

STATE OF TEXAS §

October 16, 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 October 16, 2018.

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

MEMBERS ABSENT: NONE

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:00 p.m.

CALL TO ORDER

RECOGNITION OUTGOING BOARD MEMBER

Chairman Mahone recognized Commission Member Jeff Adams for his service on the Planning and Zoning Commission from September 2015 to October 2018.

**RECOGNIZE
JEFF ADAMS**

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the September 18, 2018 regular meeting. Chairman Mahone noted "Page 17, THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE, it is my recollect we denied that request; if that could be corrected."

APPROVE MINUTES

Motion by Commission Member Davis to approve the Minutes with the correction. Second by Commission Member Sims. All present voted AYE.
MOTION CARRIED.

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 13 & 16)

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

CONSENT AGENDA

A request was received from Kate Wagner, October 16, 2018 at 10:14 a.m. to table item #13:

"2789 Luella Road

The request of Danny and Melva Barnes (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 2789 Luella Road, being 5.326 acres in the Jeremiah McDaniel Survey, Abstract No. 774, as

follows:

Planning and Zoning Commission

Final plat approval of Barnes Subdivision in the City of Sherman's Extra Territorial Jurisdiction (ETJ)."

The Commission reviewed the Consent Agenda. Commission Member Adams moved to approve Item #16 on the Consent Agenda subject to the Staff Review Letter. Second by Commission Member Davis. All present voted AYE.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF DANNY AND MELVA BARNES (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2789 LUELLEA ROAD, BEING 5.326 ACRES IN THE JEREMIAH MCDANIEL SURVEY, ABSTRACT NO. 774, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

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

A request was received from Kate Wagner, October 16, 2018 at 10:14 a.m. to table item #13:

THE REQUEST WAS TABLED.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF JOSE AND MARIA LARA (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 926 AND 932 SOUTH THROCKMORTON STREET, BEING LOT 7 AND PART OF LOT 8, BLOCK 1, W.D. FITCH ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LARA'S ADDITION, BEING A REPLAT OF LOTS 7 & 8, BLOCK 1 OF W.D. FITCH ADDITION.

The property is located at 926 and 932 South Throckmorton Street; the northwest corner of Throckmorton Street and Epstein Street. The owners would like to plat the property into two 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 –
BARNES
SUBDIVISION (ETJ)
2789 LUELLEA RD.
(DANNY & MELVA
BARNES)

(TABLED)

REPLAT LARA'S
ADDITION, A REPLAT
OF LOTS 7 & 8,
BLOCK 1, W.D. FITCH
ADDITION
926 & 932 S.
THROCKMORTON
ST.
(JOSE & MARIA
LARA)

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.

Chairman Mahone explained this item was tabled at the September 18, 2018, meeting.

Allen Martin, 209 Arapaho Trail East, Sherman, TX

Mr. Martin 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. Martin explained “I revised the site plan to make it a lot simpler and had someone that deals with rock and parking lots to come out and measure to give me accurate measurements for the size of the parking and spaces.”

Chairman Mahone explained “it looks like you are going to have an 80’x60’ rock parking lot on the north corner of the property and one in the center of the property.”

Mr. Martin explained “the other parking lot will allow for eleven additional parking spaces; it currently exists. The other parking lot will be new; where the building is going to be demolished.”

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)

Commission Member Wood asked the expected capacity.

Mr. Martin stated “not over 100, being realistic.”

Chairman Mahone asked “will the rock be compacted?”

Mr. Allen answered “yes, that is what he explained, it is not like white rock, it will be crushed river rock; it packs together, so that you can walk on it.”

Chairman Mahone asked “will it be packed by machinery or is it expected to happen over time.”

Mr. Allen responded “it will happen over time as it is weathered.”

Commission Member Downtain asked “do you have any area designated for handicap parking that might have a more favorable surface for wheelchair access.”

Mr. Martin explained “it will be more than likely where those eleven spaces will be located in the middle of the site plan.”

Commission Member Davis asked “how many spaces will be on the 80’x60’ lot.”

Mr. Martin explained “I calculated 26 spaces, but the Staff Review Letter stated 16-18.”

Commission Member Davis explained “one hundred people are expected at your venue, twenty-five cars parking, that’s four people per car; is there a strategy for overflow parking.”

Mr. Martin explained “overflow parking will be across the street; the strip center the previous owners used.”

Commission Member Davis asked “what happens if the people across the street say you can’t use my lot anymore.”

Mr. Martin responded “I will have to find more parking; I’m just trying to work with what I have.”

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

Commission Member Davis asked “what is to the south of the property, are you putting a fence up or is there one already.”

Mr. Martin responded “there are three houses; one of them is falling in. There is an existing ten foot privacy fence between the residential; it will need to be replaced eventually, it is still standing.”

