

STATE OF TEXAS §

January 22, 2019

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 January 22, 2019.

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

MEMBERS ABSENT: NONE

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:03 p.m.

CALL TO ORDER

WELCOME NEW COMMISSION MEMBER

Chairman Mahone welcomed new Commission Member Paul Manley.

**WELCOME PAUL
MANLEY**

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the December 18, 2018 regular meeting. Motion by Commission Member Davis 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 7, 9, 10, 14 & 15)

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

CONSENT AGENDA

A member of the audience, John Papaila, 2909 Wellington Drive requested Item #9 "Final Plat approval of Heritage Crossing, Phase 1" be removed from the consent agenda.

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Consent Agenda Items 7, 10, 14 and 15 subject to the Staff Review Letters. Second by Vice-Chairman Elliott. All present voted AYE. All present voted AYE.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF GO PROPERTIES 7 LLC (OWNERS), PARAMOUNT HEALTHCARE (DEVELOPER) KEEN SURVEYING, LLC (SURVEYOR) AND JM CIVIL ENGINEERING (CIVIL ENGINEER) CONCERNING THE PROPERTY LOCATED AT 5011 NORTH U.S. HIGHWAY 75, BEING 5.161 ACRES IN THE BROWN AND RICKETTS SURVEY, ABSTRACT NO. 1553, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF LOT 1, BLOCK A, GOLDEN OWENS ADDITION.

This item was tabled at the July 17, 2018, Planning and Zoning Commission Meeting. The property is located at 5011 North U.S. Highway 75; the northeast corner of Fallon Drive and Highway 75. The owners would like to plat the property into one lot for commercial development of a nursing home. 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 QUIKTRIP CORPORATION (OWNER), JOHN PIMENTEL (REPRESENTATIVE) AND JM CIVIL ENGINEERING SOLUTIONS GROUP (CIVIL ENGINEER) CONCERNING THE PROPERTY LOCATED AT 6120 NORTH U.S. HIGHWAY 75, BEING LOT 1, BLOCK 1, SHERMAN LANDING, PHASE 1, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A STORAGE ROOM ADDITION TO QUIKTRIP

The property is located at 6120 North U.S. Highway 75, the southwest corner of FM 691 and U.S. Highway 75; QuikTrip is the tenant. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82) Overlay District. QuikTrip would like to construct an 820 square foot storage room addition to the existing convenience store. The exterior finishes will be the same as the existing building. 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 THE CITY OF SHERMAN (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1304 WEST LAMAR STREET, BEING 5.478 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF WEST HILL CEMETERY ADDITION, ANNEX D, SECTIONS 1-5.

FINAL PLAT - LOT 1, BLOCK A, GOLDEN OWENS ADDITION 5011 NORTH U.S. HIGHWAY 75 (GO PROPERTIES 7, LLC)

SITE PLAN – STORAGE ROOM ADDITION TO QUIKTRIP 6120 NORTH U.S. HIGHWAY 75 (QUIKTRIP CORPORATION)

FINAL PLAT – WEST HILL CEMETERY ADDITION, ANNEX D, SECTIONS 1-5 1304 W. MCGEE ST. (CITY OF SHERMAN)

The property is located at 1304 West Lamar Street, the southwest corner of Lamar and Woods Streets; West Hill Cemetery. The owners would like to plat the property into 3,146 cemetery 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF THE CITY OF SHERMAN (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1304 WEST LAMAR STREET, BEING 8,000 SQUARE FEET IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF OLD CEMETERY ADDED LOTS AND MEMORIAL PARK.

FINAL PLAT – OLD CEMETERY ADDED LOTS & MEMORIAL PARK
1304 W. LAMAR ST.
(CITY OF SHERMAN)

The property is located at 1304 West Lamar Street, the southwest corner of Lamar and Woods Streets; West Hill Cemetery. The owners would like to plat the property into sixty (60) cemetery lots and one hundred-twenty (120) memorial park 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 & VARIANCE

THE REQUEST OF BRIDGESTONE CONSTRUCTION, LLC (OWNERS) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2211 EAST ALMA AVENUE, BEING 0.380 ACRES IN THE G.W. MCGLOTHIN SURVEY, ABSTRACT NO. 827, ALSO BEING PART OF LOTS 3 AND 4, BLOCK 3, HILL SMITH ESTATES, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A LOT WIDTH OF 59.89 FEET IN LIEU OF THE REQUIRED SIXTY (60) FEET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT ON LOT 3R, BLOCK 3 OF THE PROPOSED HILL SMITH ESTATES REPLAT.

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF HILL SMITH ESTATES, BLOCK 3, LOT 3R.

VARIANCE – LOT WIDTH

REPLAT – HILL SMITHESTATES, BLK. 3, LOT 3R

2211 EAST ALMA AVE.
(BRIDGESTONE CONSTRUCTION, LLC)

Chris Noah, Preston Trail Land Surveying, 83493 North S.H. 289, Ste. 5, Pottsboro, TX

Mr. Noah appeared to represent the request and answer any questions. The property is located at 2211 East Alma Avenue; east of Duke Drive. The property is zoned an R-1 (One Family Residential) District. The owners are requesting

to replat the property into one lot for residential construction.

Mr. Noah explained this is an existing tract of land in an older subdivision, part of one lot and part of another lot, the whole block has been developed and this is what is left. We are doing a replat to clean up the description and to add two tenths of an acre behind this lot to incorporate it all into one lot. There is a house under construction on the lot and the discrepancy in the lot width was found at the final survey. They had seen the Staff Review Letter and would abide by the Recommendations.

Brandon Gillespie, 1361 Winn Road, Collinsville, TX

Mr. Gillespie explained he is the owner and developer of the property. We bought the nine acres behind the property, plus the lot beside it and part of the additional lot, the existing house to the west. The final survey showed the lot width to be short of the sixty-foot lot width; that is why we are requesting the variance.

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a lot width of 59.89 feet in lieu of the required sixty (60) feet in an R-1 (One Family Residential) District on Lot 3R, Block 3 of the proposed Hill Smith Estates Replat at 2211 East Alma Avenue subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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 Replat of Hill Smith Estates, Block 3, Lot 3R subject to the Staff Review Letter for the property at 2211 East Alma Avenue. Second by Commission Vice-Chairman Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT & EXCEPTIONS

THE REQUEST OF REMINGTON SHERMAN AUTOMOTIVE LLC (OWNERS), BRETT EDMONSON, THE RATLIFF GROUP, LLC (REPRESENTATIVE/ENGINEER) AND NCA PARTNERS

**EXCEPTION –
BILLBOARD
SQUARE FOOTAGE
(DENIED)**

(ARCHITECT) CONCERNING THE PROPERTY AT 600 EAST LAMBERTH ROAD, BEING PART OF LOTS 6-8 AND ALL OF LOTS 4 AND 5, BLOCK 4, DR. J.H. CARRAWAY'S SUBDIVISION AND A 0.75 ACRE TRACT IN THE J. B. MCANAIR SURVEY, ABSTRACT NO. 763, CONTAINING 5.855 ACRES, 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 TWO-SIDED DIGITAL BILLBOARD IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

BOARD OF ADJUSTMENTS

- EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(M)(3) TO ALLOW A 672 SQUARE FOOT BILLBOARD IN LIEU OF THE PERMITTED 300 SQUARE FOOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.
- EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(M)(5) TO ALLOW A 1,667 FOOT RADIAL SEPARATION BETWEEN BILLBOARDS IN LIEU OF THE PERMITTED 2,000 FOOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

EXCEPTION –
SEPARATION
BETWEEN
BILLBOARDS

SUP – TWO-SIDED
NON-DIGITAL
BILLBOARD

600 EAST
LAMBERTH RD.
(REMINGTON
SHERMAN
AUTOMOTIVE, LLC)

Bennett Ratliff, The Ratliff Group, LLC, 531 W. Bethel Rd., Coppel, TX and Stan Graft, 8901 Governors Row, Dallas, TX
Mr. Ratliff and Mr. Graft appeared to represent the request and answer any questions. This item was tabled at the August 21, 2018, Planning and Zoning Commission Meeting. The property is located at 600 East Lamberth Road, the southeast corner of Lamberth Road and U.S. Highway 75; Sherman Chevrolet is the tenant.

Mr. Ratliff explained “we currently have an existing 672 square foot billboard on the site; it does not meet the setback requirements. We are asking to move it seventy feet to the south to relocate it on the site and make it electronic on both sides. In order to make it electronic, we need to replace the structure to get it out of the middle of the parking lot; it sounds like it is a new billboard but it is not; it is an existing billboard that will be moved to another location on the lot. The existing billboard is owned by a separate outdoor advertising agency, which will be removed if the new billboard is approved. We are also requesting variances to allow the billboard to be 672 square foot and the radial separation to be 1,667 feet between the two billboards (the nearest billboard is located at Peyton Street and Loy Lake Road).” They had seen the Staff Review Letter and would abide by the Recommendations.

“Mr. Graft would like the billboard to be digital so that they can put up messages similar to what he has in McKinney and not pay to have graphics changed each time; it allows a

little more flexibility in the message and make available time to civic groups.”

Chairman Mahone asked if there were any billboards in the vicinity.

Scott Shadden, Director of Developmental Services explained, “there is a billboard to the north by Cracker Barrel and by Whataburger. The billboard ordinance requires a 2,000-foot radial separation.”

Mr. Ratliff explained “the nearest billboard is not on the major freeway, it is back towards town on Loy Lake Road and Peyton Street.”

Chairman Mahone asked if any exceptions have been granted for separation between billboards.

Mr. Shadden responded “not so far.”

Commission Member Davis asked if they had another option beside digital.

Mr. Graft explained, “the digital billboard is needed because our business is very competitive. We started in Grand Prairie, my father started there seven years ago, we have been recognized as Citizen of the Year in Grand Prairie and have done a lot for the school system, the same has been true in Allen, Citizen of the Year in Collin County and McKinney and have been very involved in the school system; we want to do the same thing here in Sherman, to be a part of the community is very important to us. This billboard was there when we bought the property, the lease is expiring, the market changes so much that a digital billboard allows us to be more flexible to better serve the community and advertising is an extremely effective way to reach out to the community; it is very important to our business. We are committed to make a huge investment in Sherman; the business model has not changed how we do business elsewhere. We want to be a part of the community and this is important to us. We have expanded the inventory here to better serve the needs of the community, we have doubled sales; Ramey’s were good car dealers and we are too.”

Commission Member Davis explained, “you don’t live here and it’s not the digital billboard that is being put up in your town; you own a business here and you have money invested.”

Mr. Graft responded, “I pay taxes, I pay a lot of taxes and provide a lot of employment opportunities, so I’m not coming up here to take advantage of any town, I’m here to represent our business, represent our employees and our community. It is not fair to make that comment, Sir; I’m not here to hurt anybody.”

Commission Member Davis explained, “I did not mean it as a dig, but It is a digital billboard and we have fought this fight here more than once.”

Chairman Mahone explained your letter states the existing billboard will be removed if the new one is approved and put up. “I guess you can ensure that because you own the property.”

Mr. Graft responded, “yes, we own the property.”

Chairman Mahone asked, “would that billboard be dismantled before construction of the new billboard.”

Mr. Graft responded, “we could do it however the City wanted, we are at your disposal, however you would like to see it.”

Chairman Mahone asked Mr. Shadden “I guess the existing billboard is not in compliance with the 2,000 foot rule.”

Mr. Shadden explained, “the billboard was in place before the rule went into effect.”

Chairman Mahone stated, “so even if they wanted to rebuild it, as is, where is, they would still need to ask for the variance, because the new one would need to conform.”

Mr. Shadden explained, “you can maintain an existing nonconforming structure, if you demolish it, then that nonconforming use goes away.”

Commission Member Downtain asked, “how does this one compare to what we had before us at the last meeting, that didn’t get approved, wasn’t it the same size.”

Chairman Mahone explained, “I believe that one was a similar size, but there were also some setback exceptions they were asking for on the last billboard. Also, the surrounding zoning was different; there were residential homes closer to the last one.”

Mr. Graft explained, ‘the content on the billboard would not have any bad advertising; on an existing billboard I would not even let them put a beer commercial on there.’

Chairman Mahone explained, “from the Commissions standpoint, some of us have had concerns in the past with digital billboards, there has to be some enforcement of those rules which the City will give you a list of the requirements such as light pollution and things like that.”

Mr. Ratliff explained, “we have a billboard company we are working with and they are very familiar with all those rules and can they be pre-programed into the billboard.”

Mr. Graft explained, “there is going to lighting there that was not there before, it is on a commercial lot, we are not next to any residential, it is a way for traffic to be able to exit; it is very informational.”

Commission Member Manley asked about the digital billboard that is by Whataburger; “its 672 square foot roughly; was it put in place before that restriction.”

Mr. Shadden explained, “that billboard was there before they built the highway, Dr. Swamy’s Office on Loy Lake Road, I wondered when they put it up if they knew where the highway was going to be; so it was existing nonconforming and they did reface it.”

Commission Member Elliott explained, “you have to keep in mind about zoning, this is an opportunity to correct some of the issues that were nonconforming and something gets rebuilt or destroyed and comes before us, sometimes it allows us an opportunity to correct nonconforming issues.”

Commission Member Wood asked, “if exceptions are approved and they get the Specific Use Permit for the billboard, does it say on the Specific Use Permit digital or non-digital.”

Mr. Shadden explained, “it says digital because that is what they asked for. The applicant is supposed to explain what they want to do. When you have digital, then you have the requirements for brightness and those type of things; it is in the Staff Review Letter. The exception and variance stays with the land from now to eternity; it does not stop unless you put a time limit on it or it is removed, even if you remove it you still have the exception or variance to go by.”

Commission Member Downtain stated, “wouldn’t a 300 square foot digital sign communicate the same message.”

Mr. Ratliff explained, “that billboard sits a pretty good way off the highway, when the sign gets smaller, it is really hard to make the message large enough that you can see it from the road; the further it gets off the road, the bigger the text has to be to be able to see it from the highway.”

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

Letters were received from:

William & Mindy Brandt Trust, 2408 E. Solano Dr., Phoenix, AZ

“The proposed exception is more than two time the approved size. We are not in favor of approving the request by Remington Sherman Automotive LLC. The Overlay District is there for a reason. Please deny the request and

maintain the existing 300-foot billboard ordinance. NO Vote!”

Sherman Dev LTD PTN No 3, Ben Fortson, 306 W. 7th St., Ste. 901, Ft. Worth, TX

“We oppose the changed to the current ordinance requested in the Specific Use Permit. We feel there is no need to change the restrictions in the current ordinance.”

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow a 1,667-foot radial separation between billboards in a C-2 (General Commercial) District/O-1 (75 & 82 Overlay) District subject to the existing billboard be torn down before the new billboard is constructed for the property at 600 East Lamberth Road. THE MOTION DIED FOR A LACK OF A SECOND.

Board of Adjustments

ACTION TAKEN.

Motion by Vice-Chairman Elliott to approve the exception to allow a 1,667-foot radial separation between billboards in a C-2 (General Commercial) District/O-1 (75 & 82 Overlay) District subject to the tearing down the existing billboard for the property at 600 East Lamberth Road. 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.

Board of Adjustments

ACTION TAKEN.

Motion by Vice-Chairman Elliott to deny the exception to allow a 672 square foot billboard in a C-2 (General Commercial) District/O-1 (75 & 82 Overlay) District for the property at 600 East Lamberth Road. Second by Commission Member Downtain.

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

VOTING NAY: DAVIS

MOTION CARRIED

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

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to deny the request for a Specific Use Permit to allow a digital billboard in a C-2 (General Commercial) District/O-1

(75 & 82 Overlay) District subject to the Staff Review Letter for the property at 600 East Lamberth Road. THE MOTION DIED FOR A LACK OF A SECOND.

Planning and Zoning Commission

ACTION TAKEN.

Motion by Chairman Mahone to approve the request for a Specific Use Permit to allow a two-sided billboard (a non-digital billboard) in a C-2 (General Commercial) District/O-1 (75 & 82 Overlay) District subject to the Staff Review Letter for the property at 600 East Lamberth Road. Second by Commission Member Davis.

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

VOTING NAY: MANLEY

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF CARRUS HEALTH HOLDINGS, LLC (OWNERS), ANBARASU NACHIMUTHU (CONTRACTOR) AND MCCALLA DESIGN GROUP (ARCHITECT) CONCERNING THE PROPERTY AT 1724 WEST U.S. HIGHWAY 82, SUITE 200, BEING LOT 1, CARRUS MEDICAL PLAZA, REPLAT LOT 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 CARRUS BEHAVIORAL HOSPITAL FOR INPATIENT/OUTPATIENT CARE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT.

SUP – CARRUS BEHAVIORAL HOSPITAL
1724 WEST U.S. HIGHWAY 82, STE. 200
(CARRUS HEALTH HOLDINGS, LLC)

Jon Rains, President Carrus Healthcare, 1810 West U.S. Highway 82, Sherman, TX

Mr. Rains appeared to represent the request and answer any questions. The property is located at 1724 West U.S. Highway 82 between Post Oak Crossing and Rex Cruse Drive; Carrus Medical Office is the tenant. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82) Overlay District.

Mr. Rains explained “Carrus Health Holdings, LLC would like to finish out the second floor of the medical office building, approximately 17,250 square feet for Carrus Behavioral Hospital for inpatient/outpatient care; the hospital will have 28 patient rooms and full service outpatient department; it will allow for detox, currently we are looking at the adolescent population. The building is 32,000 square feet and 11,000 square feet is currently leased by DaVita Dialysis on the bottom portion of the building.”

“We are aware of another behavioral hospital in Sherman, which is at capacity, due to the radius of patients, that we

have pulled from our goal is to make this facility a pediatric and adolescent facility serving ages three to seventeen.”

“Nothing is changing on the exterior of the building; we will just be finishing out the interior on the second floor and part of the first floor.”

Commission Member Sims stated, “so you are moving forward with adolescent.”

Mr. Rains responded “currently, we have our final phase due diligence process coming through, what I am down to looking at is: do I need to go all adolescent or all pediatric, largely there are no medical providers in the area to cover that population, so through our physician group; we will also be bringing in pediatric psychiatrist to the area.”

Commission Member Sims explained, “I would rather have a pediatric or adolescent mental health over an inpatient because there is residential behind it.”

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.

ACTION TAKEN.

Motion by Vice-Chairman Elliott to approve the Specific Use Permit to allow Carrus Behavioral Hospital for inpatient/outpatient care in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District located at 1724 West U.S. Highway 82, Suite 200 subject to the Staff Review Letter. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SAPPHIRE GROUP, LLC (OWNERS), BLUESTONE PARTNERS, LLC (DEVELOPERS) AND WINKELMANN & ASSOCIATES, INC. (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1600-1800 BLOCKS NORWOOD STREET AND THE 2700-3000 BLOCKS OF WEST MCGEE STREET, BEING 31.333 ACRES IN THE BACON FIELDING SURVEY, ABSTRACT NO. 120, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF HERITAGE CROSSING, PHASE 1

**FINAL PLAT –
HERITAGE
CROSSING, PHASE 1
1600-1800 BLKS.
NORWOOD STREET
& 2700-3000 BLKS.
WEST MCGEE
STREET
(SAPPHIRE GROUP,
LLC)**

Barry Boothe, 2501 Remuda Drive, Sherman, TX

Mr. Boothe appeared to represent the request and answer any questions. The property is located in the 1600-1800 blocks of Norwood Street and the 2700-3000 blocks of West McGee Street in northwest Sherman.

Mr. Boothe explained, “currently we have eighty lots total in the development and this is the first phase of the subdivision with forty-four (44) lots for residential development. There will be some large lots, what we call estate lots, which would adhere to the neighboring properties. There will also be smaller lots; quarter acre lots.” They had seen the Staff Review Letter and would abide by the Recommendations.

John Papaila, 2909 Wellington Drive, Sherman, TX

Dr. Papaila explained, “there is an expansion of West McGee Street, west of FM 1417 (Heritage Parkway) and the developers are not planning to put a bridge in, but a bridge will be put in eventually; that bridge is based on the angle of McGee Street. As the plans are drawn now, that bridge will go right through my property; it will take out several trees and a structure I built. I have met with Clint Philpott, City Engineer and he has been out to my property and has been very helpful. With a minor change in the plat, he is ninety-five percent certain that we can avoid most of the destruction if that bridge were put in. I have an email from him and a drawing (copy attached to minutes) showing a solution.”

Clint Philpott, City Engineer

Mr. Philpott explained, “on the McGee extension we changed the alignment, which would be the south portion of the plat, changing the alignment by moving it further west which only affects only two of the lots in this development; we consider that minor and can consider that at the Staff level before it is filed.”

Mr. Boothe explained, “that would be fine with us, we are just trying to work with the City and make everyone happy.”

Dr. Papaila stated, “I think it’s good, my only concern is that he is only ninety-five percent sure. Here is the thing, if the Developer sells or if Clint moves to San Francisco for some reason or he might not be here in five years or so, if that plat stays the way it is, the way it is approved tonight, then someone else could come in and say that bridge is going through your yard. My request would be to make some kind of amendment to this motion or delay the final plat approval until everyone can agree which would be maybe the next meeting.”

Brandon Shelby, City Attorney stated, “it will be part of the record now in the minutes. I think Dr. Papaila coming forward and voicing his concerns, making them a part of the minutes and part of the record is about the extent without

the developer pulling it, because he is not asking for any variances or exceptions; it is approved automatically if we take no action. We cannot deny the Final Plat. The City will work with you since you have made it a part of the record and the City Engineer has made assurances.”

Mr. Boothe stated “I think the only reason he is at ninety-five percent is because the engineering work has not been completed, so now we have to move forward with that to make sure it does work. From our point of view, if they can correct it after talking with our Engineers they think this is the only way to go. Since there is a solution, we are up to making the changes we need to make to adhere to that new angle of the right-of-way.”

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

Chairman Mahone stated, “I’m glad you talked to the City about this, I think they have a good solution; there is nothing we can do about it at this point. It looks like it is going to work out for all.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the Final Plat of Heritage Crossing, Phase 1 located in the 1600-1800 Blocks Norwood Street and the 2700-3000 Blocks of West McGee Street subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF KNIGHTBRIDGE PROPERTY GROUP, LLC (OWNERS) AND LISA BIDDLE (REPRESENTATIVE) CONCERNING THE PROPERTY AT 917-919 NORTH BRENTS AVENUE, BEING LOT 7, BLOCK 2, COLLING ADDITION, SECTION 2, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

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

SUP – DUPLEX
917-919 NORTH
BRENTS AVE.
(KNIGHTBRIDGE
PROPERTY GROUP,
LLC)

Lisa Biddle, 312 N. Powell Parkway, Anna, TX

Ms. Biddle appeared to represent the request and answer any questions. The property is located at 917 and 919 North Brents Avenue between East College and East Richards Streets. The property is zoned an R-1 (One Family Residential) District.

Timeline:

May 15, 2007 - Building permit application received to construct a duplex.

June 14, 2007 - Building permit approved and issued.

December 3, 2007 - Ordinance 5501 adopted removing duplexes from the R-1 (One Family Residential) District and adding it to the R-2 (Multi-Family Residential) District.

January 4, 2008 - Certificate of Occupancy Permit for the duplex approved.

Ms. Biddle explained she is the real estate agent and the owners want to sell the property at 917-919 North Brents, they have a buyer in place and the lender is requiring they get in compliance with current zoning regulations. There are over twenty duplexes in the area.” They had seen the Staff Review Letter and would abide by the Recommendations.

April Smith, address unknown

Ms. Smith is the prospective buyer and was there to answer any questions the Commission might have.

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 an existing duplex in an R-1 (One Family Residential) District for the property located at 917 and 919 North Brents Avenue subject to the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & REPLAT

THE REQUEST OF HAMBRICK TRIPLE H INVESTMENT GROUP, LLC (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 521 EAST BROCKETT STREET AND 520 EAST CARTER STREET, BEING PART OF LOTS 1, 4 & 5, BLOCK 1, G.W. BOND'S 2ND ADDITION, CONTAINING 0.259 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW LOT 1-R OF THE PROPOSED REPLAT OF A PART OF LOTS 1, 4 & 5, BLOCK 1, G.W. BOND'S SECOND ADDITION TO BE 37.5' WIDE WITH 2,963 SQUARE FOOT LOT AREA IN LIEU OF THE REQUIRED SIXTY (60) FEET AND 6,000 SQUARE FOOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – LOT WIDTH & AREA

REPLAT – PART OF LOTS 1, 4 & 5, BLOCK 1, G.W. BOND'S SECOND ADDITION
521 EAST BROCKETT ST. & 520 EAST CARTER ST.
(HAMBRICK TRIPLE H INVESTMENT GROUP, LLC)

**PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF A PART OF LOTS 1, 4 & 5, BLOCK
1, G.W. BOND’S SECOND ADDITION**

Al Hambrick, 1920 Timberline Lane, Sherman, TX

Mr. Hambrick appeared to represent the request and answer any questions. The property is located at 521 East Brockett Street and 520 East Carter Street between East Street and Broughton Street. The property is zoned an R-1 (One Family Residential) District and also located in the College Park Overlay District.

Mr. Hambrick explained, I own the property that contains three lots, one lot is a full lot 75’ x 100’, there is a half lot that was platted a long time ago with a half lot and full lot. I am requesting to replat the property into two lots so at some point we can develop the half lot that is just north of the full lot into a residential development. The half lot is 37.5’ x 90’ standing alone would not be useful in future unless we can join something with it. I have no intent of trying to build something on the lot as it stands; it is too small. If I can get the lot just west of it which is the same size and add those two together, which I have a contract on the other lot, then I will have a full lot which can be developed as a residential lot.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Manley asked, “why would you not wait until you have acquired the small lot to the west and replat them together.”

Mr. Hambrick explained, “Lot 4 has a new house on it, so if we sell that house on that platted lot as it is, the half lot will go with it; we are trying not to do that to provide them the house and the additional lot.”

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

One letter was received:

Bill Magers, 4 Timber Creek, Sherman, TX

“As an owner of multiple properties on and around Carter Street, I fully support Hambrick Development efforts to replat its lot on Carter Street. If that lot is not replatted then there could never be a new residential lot developed in that space on Carter Street. Therefore I support the re-plat on tonight’s P and Z agenda.”

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Wood to approve the variance to Lot 1-R of the proposed Replat of a part of Lots 1, 4 & 5, Block 1, G.W. Bond’s Second Addition to be 37.5’ wide with 2,963 square foot lot area in lieu of the required sixty (60) feet and 6,000

square foot in an R-1 (One Family Residential) District at 521 East Brockett Street and 520 East Carter Street subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the Replat of a part of Lots 1, 4 and 5, Blocks 1, G.W. Bond’s Second Addition 521 East Brockett Street and 520 East Carter Street subject to the Staff Review Letter. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCES & REPLAT

THE REQUEST OF WYLDEWOOD HOMES, LLC (OWNERS), VILBIG & ASSOCIATES (CIVIL ENGINEERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1100-1300 BLOCKS OF SOUTH FM 1417 (HERITAGE PARKWAY), BEING LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, CONTAINING 26.106 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW THE FOLLOWING LOTS OF THE PROPOSED HERITAGE FARMS ESTATES ADDITION:

LOT 20, BLOCK 3 – 59.64’ LOT WIDTH

LOT 2, BLOCK 4 – 58.62’ LOT WIDTH

LOT 13, BLOCK 5 – 48.53’ LOT WIDTH, 5,760 SQUARE FOOT LOT AREA

LOT 14, BLOCK 5 – 28.25’ LOT WIDTH

LOT 15, BLOCK 5 – 59.45’ LOT WIDTH, 5,966 SQUARE FOOT LOT AREA

LOT 23, BLOCK 5 – 44.05’ LOT WIDTH

LOT 24, BLOCK 5 – 41.10’ LOT WIDTH

IN LIEU OF THE REQUIRED SIXTY (60) FEET LOT WIDTH AND 6,000 SQUARE FOOT LOT AREA IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF HERITAGE FARMS ESTATES, A REPLAT OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO 10.

VARIANCE – LOT WIDTH & AREA

REPLAT – HERITAGE FARMS ESTATES, A REPLAT OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10

1100-1300 BLKS. SOUTH FM 1417 (HERITAGE PARKWAY) (WYLDEWOOD HOMES, LLC)

David Vilbig, 517 W. Woodard, Denison, TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 1100-1300 Blocks of South FM 1417 (Heritage Parkway); the southwest corner of Quail Run Road and FM 1417 (Heritage Parkway). The property is zoned an R-1 (One Family Residential) District.

Mr. Vilbig explained, “the owners are requesting to replat the property and request variances on seven of the lots for lot width and area. Most of the lots are located in a cul-de-sac, so they are requesting a narrower frontage on those lots. The southeast corner Lot 14 has a detention pond on that lot and does not have to be as big as a typical lot.” 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 variances or Replat.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variances to allow the following lots of the proposed Heritage Farms Estates Addition:

Lot 20, Block 3 – 59.64’ lot width

Lot 2, Block 4 – 58.62’ lot width

Lot 13, Block 5 – 48.53’ lot width, 5,760 square foot lot area

Lot 14, Block 5 – 28.25’ lot width

Lot 15, Block 5 – 59.45’ lot width, 5,966 square foot lot area

Lot 23, Block 5 – 44.05’ lot width

Lot 24, Block 5 – 41.10’ lot width

in lieu of the required sixty (60) feet lot width and 6,000 square foot lot area in an R-1 (One Family Residential) District.

In the 1100-1300 Blocks of South FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the Replat of Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No. 10 in the 1100-1300 Blocks of South FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

PLANNING & ZONING COMMISSION MINUTES – JANUARY 22, 2019

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:10 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY