'S EDUCATION BUILDING FOR FIRST BAPTIST CHURCH.

SITE PLAN –
CHILDREN'S
EDUCATION
BUILDING FOR
FIRST BAPTIST
CHURCH
400 S. TRAVIS ST.
(FIRST BAPTIST
CHURCH OF
SHERMAN)

The property is located at 400 South Travis Street between Cherry and King Streets; First Baptist Church is the tenant. The property is zoned a C-1 (Retail Business) District and R-2 (Multi-Family Residential) District. First Baptist Church would like to demolish the existing Children's Education Building and replace it with a 14,613 square foot, two-story, religious education building. The exterior will be brick veneer with a bronze aluminum fascia. 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 TY OSMANI (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 429 NORTH

REPLAT – LOT 1,
BLOCK 1, OSMANI'S
FIRST ADDITION, A
REPLAT OF PART OF

SAM RAYBURN FREEWAY, BEING A PART OF THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND BEING ALL OF LOT 2 AND A PORTION OF LOT 1, BLOCK 1 OF THE REPLAT OF PART OF LOT 6 AND LOT 7 OF THE PLAT OF DIVISIONAL SURVEY FOR THE HEIRS OF J.B. SHANNON DEED, VOLUME A – PAGE 1, CONTAINING 0.532 ACRES, AS FOLLOWS

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOT 1, BLOCK 1, OSMANI'S FIRST ADDITION, A REPLAT OF PART OF LOT 1 AND ALL OF LOT 2, BLOCK 1 OF THE REPLAT OF PART OF LOT 6 AND PART OF LOT 7 OF THE DIVISIONAL SURVEY FOR THE HEIRS OF J.B. SHANNON DEED VOLUME A – PAGE 1

LOT 1 AND ALL OF LOT 2, BLOCK 1 OF THE REPLAT OF PART OF LOT 6 AND PART OF LOT 7 OF THE DIVISIONAL SURVEY FOR THE HEIRS OF J.B. SHANNON DEED VOLUME A – PAGE 1 429 N. SAM RAYBURN FREEWAY (TY OSMANI)

The property is located at 429 North Sam Rayburn Freeway, the southeast corner of Washington Street and Sam Rayburn Freeway. The property is zoned a C-1 (Retail Business) District and also located in the Central Business District and the Sam Rayburn Overlay District. The owners would like to replat the property into one lot 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.

SPECIFIC USE PERMIT, SITE PLAN, VARIANCE & EXCEPTION

THE REQUEST OF CRETA LYNN CARTER II (OWNER), L. LUMPKINS ARCHITECTS, INC. (ARCHITECT) AND HELVEY-WAGNER SURVEYORS (SURVEYOR) CONCERNING THE PROPERTY AT 301 SOUTH CROCKETT STREET, BEING THE WEST 57' OF THE NORTH 65' OF LOT 1, BLOCK 10, ORIGINAL TOWN PLAT, AS FOLLOWS;

BOARD OF ADJUSTMENTS

- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTIONS (1) AND (5)(C) TO ALLOW A 48' TALL, THREE STORY OFFICE BUILDING ON THE PROPERTY LINE IN LIEU OF THE PERMITTED 45'TALL, 25' FROM THE FRONT PROPERTY LINE IN A C-1 (RETAIL BUSINESS) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (5) (B) TO ALLOW THE BUILDING AREA (8,710 SQ. FT.) TO BE MORE THAN ONE-HALF OF THE TOTAL NUMBER OF SQUARE FEET IN THE LOT (3,705 SQ. FT.) IN A C-1 (RETAIL BUSINESS) DISTRICT.

PLANNING AND ZONING COMMISSION

- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW LIVING QUARTERS IN A C-1 (RETAIL BUSINESS) DISTRICT.
- SITE PLAN APPROVAL FOR CARTER LAW OFFICES

VARIANCE – BULD. HEIGHT

EXCEPTION – BUILDING AREA

SUP – LIVING QUARTERS IN C-1

SITE PLAN – CARTER LAW OFFICES

301 S. CROCKETT (CRETA LYNN CARTER, II)

Creta Lynn Carter, II, 801 S. Armstrong, Denison, TX and Lloyd Lumpkins, 12720 Hillcrest Rd., Ste. 345, Dallas, TX

Mr. Carter and Mr. Lumpkins appeared to represent the request and answer any questions. The property is located at 301 South Crockett Street; the southeast corner of Crockett and Jones Streets. The property is zoned a C-1 (Retail Business) District.

Mr. Lumpkins explained Mr. Carter would like to construct a three-story, 8,710 square foot office building at this location. The first two floors will be for office use and the third floor will be for living quarters. It is across the street from the Justice Center at the corner of Crockett and Jones Streets. The building takes its cues from the late 1800's to early 1900's French and English architecture; primarily English architecture that was being done at that time period. It has the steeper pitched roof, cut stone exterior in irregular sizes, cast stone trim details, the fireplace chimneys that are more elaborate, and all typical elements from that time period. The roof will be slate, the windows will be a clad wood window, stained or painted on the inside and clad on the exterior with a color to match the cast stone color; the window sash will be made out of wood. There will also be a two car garage in the building. 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 variance, exception, Specific Use Permit or site plan.

Commission Member Davis stated, "in downtown most buildings take up more than half the land they are built on."

Scott Shadden, Director of Developmental Services explained "if this was across the street in the Central Business District, we wouldn't be here."

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the variance to allow a 48' tall, three-story building on the property line and the exception to allow the building area to be more than one-half of the total number of square feet in the lot in a C-1 (Retail Business) District at 301 South Crockett Street.

Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow living quarters in a C-1 (Retail Business) District and site plan approval

for Carter Law Offices subject to the Staff Review Letter at 301 South Crockett Street. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE, SPECIFIC USE PERMIT, SITE PLAN & EXCEPTIONS

THE REQUEST OF ALLEN MARTIN (OWNER) AND DAVID FITE SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1615 NORTH MAXEY STREET AND 810 NORTH FRISCO ROAD, BEING PART OF LOTS 1-5, BLOCK 1, JONES & SUMMIT ADDITION, ALSO BEING 1.154 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, 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 AND C-2 (GENERAL COMMERCIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.
- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN EVENT VENUE IN A C-1 (RETAIL BUSINESS) DISTRICT.

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (10)(H) TO ALLOW AN EXISTING GRAVEL PARKING LOT IN LIEU OF THE REQUIRED CONCRETE OR ASPHALT IN A C-1 (RETAIL BUSINESS) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW AN EXISTING METAL AND CEDAR EXTERIOR FAÇADE IN LIEU OF THE REQUIRED MASONRY IN A C-1 (RETAIL BUSINESS) DISTRICT.

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

Allen Martin, 209 Arapaho Trail East, Sherman, TX

Mr. Allen appeared to represent the request and answer any questions. The property is located at 1615 North Maxey Street and 810 North Frisco Road; the southeast corner of Frisco Road and Maxey Street.

Mr. Allen explained “I purchased the property which was formerly Gardenland Nursery, assuming it was commercial already, but found out one the parcels is zoned residential. I would like to change the zoning on the two tracts to a C-1 (Retail Business) District and request a Specific Use Permit

ZONE CHANGE – R-1 & C-2 TO C-1

SUP – EVENT VENUE

EXCEPTIONS – PARKING LOT & FAÇADE

1615 N. MAXEY ST. & 810 N. FRISCO RD. (ALLEN MARTIN)

(TABLED)

to allow an event venue to accommodate weddings, parties and meetings. We are not building anything but restructuring the buildings that are there. We are removing the north building to create parking. The metal building which is larger will be opened up to create an event hall. I am requesting exceptions to allow the gravel parking lot and the existing metal building; the post in the front of the building will be wrapped with cedar.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked “where do you see this business going in five to ten years.”

Mr. Allen explained “I would like to open more than one location; this is just the beginning.”

Vice-Chairman Elliott asked if concrete parking would be a possibility.

Mr. Allen responded “absolutely, it is cost effectiveness at this point. We already have access from Frisco Road to the parking area.”

Chairman Mahone asked if there is a lot of gravel on the property for walking areas that wouldn’t be used for parking.

Mr. Allen explained “we are ripping a bunch of it back to put grass for events; the very front of the building is full gravel and it is fenced; we plan to take out the fence which would allow access for parking in front of the metal building.”

Commission Member Davis asked “what are you doing with the existing parking area that is labeled as a circle drive off of Maxey Street.”

Mr. Allen explained “that was something I just threw in there, it would have been just gravel; that is where they had their plants set out on display, they may have had some parking at that location.”

Chairman Mahone asked Mr. Allen to point out on the site plan where parking currently is. Mr. Allen pointed where current parking was available and where he planned to add parking. “Some of the parking is not on there; it came after I submitted the site plan.”

Vice-Chairman Elliott explained “you are asking for an exception to be able to park on gravel in lieu of concrete, but we don’t know where that would be on the drawing; it makes it hard to look at that for a variance, when we don’t know exactly what that is going to mean. If we had a better drawing and more information would be helpful, where you are asking for gravel versus concrete.”

Mr. Shadden explained “a scaled drawing would help.”

Chairman Mahone shared Vice-Chairman Elliott’s concern regarding the gravel parking; “I would like it to be more specific, drawn out to scale, showing where the parking would be.”

Commission Member Downtain agreed; “we need more clarity of what is going on.”

Commission Member Davis agreed and “I wouldn’t mind seeing a little masonry on that metal wall; it is going to be facing the street.”

Mr. Allen explained “I was told it has to be on three sides, but you can only see two from the road.”

Commission Member Davis explained “you are asking for nothing, but I would like to see the front facing the street upgraded. I appreciate what you are trying to do.”

Chairman Mahone asked if he would like to table this item to work on the site plan and bring it back next month.

Mr. Allen responded “yes”.

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

ACTION TAKEN.

Motion by Commission Member Davis to table the request at 1615 North Maxey Street and 810 North Frisco Road. Second by Commission Member Downtain.

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

VOTING NAY: NONE

ABSTAIN: SIMS

MOTION CARRIED

THE REQUEST WAS TABLED.

ZONE CHANGE, SITE PLAN & EXCEPTION

THE REQUEST OF ARJUN DEMLA (OWNER), CHILDRESS ENGINEERING SERVICES (CIVIL ENGINEER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 301 EAST BROCKETT STREET, BEING PART OF LOTS 3 & 6, BLOCK 3, BONDS 2ND ADDITION, CONTAINING 0.098 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

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

ZONE CHANGE – R-1 TO R-2

SITE PLAN - DUPLEX

EXCEPTION - FENCE

301 E. BROCKETT ST.

(ARJUN DEMLA)

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) TO ALLOW A 6' WOOD PRIVACY FENCE WITH BRICK COLUMNS IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

Arjun Demla, 8320 Charleston St., Irving, TX

Mr. Demla appeared to represent the request and answer any questions. The property is located at 301 East Brockett Street; the northeast corner of Brockett and Montgomery Streets. The property is zoned an R-1 (One Family Residential) District and also located in the College Park Overlay District.

Mr. Demla explained “about twelve years ago, my cousin and I purchased property on Brockett Street to build a duplex, we developed the property with a duplex and I lived in the duplex for three years while I was attending Austin College; my brother also lived in the duplex while he attended Austin College. We currently still own that duplex, we rent it out to college students, I moved out about ten years ago. We recently had a chance to purchase this property on the corner of Montgomery and Brockett Street and we are proposing another duplex in town to rent to college students. We would like to build a two-story, eight bedroom (four per side) duplex on the property; the exterior will be brick and stone. Parking will be provided for eight cars.” They are also requesting an exception to allow a six foot privacy fence with brick columns in lieu of the required masonry wall. He had seen the Staff Review Letter and would abide by the Recommendations.

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

Commission Member Davis asked “how far off the brick columns is your fence going to be.”

Mr. Demla explained “it looks between six to ten feet.”

Commission Member Davis asked if he would agree to twelve foot on center for the brick columns.

Mr. Demla responded “yes.”

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change to an R-2 (Multi-Family Residential) District and site plan for a duplex subject to the Staff Review Letter at 301 East Brockett Street. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS,

WOOD AND SIMS.
VOTING NAY: NONE
MOTION CARRIED
Board of Adjustments
ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow a 6’ wood privacy fence with brick columns spaced every twelve foot in an R-2 (Multi-Family Residential) District at 301 East Brockett Street. Second by Commission Member Downtain.

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

VOTING NAY: NONE
MOTION CARRIED

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

ZONE CHANGE, SPECIFIC USE PERMIT, SITE PLAN & VARIANCE

THE REQUEST OF LAMBERTH CROSSING JOINT VENTURE (OWNERS) AND NBS DRAFTING & DESIGN (DRAFTSMAN) CONCERNING THE PROPERTY LOCATED AT 2708 WEST LAMBERTH ROAD, BEING LOT 17, THE GARDENS AT O’HANLON RANCH, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-O (OFFICE) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.
- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A CLIMATE CONTROLLED MINI-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT.

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5) TO ALLOW A 11’ SETBACK ALONG LAMBERTH ROAD IN LIEU OF THE REQUIRED 25’ IN A C-1 (RETAIL BUSINESS) DISTRICT.

An email was received 9/17/2018, 11:50 a.m. from Dean Gilbert, Jr. withdrawing the request.

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

THE REQUEST WAS WITHDRAWN.

SPECIFIC USE PERMIT, SITE PLAN & VARIANCE

THE REQUEST OF CALADIUM INVESTMENTS, LLC (OWNERS), JOE GILBERT (REPRESENTATIVE) AND MARSHALL SARTIN (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1600 AND 1602 NORTH TRAVIS

ZONE CHANGE – C-O TO C-1

SUP & SITE PLAN – CLIMATE CONTROLLED MINI-STORAGE FACILITY

VARIANCE – SETBACK ALONG LAMBERTH RD.

2708 W. LAMBERTH RD. (LAMBERTH CROSSING JOINT VENTURE)

(WITHDRAWN)

VARIANCE – REAR SETBACK

SUP – DUPLEX

STREET, BEING THE SOUTH 82' OF LOT 16 AND THE SOUTH 82' OF THE EAST 25' OF LOT 15, BLOCK 1 OF W.M. SHANNON'S SUPPLEMENT, AS FOLLOWS:

1600 & 1602 N.
TRAVIS ST.
(CALADIUM
INVESTMENTS, LLC)

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 20' REAR SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

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

Joe Gilbert, 801 E. Taylor St., Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located at 1600 and 1602 North Travis Street; the northwest corner of Travis Street and West McGee Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Gilbert explained "the owner would like to demolish the existing duplex for construction of a new single-story duplex on the same location, facing McGee Street instead of Travis Street because of the traffic and safety issues. The lot has 125' of width on McGee Street and 82' of depth on Travis Street, so that is why we are asking for the variance to allow a 20' rear setback. The same owner owns the property directly north that adjoins the rear yard setback. The duplex will have three bedrooms on each side, a one car garage with two parking spaces in the driveway." They had seen the Staff Review Letter and would abide by the Recommendations."

Marie Reid, 111 W. McGee Street, Sherman, TX

Mrs. Reid explained she lives next door to this property facing McGee Street. Mrs. Reid wanted more information.

Mr. Gilbert explained they would tear down the existing duplex and build a new duplex facing McGee Street. The driveways will come off of McGee Street.

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 20' rear setback in lieu of the required 25' in an R-1 (One Family Residential) District at 1600 and 1602 North Travis Street. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Downtain to approve the Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District at 1600 and 1602 North Travis Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS & SITE PLAN

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

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) AND SECTION 6.8.2, SUBSECTION (4) (B) TO ALLOW THE EXISTING FUELING STATION CANOPY METAL POLES IN LIEU OF THE REQUIRED MASONRY IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.2, SUBSECTION (6)(C)(2) TO NOT REQUIRE THE 10' BUFFER STRIP, LANDSCAPED AND IRRIGATED IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

PLANNING AND ZONING BOARD

SITE PLAN APPROVAL FOR A RETAIL SHELL.

Daniel Clem, Nick Manesh Engineering, LLC, 17630 Davenport Rd., Suite 110, Dallas, TX and Ty Osmani, 4805 Bello Vista Ct., Sherman, TX

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

Mr. Clem explained “the existing site has a convenience store with a fueling station, which the owners are proposing a face lift to update. As far as the columns on

**EXCEPTION –
FAÇADE ON
FUELING STATION
CANOPY
(WITHDREW)**

**EXCEPTION –
BUFFER STRIP
(APPROVED)**

**SITE PLAN – RETAIL
SHELL (DENIED)**

**429 N. SAM
RAYBURN FREEWAY
(TY & SARA OSMANI)**

the canopy, the owner stated we could withdraw that exception request and wrap the steel columns with masonry.”

Chairman Mahone asked if they would like to withdraw the request for the exception on the metal poles.

Mr. Osmani and Mr. Clem responded “yes.”

Mr. Clem explained “the second request is for the ten foot buffer strip along the highway; it is all paved and we are not proposing any construction along that area; so we are requesting an exception to not require the landscape buffer.”

Mr. Osmani explained “I would like to construct a 1,400 square foot retail brick shell behind the existing convenience store.”

Vice-Chairman Elliott asked the proposed usage of the building.

Mr. Osmani explained “it would be for retail, we would rent it; it will have a drive-thru.”

Commission Member Davis stated “you are not doing away with the retaining wall; you are just doing construction on top.”

Commission Member Downtain asked how they would get out.

Mr. Osmani explained “through the back alley.”

Commission Member Downtain stated “you are proposing for commercial traffic to exit the drive-thru into the alley.”

Mr. Osmani responded “yes, you go straight, take a left turn onto the alley next to Budget Glass.”

Chairman Mahone asked if the alley is a single lane alley.

Mr. Osmani responded “yes.”

Chairman Mahone asked Mr. Philpott how wide the alley is.

Clint Philpott, Director of Engineering explained “the alley is currently paved, it is not maintained by the City, several businesses are using it, but it is not a City maintained alley. It is a platted alley. There are alleys similar to this near downtown buildings.”

Commission Member Davis asked what the new building would be.

Mr. Osmani explained “it would be 1,200 square foot

retail.”

Commission Member Downtain asked if it was going to be a liquor store.

Mr. Osmani responded “no, we don’t have a plan yet; we are just going to build it and put it up for rent.”

Vice-Chairman Elliott stated you want a restaurant type business.

Mr. Osmani responded “no, we don’t want fast food; it is not going to be a restaurant.”

Commission Member Downtain asked “why do you need a drive-thru.”

Mr. Osmani stated “we are doing a drive-thru for potential renters, maybe a flower shop or other retail, but not for a restaurant, that’s for sure.”

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

Commission Member Davis stated “the alley is not yours; you are trying to build on private property exiting to an alley.”

Mr. Osmani explained “the alley is already there and it is being used by others.”

Chairman Mahone asked if there are any issues with directing commercial traffic to an alley.

Mr. Shadden responded “I feel there is.”

Chairman Mahone explained “it would have to be a one way drive.”

Commission Member Downtain asked how wide the alley was.

Mr. Shadden stated “twelve feet.”

Chairman Mahone stated “it is not wide enough for two way traffic.”

Mr. Philpott stated “a fire lane is twenty-four foot.”

Commission Member Davis explained “I know what you are trying to do at that corner and I appreciate it, but a lot of this stuff is just not clear enough.”

Chairman Mahone stated “I would love to have the existing gas station renovated; I’m concerned about the new building; it doesn’t really seem to fit very well in such a

narrow spot and I am really concerned with directing commercial traffic onto an alley that is not maintained by the City.”

Mr. Osmani explained “we will maintain it if we utilize it; people are using it already, existing owners.”

Commission Member Downtain stated “those are people that are parking at their property, using it for access; they are not necessarily having retail customers driving through.”

Mr. Osmani explained “I see customers using it from Budget Glass.”

Commission Member Downtain was not clear on the exception for the buffer strip along Highway 75.

Mr. Shadden explained “since this is all one lot and when you build something new on the lot, you have to come up to current standards.”

Mr. Shadden explained “your sign is in the right-of-way.”

Vice-Chairman Elliott asked how important the additional building was to him.

Mr. Osmani explained “it is important because the property is sitting there, it will be a beautiful building; I want to utilize my land and it is above the floodplain.”

Chairman Mahone asked “what happens to the alley, does it go west and hit the frontage road.”

Mr. Clem explained “it goes east to Rusk Street and dead-ends at the property to the west.”

Commission Member Downtain asked Mr. Philpott if the alley could be utilized for simultaneous inbound and outbound traffic.

Mr. Philpott responded “no.”

Mr. Shadden asked Mr. Osmani if he plans on getting his signs into conformance.

Mr. Osmani explained “we are not doing anything to the signs; we have no plans for that. Since it is in the floodplain, if we do something we have been told we have to raise the building; that’s why we are not touching that part.”

Mr. Shadden explained “it is all one lot.”

Mr. Osmani explained “this lot is already six foot above the floodplain.”

Mr. Shadden explained “I am talking about the sign.”

Mr. Osmani explained “the sign is there.”

Mr. Shadden explained “it is outside the property line in the right-of-way, if you do any improvements to the lot, are you planning to bring the lot into conformance with the City’s ordinances.”

Mr. Clem provided a survey showing the sign on the south side of the property is inside the property line.

Mr. Shadden explained “the sign in question is at the corner of Washington Street and Sam Rayburn Freeway.”

Mr. Osmani explained “I did not know that sign was outside the property line; we can move that sign.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the exception to not require the 10’ buffer strip, landscaped and irrigated in a C-1 (Retail Business) District/Central Business District/O-1.2 (Sam Rayburn Overlay) District at 429 North Sam Rayburn Freeway subject to removing the sign in the right-of-way at the corner of Washington Street and Sam Rayburn Freeway. Second by Chairman Mahone.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, AND WOOD.

VOTING NAY: ELLIOTT

MOTION CARRIED

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Downtain to deny the site plan for a retail shell at 429 North Sam Rayburn Freeway based on the previous discussion during the meeting. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST *DID NOT* CONFORM TO THE INTENT OF THE ORDINANCE.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:52 p.m.

ADJOURNMENT

PLANNING & ZONING COMMISSION MINUTES – SEPTEMBER 18, 2018

CHAIRMAN

SECRETARY