Chairman Mahone asked about the exterior façade on the building; “is there anything blocking the view of the metal façade on Maxey Street.”

Mr. Martin explained “the front of the building does not face the road; it faces the interior of the lot. I plan to put in something to block the view of the A/C units that have been put in on the side that does face the road, but there is nothing wrong with the building as it is. I plan on doing the same thing that the previous owners did for the last four years.”

Chairman Mahone asked if he any long term plans to update the façade of the building.

Mr. Martin responded “yes, of course to improve it to make it look better.”

Chairman Mahone asked “how long will you need to update the appearance of the building.”

Mr. Martin responded “two or three years.”

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

Planning and Zoning Commission

ACTION TAKEN.

Motion by Vice-Chairman Elliott to approve the zone change to a C-1 (Retail Business) District and the Specific Use Permit to allow an event venue in a C-1 (Retail Business) District subject to the Staff Review Letter and reviewing the Specific Use Permit in three years at 1615 North Maxey Street and 810 North Frisco Road. Second by Commission Member Davis.

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

VOTING NAY: NONE

ABSTAIN: SIMS

MOTION CARRIED

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the exception to allow a gravel parking lot and the existing metal and cedar exterior façade in a C-1 (Retail Business) District on the condition that the metal building be updated within three years and subject to the Staff Review Letter at 1615 North Maxey Street and 810 North Frisco Road. Second by Vice-Chairman Elliott.

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

THE REQUEST OF BARTON CAPITAL, LTD (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1606, 1610 AND 1614 SOUTH RUSK STREET AND 415 WEST LAKE STREET, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- **TRACT 1: BEING LOTS 2, 3 AND 4, BLOCK 4, MAYHEW ADDITION - ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.**
- **TRACT 2: BEING THE EAST 55' OF LOTS 6, 7 AND 8, BLOCK 4, MAYHEW ADDITION - ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.**

ZONE CHANGE – C-2 TO R-1

1606, 1610 & 1614 S. RUSK ST. & 415 W. LAKE ST. (BARTON CAPITAL)

Ron Barton, 715 S. Sam Rayburn Freeway, Sherman, TX

Mr. Barton appeared to represent the request and answer any questions. The property is located at 1606, 1610 and 1614 South Rusk Street between Staples and Lake Streets and 415 West Lake Street between Austin and Rusk Streets. The property was zoned a C-2 (General Commercial) District November 27, 1972.

Mr. Barton explained he would like to change the zoning on the property to an R-1 (One Family Residential) District to construct two single-family residences on the lots along Rusk Street. “There are two single family residences next to these lots and everything across the street is residential. Lots 2 and 4 are where the houses would go; Lot 3 has an easement across it and will need to remain.” 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.

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change to an R-1 (One Family Residential) District subject to the Staff Review Letter at 1606, 1610 & 1614 South Rusk Street and 415 West Lake Street. 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.

EXCEPTION & REPLAT

THE REQUEST OF 2101 & 2103 E PECAN SERIES LLC (OWNERS) EARNHARTBUILT, LLC (DEVELOPER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2100 BLOCK OF EAST MULBERRY STREET, BEING ALL OF LOTS 1 & 2, BLOCK 7 OF THE SLAGLE REPLAT OF BLOCK 7, CHRISTIAN COLLEGE ADDITION, CONTAINING 0.544 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW LOTS 1 & 2, BLOCK 7 OF THE PROPOSED EARNHARTBUILT’S FIRST ADDITION TO BE 50’ WIDE IN LIEU OF THE REQUIRED 60’ IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF EARNHARTBUILT’S FIRST ADDITION, BEING A REPLAT OF LOTS 1 & 2, BLOCK 7, OF THE SLAGLE REPLAT OF BLOCK 7 OF CHRISTIAN COLLEGE ADDITION.

EXCEPTION – LOT WIDTH

REPLAT – EARNHARTBUILT’S FIRST ADDITION, A REPLAT OF LOTS 1 & 2, BLOCK 7, SLAGLE REPLAT OF BLOCK 7 OF CHRISTIAN COLLEGE ADDITION

2100 BLOCK E. MULBERRY ST. (2101 & 2103 E PECAN SERIES, LLC)

Jonathan Earnhart, 110 South Houston Ave., Denison, TX

Mr. Earnhart appeared to represent the request and answer any questions. The property is located in the 2100 East Mulberry Street between Elliott Avenue and Colbert Street.

Mr. Earnhart explained he would like to replat the property into three, fifty foot lots for three single family homes. “The homes will be approximately 1,300 square foot. The surrounding lots are all about fifty feet.” 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 exception or replat.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow Lots 1 and 2, Block 7 of the proposed Earnhartbuilt’s First Addition to be 50’ wide in lieu of the required 60’ in an R-1 (One Family Residential) District in the 2100 Block of East Mulberry Street. Second by Commission Member Adams.

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

VOTING NAY: NONE

MOTION CARRIED

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the Replat of Earnhartbuilt's First Addition, a Replat of Lots 1 & 2, Block 7, of the Slagle Replat of Block 7 of Christian College Addition subject to the Staff Review Letter in the 2100 block of East Mulberry Street. 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.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF DAS SAM ENTERPRISES, LLC (OWNERS), WILLIAM DOWNEY, DOWNEY AUTOMOTIVE (APPLICANT) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY 4114 TEXOMA PARKWAY, BEING 0.4986 ACRES IN THE W. F. PATTERSON SURVEY, ABSTRACT NO. 969, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AUTOMOBILE AND HEAVY VEHICLE REPAIR, TRANSMISSIONS, BRAKES, MUFFLERS, SHOCKS, OIL & LUBE WITH BODY WORK IN A C-2 (GENERAL COMMERCIAL) DISTRICT

SUP – AUTOMOBILE & HEAVY VEHICLE REPAIR, TRANSMISSIONS, BRAKES, MUFFLERS, SHOCKS, OIL & LUBE WITH BODY WORK
4114 TEXOMA PARKWAY
(DAS SAM ENTERPRISES, LLC)

William Downey, 410 S. Charles St., Sherman, TX

Mr. Downey appeared to represent the request and answer any questions. The property is located at 4114 Texoma Parkway between Gallagher Drive and Frisco Road and is zoned a C-2 (General Commercial) District. A Specific Use Permit to allow automotive and heavy vehicle repair, transmissions, brakes, mufflers, shocks, oil & lube in a C-2 (General Commercial) District was approved October 19, 2009, but the business closed down for more than sixty days so the use went away.

William Downey explained he operates Downey Automotive and is requesting a Specific Use Permit to allow automotive repair including suspension, brakes, HVAC, engine gaskets and seals, radiator, transmission, tune-ups, oil changes, accessory repairs and body work; "the body work is not painting, just anything bolt on like bumper covers that come pre-painted; no painting. We offer fleet repair for mainly businesses and car lots. The building is red brick with a bay door and metal roof and has an eight foot fence in the rear of the property. We don't keep vehicles more than two weeks; any vehicles will be locked behind the fence." 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 or site plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow automobile and heavy vehicle repair, transmissions, brakes, mufflers, shocks, oil & lube with body work in a C-2 (General Commercial) District at 4114 Texoma Parkway subject to the Staff Review Letter. Second by Commission Member Wood.

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.

VARIANCE

THE REQUEST OF RONALD LASHLEY (OWNER) CONCERNING THE PROPERTY LOCATED AT 1502 NORTH ALEXANDER STREET, BEING PART OF LOT 3, BLOCK 1, R. E. SHANNON 1ST ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 2 ½ FOOT SIDE SETBACK FOR A RESIDENTIAL ADDITION IN LIEU OF THE REQUIRED 6.1' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – SIDE
SETBACK
1502 N. ALEXANDER
(RONALD LASHLEY)

Ronald Lashley, 1502 N. Alexander, Sherman, TX

Mr. Lashley appeared to represent the request and answer any questions. The property is located at 1502 North Alexander Street, the northwest corner of West Scott Street and Alexander Street and is zoned an R-1 (One Family Residential) District.

Mr. Lashley explained “we would like to construct a 480 square foot bedroom addition in the front of the house, 2 ½’ from the side property line. The addition will line up with the existing house and will match the brick and siding.” They had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Adams to approve the variance to allow a 2 ½ foot side setback for a residential addition at 1502 North Alexander Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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 & CONCEPTUAL SITE PLAN

THE REQUEST OF RSCL HOLDINGS, LLC (OWNERS), WYLDEWOOD HOMES (PROSPECTIVE BUYER) AL DENSON (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1100-1300 BLOCKS OF SOUTH FM 1417 (HERITAGE PARKWAY) AND THE 3800-4000 BLOCKS OF QUAIL RUN ROAD, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- TRACT 1: BEING 19.967 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- TRACT 2: BEING 6.141 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, ALSO BEING A PART OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.

ZONE CHANGE –
TRACT 1 - 19.967 AC.
R-2 TO R-1

TRACT 2 – 6.141 AC.
R-2 TO C-1
1100-1300 BLKS. S.
FM 1417 (HERITAGE
PARKWAY) & 3800-
4000 BLKS. QUAIL
RUN RD.
(RSCL HOLDINGS,
LLC)

Tim Pike, Wyldeewood Homes, 3403 Ballam, Sherman, TX

Mr. Pike appeared to represent the request and answer any questions. The property is located in the 1100-1300 blocks of South FM 1417 (Heritage Parkway) and the 3800-4000 blocks of Quail Run Road; the southwest corner of FM 1417 (Heritage Parkway) and Quail Run Road. The property was zoned an R-2 (Multi-Family Residential) District, April 17, 2017.

Mr. Pike explained they would like to change the zoning on 19.967 acres to an R-1 (One Family Residential) District for development of patio homes on 102 proposed lots and to a C-1 (Retail Business) District on 4 lots along FM 1417 (Heritage Parkway). They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if they had any plans for the proposed commercial lots.

Mr. Pike responded “we do not have any plans on the commercial tract at this time.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change to an R-1 (One Family Residential) District on Tract 1 - 19.967 acres and to a C-1 (Retail Business) District on Tract 2 - 6.141 acres in the 1100-1300 blocks South FM 1417 (Heritage Parkway) and the 3800-4000 blocks of Quail Run Road subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & EXCEPTION

THE REQUEST OF CLAY COX (OWNER), ALL PRO POOLS LANDSCAPE & IRRIGATION (CONTRACTOR) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 613 WEST MCLAIN STREET, BEING LOT 7, BLOCK 11 OF THE REPLAT OF WINDSOR PLACE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(C)(2) TO ALLOW A 4' REAR SETBACK FOR A SWIMMING POOL IN LIEU OF THE REQUIRED 5' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(D) TO ALLOW A SWIMMING POOL/SPA TO EXCEED 30 PERCENT OF THE REQUIRED REAR YARD IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – REAR
SETBACK
613 W. MCLAIN
(CLAY COX)

Clay Cox, 613 West McLain, Sherman, TX and Opie Maines, All Pro Pools, 371 Lee Blvd., Pottsboro, TX

Mr. Cox appeared to represent the request and answer any questions. The property is located at 613 West McLain Street, the northeast corner of McLain and Ricketts Streets and is zoned an R-1 (One Family Residential) District.

Mr. Cox explained “we would like to construct a swimming pool and maximize the space in our backyard to get a little bit bigger pool.”

Chairman Mahone asked about the fence being located over the property line into the alley; “was it that way when you purchased the house.”

Mr. Cox responded “yes; I’m not sure when the fence was put in; it has been there as long as I remember, we bought the house in 2008 and the fence is in the same place as it is now.”

Chairman Mahone stated “that fence is in the alley.”

Mr. Cox responded “it’s not in the alley, if you look at the pictures, it kind of butts up to the alley and I maintain that property behind the alley. There is about four feet behind the alley and grass, which is really just a glorified driveway. The alleyway back in 1979 used to go all the way through but now it is just brush and trash; the guy at the far end uses it for storage, he has his RV and boat parked there, so it’s abandoned, I know the City does not take care of it, but it is really just dead space.”

Commission Member Davis stated “the fence is actually over your property line.”

Mr. Cox responded “yes, sir. I guess, when we bought the home they gave us the survey, being my first home, I’m not an architect, I looked at it and assumed the fence was my property line, ignorance is no excuse, but that’s where it has been since we purchased it.”

Commission Davis explained “so the fence is not necessarily moving, now that you have the lay of the land, you just want to construct a swimming pool.”

Mr. Cox explained “the fence is not going to obstruct anybody or prevent anyone from coming down that alleyway; it’s just something I need to get permission to do.”

Chairman Mahone stated “the request is to allow a four foot rear setback, but when I look at the drawing, I see a property line that looks like the pool is closer than four feet to the property line; am I misunderstanding this.”

Mr. Maines explained “there is a hot tub on the far right side that is six foot from the property line; that is accurate there to the water line. As we move over to the right side where you have the 4’5”, we would need to move out four foot; that would be our variance that we are asking.”

Chairman Mahone asked if the drawing was incorrect.

Mr. Maines responded “no, it is correct.”

Commission Member Davis explained “it looks like your pool edge is actually about a foot from the property line.”

Mr. Maines explained “there is a gravel bed that is two foot wide, so if we had a four foot variance; that would make it to six foot that is asked for.”

“We were assuming that the pool would cover more than thirty percent of the rear yard, but the pool only covers twenty percent, so we wouldn’t need the exception for that.”

Chairman Mahone explained “you would need a two foot setback from the property line. The request was advertised for four foot; if we tabled it, could it be re-advertised for two foot.”

Scott Shadden, Director of Developmental Services responded “yes, it could.”

Vice-Chairman Elliott asked “how much distance is from the water line to the property line.”

Mr. Maines responded “three feet.”

Vice-Chairman Elliott explained “he needs a three foot setback in lieu of the five foot required.”

Mr. Shadden explained “State Law will not let us grant more than what is advertised.”

Chairman Mahone asked the applicants if they understood; “we can grant the four foot, but if you wanted us to consider three foot, we would have to re-advertise it for the next meeting in November.”

Mr. Cox explained “the contract runs out by then, I would have to re-apply for a loan.”

Mr. Maines stated “we could get the four foot granted and redesign the pool to see what you think about it, if we want to bring it back, we could do that.”

Chairman Mahone explained “they could consider a motion on the four foot setback.”

Mr. Cox agreed. He had seen the Staff Review Letter and would abide by the Recommendations.

ACTION TAKEN.

Motion by Commission Member Davis to approve the variance to allow a 4’ rear setback for a swimming pool at 613 West McLain Street subject to the Staff Review Letter. 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.

SPECIFIC USE PERMIT & EXCEPTION

THE REQUEST OF ROBERT AND TAMMY ALLEN (OWNERS), LONE STAR HAULIN, LLC (TENANT) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 5504 TEXOMA

SUP – AUTOMOBILE SALES & IMPOUND LOT

EXCEPTION –

PARKWAY, BEING 5.188 ACRES IN THE D.C. SHELPS SURVEY, ABSTRACT NO. 1097, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AUTOMOBILE SALES AND IMPOUND LOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (10)(H) TO ALLOW AN EXISTING GRAVEL PARKING LOT IN THE REAR OF THE PROPERTY IN LIEU OF THE REQUIRED CONCRETE OR ASPHALT IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

GRAVEL PARKING
LOT IN REAR

5504 TEXOMA
PARKWAY
(ROBERT & TAMMY
ALLEN)

Ryan Johnson, 5523 W. Houston St., Sherman, TX

Mr. Johnson appeared to represent the request and answer any questions. The property is located at 5504 Texoma Parkway between Fallon Drive and FM 691 and is zoned a C-2 (General Commercial) District. A Specific Use Permit to allow automotive repair, tire sales, service and installation and automobile sales and rentals in a C-2 (General Commercial) District, September 8, 2015.

Lone Star Haulin is a local towing service that has been in business in Grayson County since 2005. Their customers include individuals, shops, dealerships and commercial truck lines, also serving Local Police, State and County Agencies. They recently purchased the property at 5504 Texoma Parkway and would like to move their business to this location. The property consists of 5.188 acres including a storefront building with composite siding and a composite building in the back of the property. They will utilize the storefront as an office and the building in the back for police department investigations, narcotics hold vehicles, and police seizures that require dry storage. They would also like to sell cars in the front of the facility.

Impound seized vehicles, vehicles involved in accidents and cars that are towed due to arrest will be behind the existing fence. They are requesting an exception to allow a gravel parking lot behind the fence in lieu of concrete or asphalt. They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Johnson explained “the rear parking lot is behind the fence, it is a mixed asphalt and gravel parking lot. In the past, it has been used as an automobile storage facility.”

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Wood to approve the Specific Use Permit to allow automobile sales and impound lot in a C-2 (General Commercial) District at 5504 Texoma Parkway Street subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN, DAVIS,
WOOD, SIMS AND ADAMS.
VOTING NAY: NONE
MOTION CARRIED

Board of Adjustments
ACTION TAKEN.

Motion by Commission Member Adams to approve the exception to allow an existing gravel parking lot in the rear of the property at 5504 Texoma Parkway subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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.

SPECIFIC USE PERMIT

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNERS), TODD YOUNG (REPRESENTATIVE) AND DAVID BACA STUDIO, LLC (ARCHITECT) CONCERNING THE PROPERTY AT 4615 NORTH TRAVIS STREET, BEING LOT 1, BLOCK 6 AND LOT 1, BLOCK 7, OF THE REPLAT OF BLOCKS 1-9, NORTH CREEK SECTION 1, AS FOLLOWS:

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 THE MINI-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT.

SUP – LIVING
QUARTERS IN MINI-
STORAGE FACILITY
4615 N. TRAVIS
(YOUNG
ENTERPRISES, LP)

David Baca, 100 N. Travis, Suite 500-A, Sherman, TX

Mr. Baca appeared to represent the request and answer any questions. The property is located at 4615 North Travis Street the southeast corner of Travis and Northcreek Drive and is zoned a C-1 (Retail Business) District. The property was approved for a Specific Use Permit to allow a mini-warehouse self-storage facility in a C-1 (Retail Business) District, September 6, 2016.

Mr. Baca explained “the owners are requesting a Specific Use Permit to allow manager’s living quarter’s onsite at the storage facility. It was an oversight when we came before the board about a year and a half ago before the project was started. We had talked about it in the meetings but it was never officially put on the application, so we are coming back to get that corrected. The living quarters will be approximately 1,000 square foot; it is the upper portion of the building that faces the corner of Northcreek Drive and Travis Street. It is permanent for the manager of the storage facility and is very common with self-storage facilities. They will have a parking garage for their vehicle in the back and is attached to the apartment on the ground

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the Specific Use Permit to allow living quarters in the mini-storage facility in a C-1 (Retail Business) District at 4615 North Travis Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF FRHP LINCOLNSHIRE LLC (OWNERS), CEI ENGINEERING ASSOCIATES, INC. (CIVIL ENGINEER), DAVID TIPTON (REPRESENTATIVE) GONZALES & SCHNEEBERG, ENGINEERS & SURVEYORS, INC. (SURVEYOR) AND NOLTE & ASSOCIATES, P.A. (ARCHITECT) CONCERNING THE PROPERTY AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING TRACT 1:7.036 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667; TRACT 2: BEING ALL OF BLOCK 32 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION; TRACT 3: ALL OF BLOCKS 38 & 39 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 & 41 OF SOUTHSIDE ADDITION CONTAINING 0.487 ACRES; AND TRACT 4: 0.888 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, BEING A STRIP OF LAND KNOWN AS COTTAGE AVENUE (UNIMPROVED) AND PLATTED AS A CITY STREET, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW PARKING LOT EXTENSION FOR ADDITIONAL RV STORAGE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.
- SITE PLAN APPROVAL FOR AN RV MAINTENANCE FACILITY FOR CAMPING WORLD.

Brandon Waldrum and David Tipton, CEI Engineering Associates, Inc., 3030 LBJ Freeway #100, Dallas, TX

Mr. Waldrum and Mr. Tipton appeared to represent the request and answer any questions. The property is located at 2005 South Sam Rayburn Freeway between Wilson Avenue and FM 1417; Camping World is the tenant. The property is zoned a C-1 (Retail Business) District and M-1 (Light Manufacturing) District and also located in the O-1.2 (Sam Rayburn) Overlay District.

SUP – PARKING LOT
EXTENSION FOR RV
STORAGE

SITE PLAN – RV
MAINTENANCE
FACILITY

2005 S. SAM
RAYBURN FREEWAY
(FRHP
LINCOLNSHIRE, LLC)

Mr. Waldrum explained “Camping World would like to expand their parking lot for additional parking of the RV’s and construct a maintenance building to the east of the existing building.”

Chairman Mahone explained “it looks like there is a good portion of the property in the floodplain.”

Mr. Waldrum responded “that is correct. We have had preliminary meetings with Clint Philpott, Director of Engineering and Scott Shadden, Director of Developmental Services, the south property we are acquiring is in the floodplain and we are working to get everything we need to develop within the floodplain.”

Vice-Chairman Elliott stated “you are going to have parking all the way up to Post Oak Creek, what is your plan for that; it is pretty notorious for flooding.”

Mr. Waldrum explained “we are proposing heavy duty fencing in that area for the floodplain in case of any flooding, the campers will be securely protected onsite. We will work with Engineering to see what precautions we need to take; you don’t want campers floating down the creek.”

Clint Philpott explained “we have requested that they provide a structural design of the fence; it will have a structural engineer’s stamp on the plans, confirming it will be designed to what we are talking about. The area that they are building in is not in the floodway; the floodway is the area of moving water, this area is in the floodplain where you have elevated water, but it is not moving. If it was moving water, they could not build at all, but it is in an area where water will come up and if they start to move they will pile up on the fence, but they will not be in the moving current. They are also not allowed to bring fill into the floodplain; so they are not allowed to bring that up, they plan on just paving in that area.”

Scott Shadden asked “would you consider as a condition of this Specific Use Permit to take a close look at our sign ordinance and removing any illegal signs that you might have.”

Mr. Waldrum asked “are you speaking of the two existing signs.”

Mr. Shadden explained “the banners and all the signs that have been put up that are not permitted by our sign ordinance.”

Mr. Waldrum responded “I would have to talk further with his client.”

Mr. Shadden stated “I am asking you to voluntarily to do it;

otherwise we will go another direction.”

Mr. Waldrum asked “what specifically is not within the sign ordinance; the banners along the fencing.”

Mr. Shadden explained “there is a constant flow of illegal signs.”

Chairman Mahone asked if he had seen the Staff Review Letter.

Mr. Waldrum explained they had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained “on the Staff Review Letter it states *One freestanding sign is allowed per development lot unless an exception is granted.*”

Vice-Chairman Elliott stated “that is important because it is a condition of the Specific Use Permit.”

Mr. Waldrum understood; “I just want to make sure, so that I can communicate to Camping World so that it could be changed. We will take a look at it and make the changes that are necessary.”

Brandon Shelby, City Attorney explained “it is in the Staff Review Letter, so if the Specific Use Permit is approved subject to the Staff Review Letter. Also, there are other ways to enforce the sign ordinance, it is kind of a courtesy making him aware and he can make his client aware.”

Diane VanBuskirk, 222 W. Wilson, Sherman, TX

Ms. VanBuskirk provided pictures which will be included in the minutes. She was concerned with the additional improvements. “This started out originally as a nice 1950’s neighborhood and the RV park was not really an issue because it was a nursery with trees and it was one of the nicest RV parks in all of North Texas. What started out as a nice little RV park has taken over the whole end of the street, they are parking on the grass; the additional RV’s. They have already outgrown, the employees or the shoppers are parking on either side of our street as well as the RV’s; their side of the street is covered with RV’s. There is probably three or four hundred RV’s there now, so why do we need any additional and where are they going to put them; they need to be controlled because they have taken over our little ‘50’s neighborhood.”

Chairman Mahone explained “part of what they are asking for is to open up another lot which will hopefully help.”

Ms. VanBuskirk asked “are they going to contain them; you see they haven’t contained them. We have to make a block to get home because these are forty-five foot trailers and they bring them in on trailers, they are up and down

the street, they are across the street, so we have to double back and go around to get home. They are noisy, I have looked up some of the City ordinances and as far as I'm concerned, they are already in the nuisance category, they are junked vehicles, radio and music noise from the RV park that is already there, we have to call the Police because it is late and it's loud; they are right in our backyard. If I park my car on the grass, I get a citation and they've got almost hundreds of vehicles on the grass. I am requesting some control of what is already there, much less to get any larger, because we agreed as a neighborhood to a nice little Lazy L RV Park. There is maintenance there and now they want more."

Commission Member Davis explained "the RV Park is not a part of this request; this is the RV Sales and Service for Camping World."

Ms. VanBuskirk explained "this is about the RV sales area and maintenance as well. What once used to be a residential lot is full of these vehicles; there is no rhyme or reason. If you go across the State into Oklahoma, Sherard RV has everything lined up nice and neat, go to Dallas you see these Camping World sort of businesses and everything is lined up neat and orderly, they are organized. Here, there might be three parked one direction and three parked another, they own the parking lot across the street and it is disorderly."

Commission Member Davis showed Ms. VanBuskirk the site plan of what they wanted to do.

Brandon Shelby explained "this board cannot enforce the rules, they only hear zoning requests and make recommendations to the City Council."

Ms. VanBuskirk thought they should table this until they control the mess they already have there.

Commission Member Davis explained "they are trying to expand to correct some of those issues."

Vice-Chairman Elliott thanked Ms. VanBuskirk for pointing out some of those issues because "we need to know when granting the Specific Use Permit to see how they are conforming."

Chairman Mahone suggested she contact the City regarding her concerns.

Mr. Shelby explained "everything she has stated is covered in the Staff Review Letter; you could place a time limit on the Specific Use Permit if they are not compliant, at the end of the timeline the Specific Use Permit goes away."

Mr. Waldrum explained "there are RV's parked in the grass,

it looks a little chaotic, but that is why they are proposing the additional parking to the south; it looks like they are parking in the street and the grass field that is adjacent with the roadway down to the RV Park, we are proposing to pave everything to park everything within the fenced in areas and provide landscaping. The complaints about the RV Park are a separate entity; it is not Camping World.”

Vice-Chairman Elliott asked “how long it would take to get into compliance on these issues as well as the signs.”

Mr. Waldrum explained “once we are approved for our Specific Use Permit and site plan, it will be a matter of when we get a building permit and construction is complete and everything will be in compliance.”

Chairman Mahone explained “one of the things we have done in the past with a Specific Use Permit is put a timeline to review to see if everything was brought up to compliance as intended and the Specific Use Permit could be not renewed at that point if it was not.”

Commission Member Davis asked “is two weeks too long to ask you to get in compliance with your signs and parking in the grass, so your neighbors feel a little better.”

Mr. Tipton explained “once we get permits from the City, construction will probably take about six months. We are purchasing more land, we are purchasing some of the existing RV Park, there is a strip that they have purchased with an old shed and playground equipment, we are removing that and it will be encompassed with Camping World and surrounded with a black vinyl chain link fence, everything will be paved and everything will be landscaped per ordinance. We are going to do everything we can to save as many trees as we can. Six or seven months after the Certificate of Occupancy Permit is received, if you want to put an eight month or year timeline on the Specific Use Permit, that will be fine. As far as cleaning it up, we just don’t have the area right now; that’s the whole propose of expanding and making it look much nicer for their customers.”

Ms. VanBuskirk explained “if they are going all the way down to my neighbor’s property, we need more than a cyclone fence because you see what we see in the pictures.”

Mr. Shadden asked would you be willing to erect an 8’ wood privacy fence adjacent to the residential properties on the north property line.”

Mr. Tipton responded “we could do an 8’ wood fence there.”

ACTION TAKEN.

Motion by Commission Member Downtain to approve the Specific Use Permit to allow a parking lot extension for additional RV storage and site plan approval for an RV Maintenance Facility for Camping World in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn Overlay) District at 2005 South Sam Rayburn Freeway subject to the Staff Review Letter and subject to reviewing one year from the date of the Certificate of Occupancy Permit is issued and providing an 8' wood privacy fence on the east side between the residential properties. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & SITE PLAN

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

VARIANCE AND SITE PLAN APPROVAL TO ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2) (G) TO ALLOW A 10' SETBACK FROM THE FM 1417 (VIETNAM VETERAN'S PARKWAY) PROPERTY LINE FOR A VACUUM CANOPY FOR LEGACY VILLAGE GAS STATION, CONVENIENCE STORE AND CAR WASH IN LIEU OF THE REQUIRED 55.7' IN THE BLALOCK INDUSTRIAL PARK.

VARIANCE –
SETBACK ALONG
FM 1417 (VIETNAM
VETERAN'S
PARKWAY)
3707 S. HIGHWAY 75
(DOUGLASS
DISTRIBUTING)

Bill Douglass, 325 E. Forest, Sherman, TX

Mr. Douglass appeared to represent the request and answer any questions. 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. Site plan approval for Legacy Village Gas Station, Convenience Store and Car Wash was approved at the September 18, 2018, Planning and Zoning Commission Meeting and forwarded to the October 15, 2018, City Council Meeting.

Mr. Douglass explained "we was out at the site for the grand opening of the new Fire Station on Northgate Drive today and as you know this site is where the Fire Station is located, but I guess as of tomorrow, it will be the Ex Fire Station. What we have asked for is not what we wanted, but because the Blalock Industrial Park has 55.7' setbacks, they were obviously designed for the industrial, they did not anticipate retail, as a result we don't even have a sign on the front of the property, you cannot put a sign 55.7'

back or you will be in the gas pump canopy. We are requesting a variance to construct a small vacuum canopy, 10' from the FM 1417 property line to provide patrons with a sun shade so that they can keep cool in the summer and dry when it is raining. The proposed canopy is approximately 10' tall and will be constructed of small thin material. They had seen the Staff Review Letter and would abide by the Recommendations.

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 10' setback along the FM 1417 (Heritage Parkway) (Vietnam Veteran's Parkway) property line for a vacuum canopy for Legacy Village Gas Station, Convenience Store and Car Wash in lieu of the required 55.7' in the Blalock Industrial Park at 3707 South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION & SITE PLAN

**THE REQUEST OF SPEEDY SHINE LLC (OWNERS), SPEEDY SHINE CAR WASH (TENANT), MARK STACY (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 5010 TEXOMA PARKWAY, BEING 0.54 ACRES IN THE D.C. SHELP SURVEY, ABSTRACT NO. 1097, AS FOLLOWS;
*BOARD OF ADJUSTMENTS***

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.5, SUBSECTION (5)(D) TO ALLOW A METAL FAÇADE ON THE SIDES OF THE PROPOSED BUILDING ADDITION TO SPEEDY SHINE CAR WASH IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ADDITION TO SPEEDY SHINE CAR WASH

**EXCEPTION –
FAÇADE
SITE PLAN –
ADDITION TO
SPEEDYSHINE CAR
WASH
5010 TEXOMA
PARKWAY
(SPEEDY SHINE,
LLC)**

Mark Stacy, Stacy Technology and Design, 412 S. Jefferson, Pilot Point, TX

Mr. Stacy appeared to represent the request and answer any questions. The property is located at 5010 Texoma Parkway between Fallon Drive and FM 691 and is zoned a C-2 (General Commercial) District.

Mr. Stacy explained “the owner of Speedy Shine Car Wash would like to construct an addition to the front of the building. A tower will be added to the front of the building, it will be stone with brick wainscot. He will be adding equipment called a buff and shine and it won't fit in the existing tunnel so that is the reason for the addition; it will

basically dry the car without a human being touching it to provide better service.”

“If you familiar with the location, it is way off the road, the north side has an articulation where the building steps back before it continues on with the property; we are wanting to enhance up to that point and stop there because that is all you can see from the road. I believe the intent is to enhance the view of the building from the road. On the south side of the road, we have some other issues; it is going to be harder to do anything on that side because we are so close to the property line, you can barely see that side of the building, maybe 25-30 feet back. We are asking to allow a metal facade on a portion of the sides of the building.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow a metal façade on the proposed building addition to Speedy Shine Car Wash at 5010 Texoma Parkway subject to the Staff Review Letter and installing masonry after 15’ on the south side and after 48.5’ on the north side as shown on the exhibit provided to the board. Second by Commission Member Downtain.

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

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 6:52 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY