

STATE OF TEXAS §

June 18, 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 June 18, 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 5:00 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the May 21, 2019 regular meeting. Motion by Vice-Chairman Elliott to approve the Minutes as written. Second by Commission Member Davis. 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, 8, 10, 11, 12, 14, 19, 22 & 24)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Vice-Chairman Elliott moved to approve the Consent Agenda as presented subject to the Staff Review Letters. Second by Commission Member Wood. All present voted AYE. All present voted AYE.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF 2019 MK & ASSOCIATES, LLC (OWNERS), DR. MANDEEP SINGH, M.D. (REPRESENTATIVE) AND KENT HUGHLETT (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2500 SWAMY DRIVE, BEING LOT 6, BLOCK A, DR. SWAMY ADDITION, AS FOLLOWS:

**PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A MEDICAL OFFICE.**

**SITE PLAN –
MEDICAL OFFICE
2500 SWAMY DRIVE
(2019 MK &
ASSOCIATES, LLC)**

The property is located at 2500 Swamy Drive, the southeast corner of U.S. Highway 75 North and FM 691. The property is zoned a C-2 (General Commercial) District and located in the O-1.3 (FM Highway 691) Overlay District. The owner would like to construct a 7,730 square foot Dialysis Clinic at this location. The exterior finish on the building will be painted concrete panels. Parking will be provided for (38) thirty-eight spaces. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF TIMOTHY AND AMY DANIELS (OWNERS) AND COX LAND SURVEYING COMPANY (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1655 MAYES DRIVE IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 10.998 ACRES IN THE HENRY KATTENHORN SURVEY, ABSTRACT NO. 671, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF DANIELS FAMILY ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

The property is located at 1655 Mayes Drive in the City of Sherman's Extra Territorial Jurisdiction off East U.S. Highway 82. The owner would like to plat the property into three lots. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF MEALS PROPERTY SOLUTIONS, LLC (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1035 SOUTH IDLEWILD DRIVE, BEING A PART OF LOT 4, BLOCK E, CASA LINDA 3RD ADDITION AND ALL OF LOT 9 AND THE WEST 12.96 FEET OF LOT 8, BLOCK 3, CASA LINDA 5TH ADDITION, UNIT 2, CONTAINING 0.495 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF MEALS ADDITION, A REPLAT OF LOT 4, BLOCK E, CASA LINDA 3RD ADDITION AND ALL OF LOT 9 AND THE WEST 12.96 FEET OF LOT 8, BLOCK 3, CASA LINDA 5TH ADDITION, UNIT 2

The property is located at 1035 South Idlewild Drive between Linda Lane and Valley Drive. The property is zoned an R-1 (One Family Residential) District. The owner would like to replat the property into two lots for residential

FINAL PLAT – DANIELS FAMILY ADDITION (ETJ) 1655 MAYES DRIVE (TIMOTHY & AMY DANIELS)

REPLAT MEALS ADDITION, A REPLAT OF LOT 4, BLK. E, CASA LINDA 3RD ADDITION & ALL LOT 9 & THE WEST 12.96 FEET LOT 8, BLK. 3, CASA LINDA 5TH ADDITION, UNIT 2 1035 W. IDLEWILD DR. (MEALS PROPERTY SOLUTIONS LLC)

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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF STONEHOLLOW HOMES (OWNERS) AND CCM ENGINEERING (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 4700-5200 BLOCKS NORTH TRAVIS STREET, BEING 100.72 ACRES IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF AUSTIN LANDING ADDITION, PHASES 4-6

The property is located in the 4700-5200 blocks of North Travis Street between Northcreek Drive and Kreager Road. The property is zoned an SF-1 (Single Family Residential) District. The owner would like to replat the property into three hundred thirty eight (338) lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNERS) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 4900-5000 BLOCKS KNOLLWOOD ROAD, BEING 0.855 ACRES IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF NORTH CREEK ADDITION, SECTION FOUR

The property is located in the 4900-5000 blocks of Knollwood Road between Northcreek Drive and Liberty Hill Trail. The property is zoned an R-2 (Multi-Family Residential) District. The owner would like to plat the property into five (5) 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF DANIEL MONTANO (OWNERS), DAVID DOWNTAIN (DEVELOPER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5313 ARROYO TRAIL, BEING 2.0148 ACRES

PRELIMINARY PLAT – AUSTIN LANDING ADDITION, PHASES 4-6
4700-5200 BLKS. N. TRAVIS ST.
(STONEHOLLOW HOMES)

FINAL PLAT – NORTH CREEK ADDITION, SEC. 4
4900-5000 BLKS. KNOLLWOOD RD.
(YOUNG ENTERPRISES, LP)

REPLAT LOT 20 & A PORTION LOT 21, DOS LAGOS SUBDIVISION
5313 ARROYO TRL.
(DANIEL MONTANO)

IN THE JAMES B. SHANNON SURVEY, ABSTRACT NO. 1085,
AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOT 20 AND A PORTION OF LOT
21, DOS LAGOS SUBDIVISION

The property is located at 5313 Arroyo Trail in the Dos Lagos Subdivision off Dripping Springs Road. The property is zoned an R-1 (One Family Residential) District. The owner would like to replat 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF STATE STORAGE SHERMAN LLC (OWNERS) JORDAN HIDALGO (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 521 EAST HOUSTON STREET, BEING LOTS 2, 4, 6 & 8, BLOCKS 24, OTP SHERMAN, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR AN ADDITION TO GATOR STORAGE

**SITE PLAN – GATOR STORAGE ADDTION
521 E. HOUSTON
(STATE STORAGE SHERMAN, LLC)**

The property is located at 521 East Houston Street between East and Broughton Streets. The property is zoned an M-2 (Heavy Manufacturing) District. The owner would like to construct a 30, 675 square foot addition to the existing 8,800 square foot self-storage facility (Gator Storage) at this location. The exterior finish on the building will be metal. 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 YESENIA PANIAGUA (OWNER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2300 BLOCK OF SOUTH FIRST STREET AND THE 1200 BLOCK OF IDA ROAD, BEING 2.356 ACRES IN THE ROBERT THOMPSON SURVEY, ABSTRACT NO. 1200, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF PANIAGUA ADDITION

**FINAL PLAT –
PANIAGUA
ADDITION
2300 BLK. S. FIRST
ST. & 1200 BLK. IDA
RD.
(YESENIA
PANIAGUA)**

The property is located in the 2300 block of South First Street and the 1200 block of Ida Road, near the southeast corner of South First Street and Ida Road. The property is zoned an R-1 (One Family Residential) District. The owner 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF TOBAR PROPERTIES, LLC (OWNER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 511 NORTH EAST STREET, BEING 0.3334 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF TOBAR ADDITION, PHASE 3 A REPLAT OF A PART OF LOTS 3, 6 & 7, BLOCK 9, G.W. BOND'S SECOND ADDITION.

REPLAT TOBAR
ADDITION, PHASE 3,
A REPLAT PART OF
LOTS 3, 6 & 7, BLK.
9, G.W. BOND'S 2ND
ADDN.
511 N. EAST ST.
(TOBAR
PROPERTIES, LLC)

The property is located at 511 North East Street, between the railroad tracks and Pacific Street. The property is zoned an R-2 (Multi-Family Residential) District. The owner would like to plat the property into one lot 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.

VARIANCE & SITE PLAN

THE REQUEST OF AUSTIN COLLEGE (OWNERS), HEIDI ELLIS (REPRESENTATIVE), UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR), ARCHITECTURE DEMAREST (ARCHITECT) AND SPIARS ENGINEERING, INC. (CIVIL ENGINEER) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK OF NORTH GRAND AVENUE, BEING LOTS 7-10, BLOCK 10, COLLEGE PARK ADDITION, CONTAINING 1.143 ACRES, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 7' REAR SETBACK IN LIEU OF THE REQUIRED 25' FOR STUDENT HOUSING FOR AUSTIN COLLEGE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR STUDENT HOUSING FOR AUSTIN COLLEGE.

VARIANCE – REAR
SETBACK

SITE PLAN – AUSTIN
COLLEGE STUDENT
HOUSING
700 BLK. N. GRAND
AVE.
(AUSTIN COLLEGE)

Scott Roberson, Architecture Demarest, 10515 Silverrock Dr., Dallas, TX

Mr. Roberson appeared to represent the request and answer any questions. The property is located in the 700 block of North Grand Avenue; the northeast corner of Brockett Street and Grand Avenue. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District. Austin College would like to plat the property into one lot for the construction of student housing

Mr. Roberson explained “the project consist of four buildings similar to the Victorian Cottages that were built about ten years ago in the 1100 and 1200 blocks of North

Grand Avenue. It has the feel of single-family homes in that area. The buildings consist of two single unit, two-story cottages (1,758 square foot and 1,818 square foot) and two, three unit, two-story cottages (4,623 square foot each). Each unit will have four bedrooms and four baths, for a total of thirty-two bedrooms. There will be a parking lot for thirty-two stalls and an outdoor amenity space between the two larger cottages. The variance we are asking for is for a 7’ setback in lieu of a 25’ on the rear of the property; this will allow setting the building back farther on Grand Avenue; we want to keep the urban feel.” They had seen the Staff Review Letter and would abide by the Recommendations.

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 7’ rear setback in lieu of the required 25’ for Austin College Student Housing in an R-1 (One Family Residential) District/College Park Overlay District in the 700 block North Grand Avenue subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the site plan for Student Housing for Austin College in the 700 block of North Grand Avenue subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, 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 RICARDO AND ODILIA AYALA (OWNERS), SUN CITY SOLAR ENERGY (SOLAR CONTRACTOR) AND SYNAPTIC SOLAR (SUBCONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 3335 CARRIAGE CIRCLE, BEING LOT 24, LAMBERTH ROAD ESTATES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO

SUP – GROUND MOUNTED SOLAR PANELS
3335 CARRIAGE CIRCLE
(RICARDO & ODILIA AYALA)

ALLOW GROUND MOUNTED SOLAR PANELS IN AN R-A (SINGLE FAMILY AGRICULTURAL) DISTRICT.

Ricardo Ayala, 3335 Carriage Circle, Sherman, TX

Mr. Ayala appeared to represent the request and answer any questions. The property is located at 3335 Carriage Circle in the Carriage Estates Subdivision off West Lamberth Road. The property was annexed into the City of Sherman December 7, 2015 and is zoned an R-A (Single Family Agricultural) District.

Mr. Ayala explained “I would like to install a ground mounted solar panel system at my home; the solar panels are a 10,000-kilowatt system. I have a little over an acre of land, so I want it to be ground mounted away from the roof. This system will cover about eighty percent of my electric consumption. It will be located on the north side of my property; my neighbors are wide spread and I have a baseball field in the back. The solar panels will be located about one hundred feet from the front property line.” He had seen the Staff Review Letter and would abide by the Recommendations.

Scott Shadden, Director of Developmental Services explained “the solar panels would be 83’ from the rear property line and 53’ on the side.”

Commission Member Davis explained “it looks like the panels are 48’ x 14’.”

Mr. Ayala responded “yes”.

Chairman Mahone asked if it would be fenced.

Mr. Ayala explained “we have a wood fence on the side and a chain link fence in the back.”

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

ACTION TAKEN.

Motion by Commission Member Sims to approve the Specific Use Permit and site plan to allow ground mounted solar panels in an R-A (Single Family Agricultural) District located at 3335 Carriage Circle subject to the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE

THE REQUEST OF ALI UMAIR (OWNER), DANISH SAMAD (PROSPECTIVE BUYER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 1129 SOUTH MONTGOMERY STREET, BEING LOT 8, BLOCK 7, JONES & WAINRIGHTS ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE AND SITE PLAN APPROVAL FOR AN EXISTING NONCONFORMING STRUCTURE 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
1129 S.
MONTGOMERY ST.
(ALI UMAIR)

Danish Samad, 902 E. Cherry St., Sherman. TX

Mr. Samad appeared to represent the request and answer any questions. The property is located at 1129 South Montgomery Street, the northeast corner of South Montgomery and East Rosedale Streets.

Mr. Samad explained “I am the buyer of this property. The current owner purchased the property in 2017; he tried to rent the commercial building without success. He would like to sell to me and I would like to change the zoning on the property to an R-1 (One Family Residential) District to be used as rental property; most of the properties around this property are residential. The building was built in 1927 and was formerly used as a grocery store. I plan to renovate the building for residential use.” 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 for an existing nonconforming structure from a C-1 (Retail Business) District to an R-1 (One Family Residential) District at 1129 South Montgomery Street subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF SERAJ ALI (OWNER), UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) AND D2L DESIGNS, LLC (DESIGNER) CONCERNING THE PROPERTY LOCATED AT 719 EAST MCGEE STREET, BEING PART OF LOT 1, BLOCK 2, JONES & SUMMIT ADDITION, AS FOLLOWS:

SUP – DUPLEX
719 E. MCGEE
(SERAJ ALI)

(DENIED)

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

Seraj Ali, 1113 Lakota Place, Carrollton, TX

Mr. Ali appeared to represent the request and answer any questions. The property is located at 719 East McGee Street, the northwest corner of McGee and Maxey Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Ali explained “I was here a couple of months ago for a duplex with four bedrooms per unit at this location, it was approved at the Planning and Zoning Commission Meeting, but the motion to approve at the City Council Meeting failed. Some of the neighbors complained, so I have reduced the number of bedrooms to three per unit and will have six parking spaces on the lot. I reduced the square footage to 1,300 on each side. The exterior facade will be brick.” He had seen the Staff Review Letter and would abide by the Recommendations.

Appearing from the audience:

LaVonda Jacobs, 803 E. McGee, Sherman, TX

Ms. Jacobs explained she is representing her mother that lives at 803 E. McGee Street. She wanted clarification of where the parking spaces would be, McGee or Maxey.

Chairman Mahone explained “the parking spaces would pull out onto Maxey Street.”

Ms. Jacobs explained “my Mom backs out on Maxey Street, originally there were going to be eight parking spaces and they are still going to have six spaces; we are still worried about the parking when she is backing out. Maxey is not a very wide street. The duplex still seems like it is big even though it is a corner lot. With the address being on McGee Street, we thought the parking would be on McGee Street, not on Maxey; it would be better for Mom. She has had problems in the past when the nursery was open, people parking on both sides of the street and in her driveway.”

Chairman Mahone asked if her mother’s driveway faces Maxey or McGee.

Ms. Jacobs responded “it faces Maxey; it is on the side.”

Commission Member Davis stated “there is only one other drive that faces Maxey and it is across the street.”

Ms. Jacobs explained “my mother’s drive is across the street from this property to the east.”

Gary Simpson, 2510 Turtle Creek, Sherman, TX.

Mr. Simpson explained he owns property in that area. “I was at the City Council meeting when they turned it down. I cannot believe the Planning and Zoning Commission sent it out with four bedrooms on each side. I have been in the rental business a long time, I know what duplexes are, people are in and out. If you have a duplex with four bedrooms, three bedrooms now and it rents for a fairly amount of money, you are not going to have just one family, you are going to have maybe two families and everybody has two cars, six spots are not going to carry, so you are going to end up with cars on Maxey.”

“You passed on Gardenland as a venue place, it went to the City Council, and they turned it down. Evidently, it came back to you and you passed it and the City Council passed it, they are having a venue. I was out there a week ago last Friday, they were having a party for the Tom Bean Seniors, there were cars parked everywhere because he can only park about twenty cars on his lot. Maxey Street curves to the left and the cars park all along Maxey blocking the resident’s driveways that live there. It is not a duplex area, there are nice houses all around this area; but this is not a duplex area.”

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District at 719 East McGee Street subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MANLEY, DAVIS AND WOOD.

VOTING NAY: DOWNTAIN, ELLIOTT, SIMS AND MAHONE
MOTION FAILED

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

TEMPORARY USE PERMIT

THE REQUEST OF CHARLES E. ANDERSON (OWNER), BRAD AND KRISTI TRAVIS, HATCH & KRAVENS SLAUGHTERHOUSE (TENANTS) AND JOHN LEBLANC (REPRESENTATIVE) CONCERNING THE PROPERTY AT 1400 WEST TAYLOR STREET, BEING A 1.6890 ACRE TRACT IN THE J. B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;

BOARD OF ADJUSTMENTS

(RENEW) TEMPORARY USE PERMIT UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A HAUNTED HOUSE FROM OCTOBER 4TH THROUGH NOVEMBER 2ND, 2019 AND FEBRUARY 13TH THROUGH 15TH, 2020 IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT,

TUP – HAUNTED
HOUSE
1400 W. TAYLOR
(CHARLES E.
ANDERSON)

R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND C-1 (RETAIL BUSINESS) DISTRICT.

John LeBlanc, 221 W. Texas St., Sherman, TX

Mr. LeBlanc appeared to represent the request and answer any questions. The property is located at 1400 West Taylor Street across from Fairview Park; it was formerly the Anderson Slaughterhouse. Temporary Use Permits to allow the Hatch & Kravens Slaughterhouse Haunted House attraction were granted in 2007-2010 and 2012-2018.

Mr. LeBlanc explained “Kristi Travis would like to open a haunted slaughterhouse, October 4th thru November 2nd, 2019 and February 13th thru 15th, 2020 for a Valentine's Show. Optional Alternate dates for rain-outs and Grayson and Austin College nights (if needed) will be October 6th, 10th, 28th 29th and 30th, 2019. Hours of operation will be Friday and Saturday, 8 p.m. - 12 a.m., Sunday thru Thursday, 8 p.m. - 11 p.m. They will be utilizing the existing structure, a temporary electric pole with low voltage LED lighting; outside loud speakers will not be used. Signs will be placed thirty (30) days prior to opening and removed ten (10) days after each showing. No changes in the requests from prior years.” 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 Temporary Use Permit.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Temporary Use Permit to allow a haunted house October 4th through November 2nd, 2019 and February 13th through 15th, 2020 in an R-1 (One Family Residential) District, R-2 (Multi-Family Residential) District and C-1 (Retail Business) District at 1400 West Taylor Street subject to the Staff Review Letter. Second by Commission Member Wood.

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

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE

THE REQUEST OF BARTON CAPITAL, LTD (OWNER), RON BARTON (REPRESENTATIVE) AND MARSHALL SARTIN (SURVEYOR) CONCERNING THE PROPERTY IN THE 200 BLOCK OF WEST PARK AVENUE, BEING LOTS 1-8, BLOCK 31, REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 30, 31, 40 AND 41 OF SOUTH SIDE ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

**ZONE CHANGE –
M-1 TO R-1
200 BLK. W. PARK
AVE.
(BARTON CAPITAL,
LTD)**

ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-1 (LIGHT MANUFACTURING) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

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

Mr. Barton appeared to represent the request and answer any questions. The property is located in the 200 block of West Park Avenue between Elm and Crockett Streets. The property is zoned an M-1 (Light Manufacturing) District.

Mr. Barton explained “I would like to rezone the property to an R-1 (One Family Residential) District for residential development on eight existing lots. We were turned down several years ago for the zone change but we feel it is a good time to develop the property for residential. We would put the typical 1,200-1,300 square foot home with a two-car garage on the lot; three parking spaces would be provided. The property was formerly used for residential several years ago for the Burlington Building employees. There are already houses to the east and they are developing houses to the north, houses on the other side of the alley from this property.” He had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden explained “these lots are platted lots; there were homes for the cotton mill employees at one time. This was zoned manufacturing, the last time this went to P&Z, the concern was truck traffic from the manufacturing here and to the east on Montgomery Street.”

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

Letter received from:

Carlos & Estella Carvajal, 128 W. Park, Sherman, TX

“This site is lateral across the street from our property, behind is another street of residences. We do not need any more manufacturing in this neighborhood. We have enough of Park Avenue cars racing and revving their engines right in front of my home, making it difficult to hear the television. Another factory will bring more cars, truck deliveries, and employee’s cars. We do not have a noise ordinance to help keep the noise level down. I am opposed to more manufacturing.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change from an M-1 (Light Manufacturing) District to an R-1 (One Family Residential) District in the 200 block of West Park Avenue subject to the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE
MOTION CARRIED

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

VARIANCES & SPECIFIC USE PERMIT

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNER), DAVID BACA STUDIO (ARCHITECT) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 4800-4900 BLOCKS KNOLLWOOD ROAD, BEING LOT 1, BLOCK 2, REPLAT OF BLOCKS 2-9, NORTH CREEK ADDITION, SECTION 1 AND ALL OF BLOCK 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION 1, CONTAINING 2.302 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT NO. 275, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (5)(C) TO ALLOW A 62' TALL BUILDING FOR AN APARTMENT COMPLEX IN LIEU OF THE PERMITTED 45' IN A C-1 (RETAIL BUSINESS) DISTRICT.
- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (4) TO ALLOW 113 PARKING SPACES IN LIEU OF THE REQUIRED 132 FOR AN APARTMENT COMPLEX IN A C-1 (RETAIL BUSINESS) DISTRICT.
- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) TO ALLOW A 6' WROUGHT IRON FENCE IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL SURROUNDING AN APARTMENT COMPLEX IN A C-1 (RETAIL BUSINESS) DISTRICT.

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN APARTMENT COMPLEX (YE URBAN LOFTS) IN A C-1 (RETAIL BUSINESS) DISTRICT.

David Baca, 100 N. Travis St., Sherman, TX

Mr. Baca appeared to represent the request and answer any questions. The property is located in the 4800-4900 blocks of Knollwood Road; the southeast corner of Hilre Drive and Knollwood Road. The property is zoned a C-1 (Retail Business) District.

Mr. Baca explained “the owner would like to construct the YE Urban Lofts, a sixty-six (66) unit, three-story apartment complex at this location. If you remember a few months back this came up on another lot, but the developers started looking at a lot that was nearby, the first one that was approved for the zoning change. This would be there to anchor a development, also to provide an alteration to Knollwood and Northcreek Drive to Travis to correct that whole situation. That is why they felt to move it to this particular site.” He had seen the Staff Review Letter and would abide by the Recommendations.

VARIANCE – HEIGHT OF BLDG.

VARIANCE – PARKING

VARIANCE – FENCE

SUP & SITE PLAN – APARTMENT COMPLEX
4800-4900 BLKS.
KNOLLWOOD ROAD
(YOUNG ENTERPRISES, LP)

“The architecture of the building will be a continuation of what the developers have already started with Magnolia Village and Ace Storage, a continuation that will enhance the area. We are requesting several variances; the first one is the one that requires a masonry wall around the perimeter of the apartment complex; we are requesting a tubular steel fence. It is the same as wrought iron but a little bit different from a typical fence, but I do not want wrought iron in the language because it is different from tubal steel; the fences you usually see are tubal steel. That is our first request to do that all around the perimeter in tubal steel. We feel the masonry wall would feel like a large compound and the idea that it looks open, we would understand if it was backed up to a residential area, but even around the front we want it to feel open and the areas on the sides.”

“The second variance that we are looking at is to allow a sixty-two (62) foot tower on a portion of the building; we want to maintain an overall building height of 45’ for the remainder of the apartment complex; the tower would be an architectural enhancement.”

“The last request is to reduce the number of parking spaces to 113 spaces in lieu of 132 spaces required. One of the main reasons we want to ask for this reduction is the vast majority of apartments that are built in this area are two bedroom apartment complexes and they have a lower percentage of one bedroom and a lower percentage of two bedrooms. If we are asking for two spaces for every single unit of the one bedroom to the two bedroom, in a typical circumstance you balance out the ones and the threes because the three bedrooms do not require three parking spaces. We are ninety percent one-bedroom units and because of that, we feel like adding the twenty something extra parking spaces would be way too much concrete; we would like to keep as much green space as possible. We are asking for it to be one and one half spaces for each of the one bedrooms, two spaces for the two bedroom and we have also added in because we have seen this in other cities when some have added in a percentage for extra parking, so we added ten percent for guest parking. The numbers we are asking for is very common among other cities across the State, we did some research, Dallas, Houston, Austin, San Antonio, Ft. Worth, Corpus Christi, Tyler, College Station, Waco and Lubbock require the same ratio, 1 ½ per one bedroom, 2 per two bedroom and 2 ½ per three bedroom; they keep adding a half space for each additional bedroom. We are not asking for a much lower number than that, it is very consistent across many of the other municipalities.”

“One of the other things we wanted bring up, under Sherman’s Ordinance for the subdivision regulations, a unified residential development is listed under Sherman’s Ordinance, one bedroom apartments are 1.25 spaces per unit, two bedrooms at 1.5 spaces per unit and we feel if this were a part of the unified residential development and you

are allowing less parking there and what we are asking for is actually more than that, we believe that we would still have ample parking onsite and people will not be parking in the street.”

Chairman Mahone asked “how many units total the apartment complex would have.”

Mr. Baca explained “there are sixty-one, one bedroom and six, two bedroom.”

Commission Member Manley asked if there would be any occupants in the 62’ tower.

Mr. Baca responded, “no, if we did that, we would have to put an elevator in; it is strictly ornamental.”

Chairman Mahone stated “there would be seventy-three bedrooms across the entire building.”

Mr. Baca responded, “that is correct.”

Chairman Mahone asked Mr. Shadden the minimum parking spaces per unit.

Mr. Shadden explained, “the minimum parking spaces is two per unit, one per bedroom, two per unit.”

Commission Member Davis asked if any exceptions had been granted recently for parking at an apartment complex.

Mr. Shadden did not remember any exceptions being granted for parking.

Chairman Mahone wanted to know more about the tubal steel fence.

Mr. Baca explained, “a typical wrought iron fence is solid, true iron and it is solid pickets, they are welded together on rails. Tubal steel looks exactly the same, they put the ornamental caps on top where they can be flat, they are still welded, but they are hollow inside; that’s the biggest difference, but they cost much less. I want to make sure that it is not something that comes up later.”

Chairman Mahone asked Mr. Shadden “if this variance was approved as a wrought iron fence, is that going to create a problem for them if they use tubal steel.”

Mr. Shadden explained, ‘it has not been an issue. If he does not feel comfortable, he could resubmit.’”

Brandon Shelby, City Attorney explained, “we could not grant more than what is advertised; the tubal fence would be asking for more of a variance. You could approve it for

wrought iron and if became an issue they could come back to amend the variance.”

Commission Member Davis asked if it would change anything if it should be approved if you worded it instead of a 62’ tall building for an apartment, we approve the apartment with a 62’ aesthetic feature.

Mr. Shelby explained, “you are being more restrictive so it is not.”

Mr. Baca explained, “they are ok with that.”

Commission Member Wood wanted to go back to the parking issue. “The one bedroom units, it’s still a two person occupancy and with six handicap parking spots, it is putting it down to 107 regular parking spots.”

Mr. Baca explained, “the handicap are in that combination of parking; you don’t pull those out, so actually you have to have some units for fair housing for handicap accessible persons.”

Commission Member Wood explained, “it looks like there would be room for parking spots; you just want the enhanced green space.”

Mr. Baca responded, “we do; the main purpose is for the green space. We feel the two per unit regardless of bedrooms is a little excessive; the main thing is they do not want a lot of concrete around the whole apartment complex. They will have hardscape in the central area around the pool area and the courtyard, so they want to leave the greenspace around the complex for a walking area or dog park.”

Commission Member Manley explained, “from the last time you were here, it was mainly single bedroom units, it is being monitored around young professionals; is that still the case.”

Mr. Baca responded, “that is correct.”

Appearing from the audience:
Mike Moore, 4901 Hara Lane, Sherman, TX

Mr. Moore wanted to know the location of the proposed apartment complex; “is it on the east side of Knollwood Road.”

Chairman Mahone responded, “yes; that is correct.”

Mr. Moore explained, “as far as the parking, there was an apartment complex that was built years ago on Knollwood, people park boats, trailers, all kinds of stuff in extra parking spots. If you reduce your parking spots, people are going to start finding places to park around there. As far as the tubal

fence, in the apartment complex people pull those tubes apart and crawl between them and the fence is starting to look shabby. If you are going from brick to wrought iron, make it wrought iron where it cannot be bent. I know they want to cut cost but you are trying to fit into that neighborhood, which I think is a nice residential neighborhood. He said something about traffic, the way it ties into Northcreek Drive and Travis Street, it is getting ridiculous now; what are the plans for traffic flow when it is all said and done. If you try to go out there when it is college, school, it is hard to get on Travis Street now, if you add one-hundred thirty-two more cars coming in and out of there, you've got problems."

Cindy McHan, 4913 Hara Lane, Sherman, TX

"I have some of the same concerns about the traffic. Knollwood Drive, you have to pull off the side to let someone pass you. When its holidays, trying to get out of Knollwood Drive onto Travis Street is very dangerous. We have the strip mall up above us where Home Depot is, if we add this apartment complex, it concerns me about EMT and emergency services being able to get to the area with the traffic we have. I have real concerns about those roads and apartment complex there."

Clint Philpott, Director of Engineering explained, "we are working with Young Enterprises to extend Hilre Drive to Travis Street and when we do that Knollwood will either disappear or turn into a cul-de-sac, which will relieve that intersection at Northcreek and Travis Street. We talked to TXDOT this week and they are checking to make sure that intersection warrants putting lights there."

Ms. McHan stated, "what you are saying is they are going to make the entrance and exit to this apartment complex on Knollwood Road."

Mr. Philpott explained, "there are two drives on Knollwood Road and one onto Hilre, but when you are going south on Knollwood, you will no longer be able to go to Northcreek Drive, there will be a cul-de-sac there. To get to the apartment there will be a road extension of Hilre out to North Travis Street."

Ms. McHan explained, "Knollwood Road is so bad, to let just a normal size truck pass you have to pull off into the ditch."

Mr. Philpott explained, "Knollwood Road is a County Road. We have known that intersection has been a problem for a long time."

Ms. McHan explained, "if the traffic issue is addressed; I do not have any problems with the apartment complex."

Mr. Baca explained, "the possibilities are there that you can destroy a fence; I think it is really up to the apartment

complex to make sure those things are taken care of. The reality is, ninety-five percent of all the fences we see out there are not wrought iron. I wanted to make sure we are clear on that language, just so we were not required to do that. The fence is going to be backing up to a floodplain to the east side and it is on the corner of two streets. The fence will be along frontage with sidewalks, so I do not know that it would be the same issue as the apartment complex to the north that is somewhat hidden back in the trees.”

Commission Member Sims asked, “do they plan to own and operate or build to sell.”

Daniel Worrell, 2509 Remuda, Sherman, TX

He explained, “they plan to own and operate at least three to five years.”

Mr. Baca explained, “as far as the parking, we are really not asking for anything that is not out of the ordinary, you can go across municipalities all across the State and see the numbers we are asking for and again our own ordinance under a different zone does require substantially reduced parking as 1 ¼ for a one bedroom.”

Mr. Shadden explained, “we do not have unified residential developments; we do not have any apartments in place under the ordinance.”

Mr. Baca explained, “that is correct, but it is written in the ordinance to allow that. We are asking for more spaces than this is requiring. I brought that up to say it is out of line what Sherman is allowing in other zones in the subdivision regulation.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variances to allow a 62’ tall building for an apartment complex but clarifying the tower is an aesthetic feature only, not for occupancy; 113 parking spaces in lieu of the required 132; and a 6’ wrought iron fence in lieu of the required masonry in a C-1 (Retail Business) District in the 4800-4900 blocks Knollwood Road subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN AND DAVIS

VOTING NAY: WOOD.

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit to allow an apartment complex (YE Urban Lofts) in a C-1 (Retail Business) District in the 4800-4900 blocks Knollwood Road subject to the Staff Review Letter. Second by Commission Member Downtain.

VOTING AYE: MAHONE, 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

THE REQUEST OF NEW HERITAGE BAPTIST CHURCH (OWNERS) AND BLUESTONE DRAFTING AND DESIGN (DRAFTSMAN) CONCERNING THE PROPERTY LOCATED AT 2122 SOUTH FM 1417 (HERITAGE PARKWAY) BEING LOT 1, BLOCK 1, HALIBURTON ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (11)(A) TO ALLOW A 72 SQUARE FOOT DIGITAL MONUMENT SIGN, 5' FROM THE FRONT PROPERTY LINE IN LIEU OF THE ALLOWED 65 SQUARE FOOT WITH A REQUIRED 25' SETBACK IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

VARIANCE – SIGN
2122 S. FM 1417
(HERITAGE
PARKWAY)
(NEW HERITAGE
BAPTIST CHURCH)

Kyle Boothe, Bluestone Partners, 4708 N. FM 1417 (Heritage Parkway), Sherman, TX

Mr. Boothe appeared to represent the request and answer any questions. The property is located at 2122 South FM 1417 (Heritage Parkway); the property in front of the City of Sherman Water Tower across from the Pebblebrook Subdivision. The property is zoned a C-1 (Retail Business) District and it is also located in the O-1.1 (FM 1417) Overlay District.

Mr. Boothe explained, “New Heritage Baptist Church is in the process of building a church at this location. They are requesting a variance to allow a seventy-two (72) square foot digital monument sign, five (5) foot from the FM 1417 (Heritage Parkway) property line. The portion of the LED is not that the full square footage of the monument sign; it is only 2' x 6'. When you come from the north, heading south it would be 50-52 feet from the highway and difficult to see because of the terrain. They want to have a nice sign in the area to get the word out to market what services they provide.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked, “with the sign being five foot off the property line, how far is it from the actual road.”

Mr. Boothe explained, “it would be thirty-three feet.”

Chairman Mahone asked, “if FM 1417 (Heritage Parkway) would be widened in the future.”

Mr. Philpott explained, “when funding becomes available; the schematic design has already been done.”

Mr. Boothe explained, “that might be on the Staff Review Letter Item #2 “If at any time, highway right-of-way is dedicated, the sign shall not be located within the dedicated right-of-way; if the sign needs to be relocated it shall be at owner’s expense.” I’m not sure we did account for that in this.

Mr. Philpott explained, “I thought the right-of-way dedication was twenty feet. On the site plan there is an area that has an electrical pole on it, it looks like there is a light dashed line there and about twenty feet there is another dash line; it looks like that would be the right-of-way dedicated and the sign is behind it.”

Mr. Shadden explained, “if you put the sign twenty-five foot required today, gave the twenty foot dedication, you would be five foot off what you are asking for; it would make it conforming.”

Mr. Boothe asked, “if the highway dedication is confirmed.”

Mr. Philpott explained, “TXDOT requested it.”

Mr. Boothe asked, “is the Staff Review Letter worded or anything if you wanted to take the risk, build it closer and they are financially responsible for moving it; is that a possibility if the highway is not expanded in the next fifteen years or so.”

Mr. Philpott felt it would be expanded in the next five years with the high school going in further south.

Mr. Shadden explained, “I would go ahead and ask for this request today at five foot, but I would put the sign at twenty-five foot so that makes it a conforming sign when they dedicate the right-of-way, instead of an existing nonconforming sign, so go ahead and ask for the size with the way it is worded.”

Mr. Boothe explained, “currently we were going through a Replat separately that someone else in our office is handling.”

Commission Member Davis asked, “is this a church with a future commercial pad site; are there going to be another building and signs.”

Mr. Boothe responded, “that is correct.”

Rob Shepherd, 910 E. King St., Sherman, TX

Pastor Shepherd explained he is the Pastor of New Heritage Baptist Church. “Jesus said let your light so shine before men that others may see your good works and glorify your Father in Heaven. This is what we are endeavoring to do at New Heritage, our sign is part of our ministry strategy to communicate the gospel truth, Jesus loves, saves and restores. We also are endeavoring to ensure that our community knows that New Heritage loves them and is there to serve and meet their needs in any way we can. So the church sign will communicate that message, that is why placement is so critically important to us. We would love for our sign to be clearly seen and unobstructed so all who pass by will know that Jesus loves them. I would appreciate your consideration.”

Commission Member Downtain asked about the digital portion of the sign; “how many square feet is it.”

Mr. Boothe explained, “I believe it is 2’ tall x 6’ wide.”

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 72 square foot digital monument sign, 5’ from the front property line in lieu of the allowed 65 square foot with a required 25’ setback in a C-1 (Retail Business) District/O-1.1 (FM 1417 Overlay) District at 2122 South FM 1417 (Heritage Parkway) subject to the Staff Review Letter and the digital portion of the sign does not exceed 2’ x 6’ as presented to the Board. Second by Commission Member Wood.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN AND WOOD.

VOTING NAY: DAVIS

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF LEGEND BANK (OWNERS), MATT BROWN (REPRESENTATIVE) AND WILLOW CREEK SIGNS (SIGN CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 3608 FM 691, BEING LOT 1, BLOCK 1, LEGEND BANK ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (11)(A) TO ALLOW AN ADDITIONAL 50’ TALL, 295 SQUARE FOOT POLE SIGN, 40’ FROM THE FRONT PROPERTY LINE IN LIEU OF THE PERMITTED 12’ TALL, 65 SQUARE FOOT FACE AREA WITH A MINIMUM SETBACK OF

**EXCEPTION – SIGN
3608 FM 691
(LEGEND BANK)**

25' IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

Matt Brown, 4519 Falcon Dr., Sherman, TX

Mr. Brown appeared to represent the request and answer any questions. The property is located at 3608 FM 691 between U.S. Highway 75 and Loy Lake Road. The property is zoned a C-1 (Retail Business) District and it is also located in the O-1.3 (FM 691) Overlay District.

Mr. Brown explained, “Landmark Bank is currently in the process of constructing a bank at this location. They are requesting an exception to allow an additional 50' tall, 295 square foot pole sign, 40' from the front property line; it is actually 90' from the front property line. The area has a lot of topographic issues with the trees. The sign we have planned is not just your standard rectangular box; it actually has three dimensions, it should be a very nice sign. QuikTrip is next to us on the east, they have a sign that is 75' tall, 439 square feet and it is 20' off their property line.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis stated, “this reads additional, is there going to be another sign.”

Mr. Brown responded, “we are going to have a monument sign by the drive in and our name on the building.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow an additional 50' tall, 295 square foot pole sign, 40' from the front property line in lieu of the permitted 12' tall, 65 square foot face area with a minimum setback of 25' in a C-1 (Retail Business) District/O-1.1 (FM 1417 Overlay) District at 3608 FM 1417 subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

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.

EXCEPTIONS & SITE PLAN

THE REQUEST OF IDEATION STATION LLC (OWNERS), RUTH WILLIAMSON (REPRESENTATIVE) AND JARED TREDWAY, TREDWAY WORKSHOP, LLC (DESIGNER) CONCERNING THE PROPERTY LOCATED AT 227 SOUTH

EXCEPTION – RESIDENTIAL OCCUPANCY

EXCEPTION – FAÇADE

TRAVIS STREET, BEING LOT 6, BLOCK 8, OTP SHERMAN,
AS FOLLOWS:

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (6)(A) TO ALLOW A RESIDENTIAL OCCUPANCY IN THE FIRST HALF OF THE FIRST FLOOR FACING TRAVIS STREET IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW BLEACHED, STAINED AND SEALED RED CEDAR ACCENT MATERIAL WITH STAINLESS STEEL STAR DRIVE FASTENERS FOR THE GARDEN SCREEN WALL IN LIEU OF THE REQUIRED MASONRY IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.

PLANNING AND ZONING COMMISSION

**SITE PLAN APPROVAL FOR A NEW EXTERIOR FAÇADE
AND ROOFTOP TERRACE FOR IDEATION STATION**

**SITE PLAN –
EXTERIOR FAÇADE
& ROOFTOP
TERRACE
227 S. TRAVIS
(IDEATION STATION
LLC)**

Jared Tredway, 505 N. McKown, Sherman, TX

Mr. Tredway appeared to represent the request and answer any questions. The property is located at 227 South Travis Street, the northeast corner of Travis and Jones Streets; across the street to the south is the Police Station. The property is zoned a C-1 (Retail Business) District and located in the Central Business District.

Mr. Tredway explained, “the building started as a row of commercial buildings and was later renovated for a gas station. In the late 70’s or early 80’s, it was renovated again for an office building and at that time the main entrance to the building was on Jones Street. When the current owner bought the building, she transformed it into a spa. They are currently using the building as The Ideation Station. The building is experiencing new life as a mixed-use building, including office lease space, co-working space, meeting rooms and galleries.”

“The project proposed involves: the addition of a new main Ideation Station entrance strongly addressing the corner of Jones and Travis Streets; substantial enhancements to the Travis Street facade as well as the Jones Street facade; enhancements to the existing Travis Street entrance; a new rooftop terrace along Travis Street; a new screen-wall and landscape elements strongly addressing the Travis Street sidewalk, restoring the continuity of the sidewalk and enhancing the pedestrian experience; the addition of a 1,593 square foot residence in a portion of the building, to be accessed through the enhanced Travis Street entrance.”

“Because the building strongly addresses the corner and Jones Street, as well as the wall’s setback from Travis Street, they are requesting an exception to allow a residence within the first half of the first floor facing Travis Street. The

design of the enhanced facade and entrance is mindful of commercial scale and details, and with respect for the urban fabric and neighboring buildings along South Travis Street, should the occupancy of the residence return to commercial space in the future. In addition to the exception, they are proposing the use of bleached, stained and sealed red-cedar accent material with stainless steel star drive fasteners for the garden screen wall.” He had seen the Staff Review Letter and would abide by the Recommendations.

Kiki Osterman, 3685 W. Washington, Sherman, TX

Ms. Osterman explained, “I own a building in this area and I support these changes. I think it is a great idea to have something with a different building product other than brick and concrete; we certainly have plenty of that in this block, although Ruth has done great with her space. I think this will improve the whole aesthetics of the area if she is allowed to go forward. I was sad to hear they do not want it to look like a residential area; I think we need more of that in our downtown area.”

Commission Member Wood asked, “where they are going to park.”

Ruth Williamson, 227 S. Travis, Sherman, TX

Mrs. Williamson explained, “I rent eight spaces over in the Fire Department parking lot and have since 2005.”

Mr. Shadden explained, “this is located in the Central Business District. In that district, you can have up to four residential uses as long as they are not in the front half of the first floor; so the location of where the residential is the issue, however they have half the spaces used as commercial.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Wood to approve the exceptions to allow a residential occupancy in the first half of the first floor facing Travis Street and to allow bleached, stained and sealed red-cedar accent material with stainless steel star drive fasteners for the garden screen wall in a C-1 (Retail Business) District/Central Business District at 227 South Travis Street subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Downtain to approve the site plan for a new exterior façade and rooftop terrace for Ideation Station at 227 South Travis Street subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF KATIE KING (OWNER) AND VERONICA GARCIA (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1803 NORTH ROSS AVENUE, BEING LOTS 1, 3, 5, 7, 9 & 11, BLOCK 1, MILAN HEIGHTS ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTIONS (13)(B) & (13)(H)(2) & SECTION 6.2, SUBSECTION (6)(A) TO ALLOW A 6' PRIVACY FENCE ON ALL PROPERTY LINES IN LIEU OF THE PERMITTED 4' ON A FRONT LINE STREET AND A DECORATIVE FENCE WITH OPENINGS NOT LESS THAN 50% OF THE FENCE AREA NOT EXCEEDING 3' IN HEIGHT IN THE FRONT YARD IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**EXCEPTION – FENCE
1803 N. ROSS
(KATIE KING)**

Veronica Garcia, 1803 N. Ross Ave., Sherman, TX

Ms. Garcia appeared to represent the request and answer any questions. The property is located at 1803 North Ross Avenue, the northeast corner of Ross Avenue and Cole Avenue. The property is zoned an R-1 (One Family Residential) District.

Ms. Garcia explained, “there is a lot of activity in this part of town; it is across from the Old Settler’s Park, right across the street from the basketball court. This property is a total of six lots, 1.22 acres, so it is a pretty big property considering the part of town that it is in. Since there is a lot of activity, there are a lot of people walking through her property, so they would like to put a fence up. The side in question is the one facing Ross Avenue because it is 1803 North Ross, but as you can see on the picture, the front is actually on Cole Avenue. The owner would like to put a six-foot privacy fence 25’ from the Ross Avenue property line, instead of a four-foot fence, just to prevent the walkers.” She had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden explained, “Ross Avenue is a front line street; it became a problem when the fence is closer to the street than the house.”

Mr. Garcia explained, “as you can see on the last page, one of the tractors that they have to maintain their yard and garden, unfortunately they have so many people passing by, the fence will protect the things that they have on their property. They do not feel that a four-foot fence would protect all of their belongings.”

Mr. Shadden explained, “you need a security fence and you are going to put it at least twenty-five foot from the street property lines on both sides.”

Mrs. Garcia responded, “yes. One of the issues we were going to address was the obstruction from the fence. On the second page, I am standing about fifty feet from the corner and you can clearly see that it does not obstruct the view of traffic; it will be behind the driveway and the trees.”

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

ACTION TAKEN.

Motion by Commission Member Davis to deny the request at 1803 North Ross Avenue. THE MOTION FAILED FOR A LACK OF A SECOND.

ACTION TAKEN.

Motion by Vice-Chairman Elliott to approve the exception to allow a 6' privacy fence 25' from the Ross Avenue and Cole Avenue property lines in an R-1 (One Family Residential) District at 1803 North Ross Avenue subject to the Staff Review Letter. Second by Commission Member Wood.

VOTING AYE: MAHONE, ELLIOTT, DOWNTAIN AND WOOD.

VOTING NAY: DAVIS

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 6:34 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY