

STATE OF TEXAS §

March 19, 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 March 19, 2019.

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

MEMBERS ABSENT: CHAIRMAN MAHONE

CALL TO ORDER

Vice-Chairman Elliott 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 February 19, 2019 regular meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Downtain. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Vice-Chairman Elliott appointed the members of the Board of Adjustments: ELLIOTT, DOWNTAIN, DAVIS, WOOD AND SIMS.

BOARD OF ADJUSTMENTS

CONSENT AGENDA (ITEMS 8 & 12)

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 8 and 12 subject to the Staff Review Letters. Second by Commission Member Davis. All present voted AYE. All present voted AYE.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF EAST SHERMAN BAPTIST CHURCH (OWNERS), BLUESTONE PARTNERS (DEVELOPER/REPRESENTATIVE AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2122 SOUTH FM 1417 (HERITAGE PARKWAY), BEING 9.524 ACRES IN

REPLAT – LOT 1 OF THE AMENDED PLAT OF HALIBURTON 2122 S. FM 1417 (HERITAGE PARKWAY) (EAST SHERMAN BAPTIST CHURCH)

THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOT 1 OF THE AMENDED PLAT OF THE HALIBURTON ADDITION

The property is located at 2122 South FM 1417 (Heritage Parkway), the property in front of the Water Tower across from the Pebblebrook subdivision. The property is zoned a C-1 (Retail Business) District and it also located in the O-1.1 (FM 1417) Overlay 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 DATAVAULT JOINT VENTURE (OWNERS), HOLTMAN DESIGNWORKS (DEVELOPER) AND EAGLE SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2900 BLOCK FALLON DRIVE, BEING ALL OF LOT 2, BLOCK 1, MIDWAY INDUSTRIAL PARK ADDITION AND A PORTION OF MIDWAY DRIVE, CONTAINING 70.76 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF MIDWAY INDUSTRIAL PARK ADDITION, LOTS 2R, 6 AND 7, BLOCK 1, A REPLAT OF LOT 2, BLOCK 1, MIDWAY INDUSTRIAL PARK ADDITION.

The property is located in the 2900 Block Fallon Drive extending to the end of Fallon Drive including a portion of the property in the City of Sherman's Extra Territorial Jurisdiction. The property is zoned an M-1 (Light Manufacturing) District. The owners would like to replat the property into three (3) lots for industrial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

VARIANCE & FINAL PLAT

THE REQUEST OF MJLM HOLDINGS, LLC (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1300 NORTH BROUGHTON STREET, BEING 0.341 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1), BEING 0.155 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, ALSO BEING LOT 1 OF THE PROPOSED MAVERICK ADDITION, PHASE TWO, TO ALLOW A 51.87 LOT WIDTH IN LIEU OF THE REQUIRED

REPLAT MIDWAY INDUSTRIAL PARK ADDITION, LOTS 2R, 6 AND 7, BLOCK 1, A REPLAT OF LOT 2, BLOCK 1, MIDWAY INDUSTRIAL PARK ADDITION
2900 BLK. FALLON DRIVE
(DATAVAULT JOINT VENTURE)

VARIANCE – LOT WIDTH

FINAL PLAT – MAVERICK ADDITION, PHASE 2
1300 N. BROUGHTON ST.
(MJLM HOLDINGS, LLC)

**SIXTY (60) FOOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF MAVERICK ADDITION, PHASE TWO**

Kate Wagner, Helvey-Wagner Surveying, 222 W. Main St. Denison, TX

Ms. Wagner appeared to represent the request and answer any questions. This item was tabled at the February 19, 2019, Planning and Zoning Commission Meeting. The property is located at 1300 North Broughton Street, the northwest corner of East Sycamore Street and North Broughton Street. The property is zoned an R-1 (Single Family Residential) District.

Ms. Wagner explained, “the owners would like to plat the property into two lots for residential development. There is an existing home on the north lot (Lot 1); that is the lot they are seeking the variance for, so the new house will have the required sixty foot width. The existing house will be twelve feet away from the southeast corner and nine foot from the southwest corner, so the closest is nine feet.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Sims asked if the house would meet all the setbacks if the variance were approved.

Scott Shadden, Director of Developmental Services responded, “yes, the existing house’s closest point is nine foot and the new house would have to comply with the setbacks.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 51.87 lot width on Lot 1 of the proposed Final Plat of Maverick Addition, Phase located at 1300 North Broughton Street. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the Final Plat of Maverick Addition, Phase located at 1300 North Broughton Street subject to the Staff Review Letter. Second by Commission Member Downtain.

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

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

ZONE CHANGE

THE REQUEST OF MAE LOU WRIGHT (OWNER), RALPH & ROSALIND HOLT (REPRESENTATIVES) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 205 AND 215 EAST BROCKETT STREET, BEING ALL OF LOTS 3 AND PART OF LOTS 4, 5 AND 6, BLOCK 4, BOND'S SUPPLEMENT NUMBER TWO, CONTAINING 0.392 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

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

ZONE CHANGE – C-1
TO R-1
205 & 215 E.
BROCKETT
(MAE WRIGHT)

Chris Noah, Preston Trail Land Surveying, 83493 North S.H. 289, Ste. 5, Pottsboro, TX Rosalind Holt, E. Centennial, Sherman, TX

Mr. Noah appeared to represent the request and answer any questions. The property is located at 205 and 215 East Brockett Street; the northeast corner of Walnut and Brockett Streets.

Mr. Noah explained “the property is zoned a C-1 (Retail Business) District and the owners would like to rezone the property to an R-1 (One Family Residential) District. The adjoining property is R-1 (One Family Residential) District or R-2 (Multi-family Residential) District. This is a commercial piece that was leftover from Wayside Florist, which was destroyed by fire several years ago.” They had seen the Staff Review Letter and would abide by the Recommendations.

Vice-Chairman Elliott asked, “what are the plans moving forward after the zone change.”

Mr. Noah thought the temporary plan was for a snow cone stand, so they will be applying for a Temporary Use Permit.

Rosalind Holt, E. Centennial, Sherman, TX

Mrs. Holt explained “I am Mae Wright’s daughter, she owns the property behind this lot; she purchased it last year. We plan to use a portion of 215 East Brockett for a temporary snow cone stand.”

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the zone change from a C-1 (Retail Business) District to an R-1 (One Family Residential) District at 205 and 215 East Brockett Street subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS & SPECIFIC USE PERMIT

THE REQUEST OF SHERMAN COLLISION REPAIR, LLC (OWNER) AND TERRY MOORE (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1317 SOUTH SAM RAYBURN FREEWAY, BEING LOT 1 OF THE SCR 1 ADDITION, BEING A REPLAT OF A PART OF LOT 8, BLOCK 23 AND A PART OF LOT 4, BLOCK 24 AND THAT PART OF THE FORMER HESTER STREET RIGHT-OF-WAY BETWEEN BLOCKS 23 & 24, B.H. MOORE HEIRS ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.2 SUBSECTION (4)(B) TO ALLOW A METAL BUILDING IN LIEU OF REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.2 SUBSECTION (5)(C) TO ALLOW OVERHEAD DOORS FACING THE HIGHWAY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

PLANNING AND ZONING COMMISSION

AMENDING THE SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN AUTOMOBILE BODY REPAIR SHOP FOR SHERMAN COLLISION REPAIR IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

Terry Moore, 85515 N. S.H. 289, Pottsboro, TX

Mr. Moore appeared to represent the request and answer any questions. The property is located at 1317 South Sam Rayburn Freeway between Dulin and Hester Streets; Sherman Collision Repair is the tenant. The property is zoned a C-2 (General Commercial) District and it also located in the Sam Rayburn Overlay District.

Mr. Moore explained, “Sherman Collision would like to construct a 3,600 square foot metal building with five bays facing Sam Rayburn Freeway. The building will be located behind the existing buildings closer to Austin Street and will be used for automobile repair and storage of equipment.

**EXCEPTION –
FAÇADE**

**EXCEPTION –
OVERHEAD DOORS**

**SUP – AUTOMOBILE
BODY REPAIR SHOP**

**1317 S. SAM
RAYBURN FRWY.
(SHERMAN
COLLISION REPAIR,
LLC)**

They hope to hire four additional employees.” 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 exceptions or Specific Use Permit.

Commission Member Davis asked what the buildings to the south look like.

Mr. Moore explained, “all the buildings are basically alike. He hopes to get an exception for the façade now because he hopes to build the new additions out of pocket and in a year or two remodel everything and bring everything up to code. The new building will be about two-hundred feet from the highway.”

Commission Member Davis asked if there was a “Plan B” besides metal doors and a metal building.

Mr. Moore explained, “the metal doors half to be, (he provided a picture of the proposed glass panel aluminum doors).”

Commission Member Wood asked if any of the doors on the existing building face the highway.

Mr. Moore thought there were some on the current building facing the highway; “there are four or five buildings there and they have been added onto a couple of times. This building will be in the rear of the property and behind all the other buildings. The overhead doors will be used for people to pull their cars into for maintenance and repair.”

Mr. Shadden asked if they would be ok with putting EFIS on in two years.

Mr. Moore responded, “yes, he wants to do it in a year or so.”

Vice-Chairman Elliott asked if they would be agreeable to a time limit or a restriction.

Mr. Moore responded “that would be fine; yes.”

A letter was received from:

Danny Hutchins, 474 Hog Skin Rd., Sherman, TX

“I oppose to any changes to ordinances in affect at this time. I feel no exceptions should be granted to Sherman Collision Repair, LLC.”

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow a metal building with a one-year

time limit in lieu of masonry and to allow glass panel aluminum overhead doors facing the highway as presented to the board subject to the Staff Review Letter for the property at 1317 South Sam Rayburn Freeway. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the amended Specific Use Permit to allow an automobile body repair shop for Sherman Collision Repair subject to the Staff Review Letter for the property at 1317 South Sam Rayburn Freeway. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & SITE PLAN

THE REQUEST OF THE CITY OF SHERMAN (OWNERS), HIDELL ASSOCIATES ARCHITECTS (ARCHITECT) AND EIKON CONSULTANT GROUP, LLC (STRUCTURAL ENGINEER) CONCERNING THE PROPERTY LOCATED AT 1304 WEST LAMAR STREET, BEING 30.7 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5) TO ALLOW A 16' FRONT SETBACK FOR AN ADDITION TO WESTHILL CEMETERY AND PARKS MAINTENANCE BUILDING IN LIEU OF REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ADDITION TO WESTHILL CEMETERY AND PARKS MAINTENANCE BUILDING

VARIANCE – FRONT SETBACK
1304 W. LAMAR
(CITY OF SHERMAN)

Erin Babcock, Hidell Associates Architects, 3033 Kellway Drive, Ste. 120, Carrollton, TX

Mr. Babcock appeared to represent the request and answer any questions. The property is located at 1304 West Lamar Street between Holly and McKown Streets; Westhill Cemetery.

Mr. Babcock explained, “the project consists of The City of Sherman constructing an 800 square foot addition to the Westhill Cemetery Parks and Maintenance Building sixteen foot from the front property line. All facades visible from the street shall receive new masonry and stucco veneer. There

will be a 20-foot bay to the east portion of the existing facility.” They had seen the Staff Review Letter and would abide by the Recommendations.

Alice Agee, 122 S. Holly, Sherman, TX

Ms. Agee asked “how much square footage would be added to the existing building and why do we need that; are we expanding, are we hiring more people, will it be used for maintenance on equipment or additional office space.”

Mr. Babcock explained, “the actual square footage is 20’ x 40’, approximately 800 square feet. It will end up being utilized for equipment storage, The City is running out of equipment storage, so they are utilizing that for equipment storage which will then enable them to increase or renovate, move some equipment out of an existing area and renovate that for some additional staff areas.”

Ms. Agee asked if it would affect parking.

Mr. Babcock responded “no, all the parking will still be on the south side of that. We will put a masonry façade facing Lamar Street as well as the east and west facades of the existing building; from Lamar Street you will see masonry on three sides and then it will be landscaped on Lamar Street.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 16-foot front setback for an addition to Westhill Cemetery and Parks Maintenance Building located at 1304 West Lamar Street. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the site plan for an addition to Westhill Cemetery and Parks Maintenance Building located at 1304 West Lamar Street subject to the Staff Review Letter. Second by Commission Member Wood.

VOTING AYE: ELLIOTT, DOWNTAIN, DAVIS, WOOD, SIMS 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 MLJ REAL ESTATE LP (OWNERS), RANDY VICKERS, BERRY COMPANIES, INC. (PROSPECTIVE BUYER) AND COX LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4612 TEXOMA PARKWAY, BEING 2.698 ACRES IN THE W. F. PATTERSON SURVEY, ABSTRACT NO. 969 AND THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW NEW AND USED COMPACT AND CONSTRUCTION EQUIPMENT SALES, PARTS, RENTALS, AND SERVICE WITH DISPLAYS IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SUP – NEW & USED
COMPACT &
CONSTRUCITON
EQUIPMENT SALES,
PARTS, RENTALS
AND SERVICE WITH
DISPLAYS
4612 TEXOMA
PARKWAY
(MLJ REAL ESTATE
LP)

Randy Vickers, 3223 N. Hydraulic, Wichita, KS

Mr. Vickers appeared to represent the request and answer any questions. The property is located at 4612 Texoma Parkway between Frisco Road and Fallon Drive; Haverty's Furniture was the former tenant. The property is zoned a C-2 (General Commercial) District.

Mr. Vickers explained, “Bobcat is a full service Bobcat Dealership in Texas offering new and used compact and construction equipment sales, rentals, parts, and service. We have several locations in North Texas including Cedar Hill, Lewisville, McKinney, Bobcat of Fort Worth, and Bobcat of Longview and we would like to put one in Sherman. We carry a full line of Bobcat Compact Equipment including Skid-Steer Loaders, Compact Track Loaders, Mini Excavators, Utility Vehicles, and attachments. They carry Multiquip light construction equipment, concrete equipment and supplies, and concrete products. We also offer rentals, parts, and service in support of the products we handle.” He had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden asked on the lifts, “are you planning on storing those in the upright position.”

Mr. Vickers responded, “we don’t rent lifts. The small compacts with the buckets will be stored down. We would like to display some new equipment along Texoma Parkway.”

Mr. Shadden asked if they would be displayed in the parking lot.

Mr. Vickers responded “yes.”

Commission Member Manley asked about signage.

Mr. Vickers explained they would be using the existing sign; we would like to use that and put the Bobcat logo on it.

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

Commission Member Davis asked if repairs on the equipment would be done inside the building.

Mr. Vickers explained, “all repairs will be done inside, we would like to have some rental fleets and some machines ready to go back to the customer and new ones that come in stored behind the building.”

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit to allow new and used compact and construction equipment sales, parts, rentals, and service with displays in a C-2 (General Commercial) District for the property located at 4612 Texoma Parkway subject to the Staff Review Letter.
Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS, ZONE CHANGE & SITE PLAN

THE REQUEST OF RYAN FAMILY TRUST (OWNERS) AND BRANDON MILLER (PROSPECTIVE BUYER) CONCERNING THE PROPERTY LOCATED AT 5217 NORTH TRAVIS STREET, BEING 6.635 ACRES IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3 SUBSECTION (6) TO ALLOW A COMBINATION OF BRICK, STONE, STUCCO, SIDING AND CORRUGATED STANDING SEAM METAL IN LIEU OF REQUIRED MASONRY FOR THE LOFTS AT LIBERTY HILL APARTMENTS IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3 SUBSECTION (7) TO ALLOW A WROUGHT IRON OR CEDAR FENCE IN LIEU OF REQUIRED MASONRY PERIMETER WALL IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3 SUBSECTION (4) TO ALLOW 238 PARKING SPACES IN LIEU OF THE REQUIRED 312 FOR THE LOFTS AT LIBERTY HILL APARTMENTS IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

EXCEPTION –
FAÇADE
(WITHDRAWN)

EXCEPTION – FENCE

EXCEPTION –
PARKING
(WITHDRAWN)

ZONE CHANGE –
SF-1 TO R-2

SITE PLAN – THE
LOFTS AT LIBERTY
HILL APARTMENTS
5217 N. TRAVIS
(RYAN FAMILY
TRUST)

ZONE CHANGE AND SITE PLAN APPROVAL FOR THE LOFTS AT LIBERTY HILL APARTMENTS UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

Brandon Miller, 107 Gene Autry Dr., Tioga, TX

Mr. Miller appeared to represent the request and answer any questions. The property is located at 5217 North Travis Street, the southeast corner of Travis and Knollwood Road, adjacent to the Northside on Travis Apartments. The property is zoned a SF-1 (Single Family Residential) District.

Mr. Miller explained, “I would like to build The Lofts at Liberty Hill, an apartment community that will offer one and two bedroom units open to all ages and incomes. There will be a total of one hundred fifty-six units (1 bedroom - 84 units; 2 bedrooms - 72 units) apartment building will have amenities and features will include granite counters, luxury floors, stainless steel appliances, tiled backsplash, 24-hr fitness center, luxury swimming pool with spa and gated entrance.”

Mr. Miller explained, “the exception for the exterior facade, we would like to build a more modern/urban looking development with the use of a combination of brick, stone, stucco, siding and possibly corrugated standing seam metal.”

“The exception for the masonry fence; we would like to build a wrought iron or cedar board on board fence, either one. Wrought iron is what is on The Northside on Travis and the Bridges Apartments up the road.”

“The exception for the parking, we will mostly have one and two bedroom units. I tried to get the parking ratios for the other apartment complexes in the area with one and two bedroom units. The Bridges on Travis stated they have not had an issue with parking; the number of spaces per one and two bedroom units, my site plan shows is twenty or thirty percent more than they have. If you look at the site plan, the biggest thing is the 200’ easement on the corner of the property. The site plan shows one hundred fifty-six units and based on the site designer there are 238 parking spaces, because there are only one and two bedrooms, I think it will be sufficient, and my designer felt that as well. My partners and I plan to keep this long term, so I don’t want three years from now for the property manager to call and say we do not have enough parking, we are ninety-five percent full and no one has anywhere to park. I am not just doing this to reduce parking; it needs to work in the real world also.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked about the exception of the façade, “I don’t really see anything that gives what

percentage of materials would be used; it seems like an open approval where you could have one brick and the rest metal.”

Mr. Miller explained, “my intent was if approved before it happens staff review it and sign off on the actual exterior appearance.”

Commission Member Davis explained, “that is why we are here tonight.”

Mr. Miller explained, “there are some 3-D renderings that are in color. I do not have the percentages for the materials. We had less than twenty days from the time we went into contract for this property to meet the application deadline. Our priority was to get the zone change and close on the property, a site plan was required for that and we had less than three weeks. The costs to design full blown drawings was astronomical for a zone change that we were not sure would happen; it doesn’t make a whole lot of sense to be honest. I did have the architect put something together that shows the exterior look, but it doesn’t have the percentages of how much is stone, how much is metal, it shows some earth tones and the modern look of how it would be.”

Mr. Shadden explained, “these are more conceptual elevations and site plan. If you approve conceptual then they would need to come back for final approval.”

Mr. Miller stated, “I am fine coming back for site plan approval.”

Mr. Shadden explained, “the board has approved exceptions for wrought iron fences with brick columns. As far as the parking, that would be setting a pretty dangerous precedent.”

Vice-Chairman Elliott explained, “parking is pretty difficult; the ordinance is there for a reason to protect you as well. In a one bedroom, you are going to have two cars if there is a married couple that lives there and they may have some visitors along the way, you have to think about who is going to come visit and to manage the traffic. As far as the cedar fence, those don’t last too long; you might consider wrought iron with brick columns.”

Commission Member Davis explained, “you mentioned the other apartments having wrought iron, are they on brick columns with 12’ centers.”

Mr. Miller explained, “Northside on Travis did not but the apartments farther north do have wrought iron with brick columns every 60’.”

Commission Member Wood explained “Northside on Travis has a wrought iron fence, but it is farther back off the road; this would be wrought iron right along the roadway.”

Vice-Chairman Elliott explained, “wrought would definitely be better than cedar as far as longevity. In the past, we have approved with brick columns in between.”

Commission Member Manley asked if his primary concern tonight was the zone change.

Mr. Miller responded “the zoning change is primary; we had less than twenty-one days to get the site plan and elevations. While we were doing the design stage we decided we wanted to do something more urban while we were under the Planning and Zoning Commission, I would like to bring it up instead of waiting six months from now and come back.”

Vice-Chairman Elliott explained, “typically when you bring something with a more modern look and it doesn’t quite fit with the ordinance we have detailed elevations, percentages with a lot of information to look at showing how it is going to look; it is factual and more detailed, it is the exact way when we approve it, so it would be very hard to approve it conceptually.”

Mr. Shadden explained, “he might want to withdraw one or two of the exceptions because if they are turned down you can’t ask for them again for a year.”

Mr. Miller explained I am ok withdrawing the exterior veneer, it sounds like you would be open if I had more detail.”

Mr. Shadden explained, “that would be another public hearing.”

Mr. Miller explained, “as far as the fence, I would just like to erase the cedar fence and discuss the wrought iron fence with stone columns.”

Mr. Shadden stated “stone columns not to exceed 60’.”

Mr. Miller stated “ok. As far as the exception for the parking, I looked at the City of Denton’s ordinance. They have a ton of student housing and normally if there is a bedroom there is one or two cars per bedroom; theirs is 1.25 per bedroom and two per two bedrooms. I compared it to what I would build because I went to college in Denton and I know those parking lots can get full and with mine compared to that I would have eight more total spaces than what they would show.”

Commission Member Davis explained, “those parking lots get full real fast.”

Mr. Miller explained, “usually during night time because it is a big college community; a party that has forty people in one unit; that’s usually the way it is in Denton.”

Commission Member Davis stated, “when cars are home.”

Mr. Shadden explained, “you need more parking spaces.”

Commission Member Manley asked if he had contacted ONCOR to see what they would allow in the easement.

Mr. Miller explained, “my site designer did, they don’t allow any structures, they will allow some parking but they have to approve it, nothing that would not allow them to access the easement.”

Commission Member Manley stated, “paved parking is not uncommon below transmission easements.”

Mr. Miller explained, “the transmission easement is 200’, but it is not centered.”

Mr. Shadden explained, “what the board has to look at is, why is your project more special or more different than anybody else’s in town. Everyone has complied with the parking ratio. If we do get requests, it is usually for commercial or retail and they ask for one or two less, not a huge amount.”

Mr. Miller explained “I want it to work in the real world and I looked at a lot of municipalities and it is one per bedroom and 1.5 for two bedrooms and a three bedroom is two and so I realize each municipality sets their own rules; it may be better to take this off and I bring a site plan that is more realistic and maybe I pay an engineer to bring some more market research.”

Commission Member Downtain stated, “you may discuss it with ONCOR as well.”

Vice-Chairman Elliott explained, “that may solve your issues.”

Commission Member Wood asked if they plan to have the apartment complex gated.

Mr. Miller responded “yes.”

Commission Member Wood stated, “that would be eighteen parking spaces outside the gate to get through.”

Mr. Miller explained, “the gate would be off of Travis Street.”

Commission Member Sims stated, “they would have to go through a gate to get to the leasing office.”

Mr. Miller stated, “that wouldn’t make sense, would it. This site plan was done in less than three weeks.”

Mr. Shadden asked if he wanted to use this as a conceptual site plan to ask for the zone change and then come back to the Board of Adjustments another time.

Mr. Miller stated, “yes; I would like to withdraw the exception for the façade and the parking.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the exception to allow a wrought iron fence with stone columns not to exceed 60’ for The Lofts at Liberty Hill Apartments in an R-2 (Multi-family Residential) District at 5217 North Travis Street subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Downtain to approve the zone change from an SF-1 (Single Family Residential) District to an R-2 (Multi-family Residential) District and conceptual site plan approval for The Lofts at Liberty Hill Apartments at 5217 North Travis Street subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTIONS

THE REQUEST OF DP CAPSTONE LLC (OWNERS), AND AUSTIN AND DAVID HOOVER (REPRESENTATIVES) CONCERNING THE PROPERTY LOCATED AT 709 NORTH MONTGOMERY STREET, BEING PART OF LOT 2, BLOCK 3, BOND’S 2ND ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.3 SUBSECTION (4) TO ALLOW 32.65% MASONRY (LIMESTONE, CMU, BURNISHED BLOCK, ETC.) ON THE LOWER HALF OF THE BUILDING WITH UPPER PORTION BEING LAP STYLE SIDING (ARCHITECTURAL VINYL, HARDIE OR BORAL) IN LIEU OF REQUIRED 60% IN AN R-1 (ONE FAMILY**

**EXCEPTION –
FAÇADE
(WITHDRAWN)**

**EXCEPTION -
CARPORT**

**709 N.
MONTGOMERY
(DP CAPSTONE,
LLC)**

RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.3 SUBSECTION (4) TO ALLOW AN ATTACHED CARPORT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.**

Austin Hoover, 1513 N. Wharton, Sherman, TX

Mr. Hoover appeared to represent the request and answer any questions. The property is located at 709 North Montgomery Street between Brockett and Carter Streets. The property is zoned an R-1 (Single Family Residential) District and it is also located in the College Park Overlay District.

Mr. Hoover explained “we would like to construct a single family, two-story residence; the design includes 32.65% masonry on the lower half of the building with the upper portion being lap siding (architectural vinyl, hardie or boral). The attached carport or covered parking without a garage door will be enclosed on three sides; the open side will not be visible from Brockett or Montgomery Streets.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis said “it really doesn’t look like you will be using much masonry on the building itself on the bottom.”

Commission Member Downtain asked what Boral siding was.

Mr. Hoover explained, “Boral siding is a composite fly ash; it is similar to hardy board siding, but it is not made with concrete or a cement product. It is more like a refined finish of MDF and is used where they would like to show off more detail.”

Commission Member Downtain stated “your plans show you are using vinyl siding, but in the description it talks about hardy board siding and Boral.”

Mr. Hoover said, “we would rather use vinyl, we are open to the other products, but vinyl is our first choice.”

Commission Member Downtain stated “it would be a pretty good setback from the masonry to vinyl siding.”

Commission Member Manley stated, “the same thing on limestone and CMU, CMU is cinder-block basically.”

Mr. Hoover explained, “we are looking at a product that isn’t exactly what you would see on CMU, something more polished, more burnished than CMU. I have some reference images, one particularly more of a limestone (residence in East Dallas), the other shows a vinyl siding we are

considering. The main idea of the vinyl siding, we are using a lap siding, we actually prefer the aesthetic of the vinyl as opposed to hardy because of its depth and it gives a more true characteristic of actual wood, something you would see on a more defined building; it is made to portray a lap siding. Another thing we like about vinyl is it is all prepared offsite, it comes already painted; once it is installed, you are done. The vinyl that is used today has improved a lot with the recent development of the product; it doesn't look as bad a people thought, including myself."

Commission Member Davis asked if he was planning to use the big cinder blocks.

Mr. Hoover responded, "no; it will be similar to the picture."

Mr. Shadden explained, "at the City Council meeting last night, the changes on the College Park Overlay District, we did receive letters from the President of the College in support of the changes."

Commission Member Downtain explained "setting a precedent for vinyl siding in that district; yours might be defined as something different, it would open the door to other requests for vinyl siding which is way outside the boundaries for that district. The College offered up a committee to help review some of those things so that might be an exception to consider tabling or removing your request to get some input or some samples of something more specific or even a letter of support from the College."

Mr. Shadden explained, "you may contact the President's Office at Austin College to see if you can gain support."

Mr. Hoover stated "hardy board is already a masonry product; so we can easily use hardy board, we just prefer to do vinyl."

Commission Member Downtain explained, "you could remove your exception request for the façade and explore your options."

Mr. Hoover explained, "the design pushed us to use something more lightweight, doing a two-story residence because we don't want to use brick all the way up, we thought vinyl would be a very good option."

Commission Member Downtain explained, "it would carry a lot of weight if you received approval from the college, take your materials and your case to them and come back to us; help us not set a precedent."

Mr. Hoover explained, "we are very interested in that area, we see Brockett as a major thoroughfare to the College. We definitely want to be in contact with the College, so I would like to withdraw the request for the façade."

Commission Member Wood asked if the carport is enclosed on three sides and the entry is not visible from the street.

Mr. Hoover explained, “that is correct; it basically lacks a door.”

Vice-Chairman Elliott asked the reasoning behind that.

Mr. Hoover explained “it is the concept we are going for; the house is 1,300-1,400 square foot and we stacked it on itself to give more room in the yard, it is not that big of a lot, we wanted to see the green space become part of the project and something that a carport does that a garage would not is to let the project breathe, you get some movement through the project; it is not so massive as a garage would be where people collect their tools, lawn mowers, it is a much more clean lifestyle.”

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the exception to allow an attached carport at 709 North Montgomery Street subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:02 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY