

STATE OF TEXAS §

July 16, 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 July 16, 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 June 18, 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 8, 9, 10, 12, 13, 14 & 17)

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 Downtain. 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 ONE GANESHA LTD (OWNERS), ARESHAYA SHERMAN, LLC (DEVELOPER) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2511 SWAMY DRIVE, BEING ALL OF LOT 5, BLOCK A, DR. SWAMY ADDITION, LOTS 1-7, BLOCK A, CONTAINING 4.044 ACRES, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

REPLAT DR. SWAMY ADDITION, III, A REPLAT LOT 5, BLK. A, DR. SWAMY ADDITION LOTS 1-7, BLK. A 2511 SWAMY DRIVE (ONE GANESHA, LTD)

REPLAT APPROVAL OF DR. SWAMY ADDITION III, A REPLAT OF LOT 5, BLOCK A, DR. SWAMY ADDITION, LOTS 1-7, BLOCK A

The property is located at 2511 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 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 ONE GANESHA LTD (OWNERS), SRINIVASA A & SUDHA REDDY (DEVELOPER) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 6118 SWAMY DRIVE, BEING A PART OF THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875 AND LOT 1, BLOCK A, DR. SWAMY ADDITION, LOTS 1-7, BLOCK A, CONTAINING 1.035 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF DR. SWAMY ADDITION II, A REPLAT OF LOT 1, BLOCK A OF DR. SWAMY ADDITION, LOTS 1-7, BLOCK A

The property is located at 6118 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 (75 & 82) Overlay District and the O-1.3 (FM Highway 691) Overlay District. The owner would like to replat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF AZIZ HASSAN (OWNER), SUNSHINE SUPER CENTER (TENANT), SERGIO LOPEZ (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR), CONCERNING THE PROPERTY LOCATED AT 6121 NORTH U.S. HIGHWAY 75, BEING LOT 2R, REPLAT LOTS 2 AND 3, BLOCK A, DR. SWAMY ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR SUNSHINE SUPER CENTER

The property is located at 6121 North U.S. Highway 75, 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 (75 & 82) Overlay District and the O-1.3

**REPLAT DR. SWAMY ADDITION II, A REPLAT LOT 1, BLK. A, DR. SWAMY ADDITION, LOTS 1-7, BLK. A
6118 SWAMY DR.
(ONE GANESHA, LTD)**

**SITE PLAN –
SUNSHINE SUPER CENTER
6121 N. HWY. 75
(AZIZ HASSAN)**

(FM Highway 691) Overlay District. The owner would like to construct a 6,803 square foot convenience store/fueling station at this location. The exterior of the building will be brick with stone accents. Thirty-four parking spaces will be provided. 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 ORAPORN & KHAM SANSAVATH (OWNERS) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 802 NORTH CLEVELAND AVENUE, BEING PART OF LOT 9 AND ALL OF LOT 10, BLOCK 7, COLLEGE PARK ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF COLLEGE PARK ADDITION, BLOCK 7, LOTS 10R1 & 10R2, A REPLAT OF PART OF LOT 9 & ALL OF LOT 10, BLOCK 7, COLLEGE PARK ADDITION.

The property is located at 802 North Cleveland Avenue, the northwest corner of North Cleveland Avenue and East Carter Street. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNERS), CLAYMOORE ENGINEERING, INC. (ENGINEER), MCDONALD’S USA, LLC (DEVELOPER) AND JPH LAND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3200-3600 BLOCKS OF SOUTH U. S. HIGHWAY 75, BEING PART OF LOT 1, BLOCK 2, SHERMAN CROSSROADS, PHASE II, CONTAINING 13.497 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF SHERMAN CROSSROADS, PHASE II, LOTS 1R, 4 & 5, BLOCK 2, A REPLAT OF LOT 1, BLOCK 2, SHERMAN CROSSROADS, PHASE II

The property is located in the 3200-3600 blocks of South U.S. Highway 75, the northwest corner of U.S. Highway 75 and FM 1417 (Heritage Parkway). The property is in the Blalock Industrial Park and Blalock Commercial Overlay District. The owner would like to replat the property into three lots for commercial development. They had seen the

REPLAT COLLEGE PARK ADDITION, BLK. 7, LOTS 10R1 & 10R2, A REPLAT OF PART OF LOT 9 & ALL LOT 10, BLK. 7 COLLEGE PARK ADDN. 802 N. CLEVELAND AVE. (ORAPORN & KHAM SANSAVATH)

REPLAT SHERMAN CROSSROADS, PHASE II, LOTS 1R, 4 & 5, BLK. 2, A REPLAT OF LOT 1, BLK. 2, SHERMAN CROSSROADS, PHASE II 3200-3600 BLKS. SOUTH U.S. HWY. 75 (SHERMAN CROSSROADS, LTD)

Staff Review Letter and would abide by the Recommendations.

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

SITE PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNERS), CLAYMOORE ENGINEERING, INC. (ENGINEER), MATT MOORE (REPRESENTATIVE), ROGUE ARCHITECTS (ARCHITECT) AND DANIEL REECE (LANDSCAPE ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 3612 SOUTH U. S. HIGHWAY 75, BEING PART OF LOT 1, BLOCK 2, SHERMAN CROSSROADS, PHASE 2, CONTAINING 1.527 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL TO ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2) (J) FOR MCDONALD’S RESTAURANT WITH DRIVE-THRU IN THE BLALOCK INDUSTRIAL PARK/ BLALOCK COMMERCIAL OVERLAY DISTRICT.

The property is located at 3612 South U.S. Highway 75, the northwest corner of U.S. Highway 75 and FM 1417 (Heritage Parkway). The property is in the Blalock Industrial Park and Blalock Commercial Overlay District. McDonald's would like to construct a new restaurant with drive-thru at this location. The exterior of the building will be brick with metal fascia. Fifty-seven (57) parking spaces will be provided. 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 KANS HOLDING LLC (OWNERS), STAN ROBINSON, KISS DEVELOPMENT COMPANY (REPRESENTATIVE), PENH STUDIO, LLC (ARCHITECT) AND UNDERWOOD DRAFTING AND SURVEYING, (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2421, 2429 AND 2435 SWAMY DRIVE, BEING LOT 1, SHOPS OF GRAYSON ADDITION, A REPLAT OF LOT 4, DR. SWAMY ADDITION, LOTS 1-7, BLOCK A, AND LOT 3R, OF THE REPLAT OF LOTS 2 & 3, BLOCK A, DR. SWAMY ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR THREE RETAIL SHELL BUILDINGS AND A CLOCK TOWER

The property is located at 2421, 2429 and 2435 Swamy Drive; the southeast corner of U.S. Highway 75 and FM 691. The property is zoned a C-2 (General Commercial) District and located in the O-1.3 (FM 691) Overlay District. The owner would like to construct three (3) single-story, retail shell buildings for future commercial use and a clock tower. The

SITE PLAN –
MCDONALD’S
RESTAURANT
3612 S. HWY. 75
(SHERMAN
CROSSROADS, LTD)

SITE PLAN – THREE
RETAIL SHELL
BUILDINGS
2421, 2429 & 2435
SWAMY DR.
(KANS HOLDING,
LLC)

floor area of the three buildings will be 8,549 square foot, 9,020 square foot and 7,766 square foot. The exterior finish will be stucco and architectural panels. One hundred three parking spaces will be provided. The clock tower will be 35' tall. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF CHRISTOBAL MADRID (OWNER), BRIGETTE ARNDT (TENANT) AND HELVEY-WAGNER SURVEYING, (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1908 EAST LAMAR STREET, BEING LOT 1, BLOCK 1, EAST SIDE BUSINESS PARK, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS) DISTRICT.

SUP – AUTOMOBILE
SALES
1908 E. LAMAR
(CHRISTOBAL
MADRID)

Brigette Arndt, 725 WA Denton Dr., Van Alstyne, TX

Mrs. Arndt appeared to represent the request and answer any questions. The property is located at 1908 East Lamar Street between Dewey Avenue and Wanda Drive. The property is zoned a C-1 (Retail Business) District.

Mrs. Arndt explained “we would like to open a used car lot at this location.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if this location had been used for car sales in the past.

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

Chairman Mahone asked if they had any connection to the previous business.

Mrs. Arndt responded, “no.”

Chairman Mahone asked if they had any experience in this type of business.

Mrs. Arndt explained, “my husband use to do it.”

Chairman Mahone asked if they plan to do any renovations on the building.

Mrs. Arndt explained, “we plan to do interior and exterior work on the property such as repainting the building, soffit fascia repair and resurface the parking lot.”

Commission Member Davis asked if they plan to do sales, repair or both.

Mrs. Arndt responded, “sales only, we are going to keep it clean and nice.”

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

A letter was received from:

Robert Ortez, 110 N. Andrews, Sherman, TX

“When Madrid open first time, he said he would keep it clean. That didn’t happen. Would you like this in your neighborhood?”

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit and site plan to allow automobile sales in a C-1 (Retail Business) District at 1908 East Lamar Street subject to the Staff Review Letter. Second by Commission Member Wood.

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 JOHN & SHAREN ARRIAZOLA (OWNERS) AND MADELYN GREENWOOD (TENANT) CONCERNING THE PROPERTY LOCATED AT 125 EAST WALL STREET, BEING A PART OF LOT 7, BLOCK D, T.J. SHANNON’S SUPPLEMENT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW PERMANENT MAKEUP/MICRO-BLADING IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

SUP – PERMANENT
MAKEUP/MICRO-
BLADING
125 E. WALL ST.
(JOHN & SHAREN
ARRIAZOLA)

Madelyn Greenwood, 1405 N. Ricketts, Sherman, TX

Ms. Greenwood appeared to represent the request and answer any questions. The property is located at 125 East Wall Street between Travis and Walnut Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District.

Ms. Greenwood explained, “I was approved for permanent make-up at my current location, 19311 West U.S. Highway 82 in 2017. I would like to expand to a bigger location and relocate to 125 East Wall Street in downtown Sherman. We

will have five independent contractors working at this location.” She had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Wood to approve the Specific Use Permit to allow permanent makeup/micro-blading in a C-2 (General Commercial) District/Central Business District located at 125 East Wall Street subject to the Staff Review Letter and limited to Madelyn Greenwood. 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.

SPECIFIC USE PERMIT

THE REQUEST OF REID & DANA FADY (OWNERS) AND BRITTNEY EVANS, PLUSHED SPA (TENANT) CONCERNING THE PROPERTY LOCATED AT 105 SOUTH TRAVIS STREET, SUITE 200, BEING THE WEST ONE HUNDRED FEET OF THE NORTH ONE-HALF OF LOT 2, BLOCK 5, ORIGINAL TOWN PLAT (OTP), AS FOLLOWS:

PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW PERMANENT MAKEUP/MICRO-BLADING IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT.

SUP – PERMANENT
MAKEUP/ MICRO-
BLADING
105 S. TRAVIST ST.,
STE. 200
(REID & DANA FADY)

Brittney Evans, 417 Valley View Lane, Krum, TX

Ms. Evans appeared to represent the request and answer any questions. The property is located at 105 South Travis Street between Houston and Lamar Streets. The property is zoned a C-1 (Retail Business) District and located in the Central Business District.

Ms. Evans explained, “Plushed Spa has been located at 121 East Wall Street for two years and have outgrown our current location. We would like to move to 105 South Travis, Suite 200 to expand and offer additional services, permanent make-up and micro-blading.” She had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if they have been doing permanent makeup in their current location.

Ms. Evans responded, “yes, we have been doing permanent makeup at our current location.”

Chairman Mahone asked if she had a Specific Use Permit for her current location.

Ms. Evans responded, “no, I do not think so; I have never been before this Board before.”

Chairman Mahone asked Mr. Shadden if there was a Specific Use Permit for her current location.

Mr. Shadden responded, “I do not know if there are or not.”

Chairman Mahone asked how long she has been doing permanent makeup/micro-blading.

Ms. Evans explained, “I have had a tattoo studio license for three years.”

Commission Member Davis asked if she would be doing tattoos also.

Ms. Evans responded, “no, that’s just how the State Department regulates it.”

Chairman Mahone asked how many people would be working at this location.

Ms. Evans explained, “there are three girls working including myself; if we get the new building we may have additional independent contractors, it is quite a bit larger than our current location. The new location will be on the second floor of the building.”

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 to allow permanent makeup/micro-blading in a C-1 (Retail Business) District/Central Business District at 105 South Travis Street, Suite 200 subject to the Staff Review Letter and limited to Brittney Evans. Second by Vice-Chairman Elliott.

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.

EXCEPTION & VARIANCE

EXCEPTION/

THE REQUEST OF SHERMAN FEC REAL ESTATE LLC (OWNERS), TRUSTED ER (TENANT) AND NTS SIGNS (REPRESENTATIVE/SIGN CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 115 WEST TRAVIS STREET, BEING LOT 2, BLOCK 1, SHERMAN CROSSROADS MEDICAL ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8.4, SUBSECTION (8) AND ORDINANCE NO. 2252, SECTION 410 (2)(N) TO ALLOW A 200 SQUARE FOOT, 50' TALL FREESTANDING SIGN 30' FROM THE HIGHWAY 75 SOUTH PROPERTY LINE IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

VARIANCE – SIGN
115 W. TRAVIS ST.
(SHERMAN FEC
REAL ESTATE, LLC)

(DENIED)

Todd Bass, NTS Signs, 1602 E. Houston, Sherman, TX

Mr. Bass appeared to represent the request and answer any questions. The property is located at 115 West Travis Street, the northwest corner of U.S. Highway 75 North and West Travis Street, Trusted ER is the tenant. The property is zoned Blalock Industrial Park and in the Blalock Commercial Overlay District.

Mr. Bass explained, “Trusted ER is requesting an exception and variance to allow a 50' tall, 200 square foot, freestanding sign, 30' from the Highway 75 property line. Currently, there was an ER there that closed down a few months ago; they were open approximately eight months. Some of the issues were visibility in that area. As you are traveling down Highway 75, you have to have signage there to be seen before you get to the exit to be able to see the business. That is the only medical facility in that part of town, so to me it is very important that you are able to see it. It is also in completion with other businesses in that area that are moving in, such as the Schulman’s Movie Bowl Grille, they have a 60’ sign. You have Lone Star, McDonald’s, QuikTrip and all on the Highway 75 corridor, most of it has 50’ signage allowance. I think Blalock has to do with Travis Street; is that the reason why the rules are for a 12’ sign.”

Mr. Shadden explained, “Blalock is the gateway to the City and they wanted to keep signage limited, to have large multi-tenant signs, a couple of those and all the rest of the signs to conform to the ordinance.”

Mr. Bass explained, ‘the ER has a Travis Street address even though it faces Highway 75 and I know all the businesses up and down through there even the new ones coming in are requesting signage above 50’. It is going to be very difficult to compete with businesses in there with a 12’ tall sign and that is the reason for the request, on top of that being a medical facility and the only one in that end of town. It is very vital that people are able to locate that business.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked, “of all the higher ones how many do you know of that were approved.”

Mr. Bass explained, ‘Schulman’s was approved for a 60’ tall sign.’

Commission Member Davis explained, ‘that was for a multi-tenant sign.’

Mr. Bass explained, ‘multi-tenant for their business, yes, because they have bowling and all that inside; but it is all one business. Currently, you have Shell, Jack in the Box, Day’s Inn, Circle K, all of them already have tall signs. You have McDonald’s coming in hopefully pretty soon; they are looking to put in the area. In all cases that I have worked with installing McDonald’s signs, I have done that in many County’s in this area, they won’t come in if they can only have a 12’ tall sign on a highway that is doing 75 mph. Those are items that I am sure will be coming through shortly. You have Circle K, Equipment Depot and all the businesses that already have high signs.’

Mr. Shadden explained, “all those businesses were prior to the Blalock Overlay Ordinance.”

Mr. Bass stated, “those were all grandfathered in, sure, I understand that, but you still have to compete with those businesses and if you are having an unfair advantage against someone just because they were there before us, it makes it difficult to run a business and try to be profitable.”

Vice-Chairman Elliott explained, “those are two different types of businesses, I would not say retail and a medical facility are competitive.”

Mr. Bass explained, “that is correct, but when you are trying to look down a highway and see signs, especially for a medical emergency and trying to locate it, looking for a 12’ tall sign against all these 50’, 60’ and 70’ signs; you are not going to see it. In some cases, it could be a life and death situation.”

Chairman Mahone asked if there were currently any freestanding signs on that property.

Mr. Bass responded, “no.”

Chairman Mahone stated, “so currently it just has the signage that is on the building itself.”

Mr. Bass stated, “that is correct; there is no other signage there.”

Commission Member Davis stated or up and down that stretch.

Mr. Bass responded, “correct.”

Commission Member Davis stated, “I take your pictures are illustrating a 50’ sign for us.”

Mr. Bass responded, “yes, all the way from that exit 75 southbound, taking the FM 1417 exit all the way down to FM 1417, there is no signage currently. As you know, that is where QuikTrip and McDonald’s is looking to move to along with some others, I’m sure they will be moving shortly after that; we just happen to be asking ahead of time.”

Chairman Mahone asked Mr. Shadden, the height currently for the ordinance is 12’; correct.

Mr. Shadden explained, “12’ with a 65 square foot face with a 25’ setback from the property line.”

Mr. Bass explained, “based on my experience, he is correct, most of them that I have dealt with have been 25’.”

Chairman Mahone asked, “how many square feet are in a standard billboard.”

Mr. Shadden responded, “300 square feet.”

Chairman Mahone explained, “I kind of see your point being an emergency; 200 square feet is a big sign.”

Mr. Bass explained, “billboards are larger than 300 square feet. I think the Days Inn sign is 200 square feet.”

Chairman Mahone asked Mr. Shadden if there were any plans for multi-tenant signage at that corner of the development.

Mr. Shadden explained, “at the entrances of the development, they plan to have multi-tenant signs.”

Chairman Mahone asked if they could have signage on the multi-tenant sign.

Mr. Bass explained, “that is someone else’s property.”

Chairman Mahone stated, “it is not a part of the same development then.”

Mr. Shadden explained, “it is part of the same development, but they sold the lot where the ER is located. The original masterplan was to have multi-tenant signs at the entrances and the conforming signs on the rest of the lots. You can put a 300 square foot sign on the building on each wall; you could have four of those on the building, which would be highly visible.”

Mr. Bass explained, “you would not be able to see it before you get to that exit.”

Mr. Shadden explained, “you could see it from the highway.”

Vice-Chairman Elliott asked, “what level is this ER, what level of trauma are they able to handle? In my experience, these types of ER’s are more of a destination type place, where you cut your finger to get it stitched up.”

Mr. Bass explained, “they have x-rays, MRI’s, all the facilities that a major ER has.”

Vice-Chairman Elliott asked, “if they would be receiving ambulances.”

Mr. Bass responded, “yes.”

Chairman Mahone asked about the vehicle that is parked on the lot with the advertising on it at the location in the picture.

Mr. Bass explained, “he is currently parked out there until he can get open; it is just for advertising, it is mobile, it is not a sign. Our main concern is to draw attention to the location in case there is an emergency. There is going to be many signs down through that area, some have already been approved like Schulman’s Movie Bowl Grille, even though it is multi-tenant for that business; they have multiple businesses in there.”

Chairman Mahone explained, “I think that is pretty much the plan for that area is to have multi-tenant signage. It just feels really big to me; I do not want to set a precedent where we are going to have a lot of these signs at the gateway to Sherman.”

Mr. Bass asked if the McDonald’s and QuikTrip and all that down through there, are they going to a multi-tenant sign also.

Mr. Shadden explained, “that is not on the agenda.”

Chairman Mahone explained, “I can’t say what they are going to do.”

Mr. Bass explained, “my concern is they do not own that property so they will not be allowed to be a part of the multi-tenant signs. How are we going to get our advertisement because a 12’ sign is not going to be seen from the highway?”

Vice-Chairman Elliott explained, “on the picture when you are coming up from Highway 75 you can see the building and if you have 300 square feet of building signage, you will be able to see it.”

Mr. Bass explained, “that is from one direction though.”

Chairman Mahone asked Mr. Shadden if they would be allowed to put a sign on the roof.

Mr. Shadden explained, “we would need to look at the Blalock Ordinance. I know the equipment has to be screened. The building is taller than the McDonald’s would be.”

Mr. Bass explained, “I think you are thinking a 200 square foot sign is a big sign, 10’ x 20’ is not a huge sign, for example the Exxon at Highways 75 and 82, that sign is 16’ x 9’, we are just a little bit smaller than that one. When you look at the high rise Exxon sign, they do not look that big and that one is 50’ in the air. If you compare it, 200 square feet is not huge, that is actually smaller than what is allowed, 300 square feet is allowed.”

Commission Member Davis explained, “65 square feet is what is allowed and you are requesting over triple that.”

Mr. Bass explained, “you are correct; I am talking down the Highway 75 corridor.”

Commission Member Davis stated, “we are talking about Blalock Industrial Park; you cannot compare 4-10 miles down the road.”

Mr. Bass explained, “right there on Highway 75, if you are anywhere on that side of the road, there are 300 square foot signs.”

Commission Member Davis explained, “those signs were there before the ordinance was in place.”

Mr. Bass explained, “all the way from the city limits to there its 300 square feet.”

Commission Member Davis explained, “you have to look at the big picture. Are there others that want multiple signs and a multi-tenant sign.”

Mr. Bass agreed “there are going to be multiple signs down that area, not just hopefully this one but there is going to be other businesses that are going to open up there, even QuikTrip was on the agenda until they got moved to next month, they are looking for a big sign to go out there. It is just the nature of the business, when you are in business you want to be seen. All of us that are in business, that is our goal to be seen so that we can compete with other businesses and draw people that are driving down the road. In this case, we are looking at it as medical necessity also, not only wanting people to see us, but to be able to come there for the small minor things, but also for the major health issues and you need that service quickly; the difference

between getting there and the hospital could be life or death, so they definitely want to be seen.”

Chairman Mahone asked, “how tall the building is.”

Mr. Bass did not know “the awning is thirteen feet; we are probably looking at close to twenty feet; between 15-20 feet.”

Vice-Chairman Elliott asked if they were supposed to have screening for the A/C units on the roof; “would that screening be able to be used as a sign space.”

Mr. Shadden explained, “as long as it did not exceed three hundred square feet.”

Vice-Chairman Elliott stated, “if they were able to do that, they would be pretty close to what they are asking for.” He explained to Mr. Bass the A/C unit on the roof is not screened and it is supposed to be, “when you screen that you could use that as advertising space there and it would get you pretty close to your sign height and the visibility that you need.”

Mr. Bass stated he would need to talk to the customer.

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

ACTION TAKEN.

Motion by Commission Member Downtain to deny the request for the exception and variance to allow a 200 square foot, 50’ tall freestanding sign 30’ from the Highway 75 South property line in the Blalock Industrial Park/Blalock Commercial Overlay District at 115 West Travis Street. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

PLANNED DEVELOPMENT

THE REQUEST OF TERRA PERPETUA LLC (OWNERS), BRYAN KLEIN, ION DESIGN GROUP (REPRESENTATIVE), BUSH ARCHITECTS, LLC (ARCHITECT) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 300-100 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 245.83 ACRES IN THE SHERROD DUNMAN SURVEY ABSTRACT NO. 329, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PLANNED DEVELOPMENT – TERRA PERPETUA VILLAGE 300-1000 BLKS. E. FM 1417 (VIETNAM VETERANS PARKWAY) (TERRA PERPETUA, LLC)

**PLANNED DEVELOPMENT AND SITE PLAN APPROVAL
UNDER ORDINANCE NO. 2280, SECTION 6.11, FOR TERRA
PERPETUA VILLAGE**

Bryan Klein, ION Design Group, 7075 Twin Hills Ave., Ste. 350, Dallas, TX, Connie Cooper, 3839 McKinney Ave., Dallas, TX and Ronnie Guerrepo, Terra Perpetua, LLC, 2800 N. Dallas Parkway, Ste. 210, Plano, TX

Mr. Klein, Ms. Cooper and Mr. Guerrepo appeared to represent the request and answer any questions. The property is located in the 300-1000 blocks East FM 1417 (Vietnam Veterans Parkway) between U.S. Highway 75 and State Highway 11 (Dewey Avenue). It is currently zoned an M-1 (Light Manufacturing) District and located in the O-1.1 (FM 1417) Overlay District.

The Planned Development Ordinance (No. 6186) was approved March 18, 2019; Halff Associates, Inc., a Professional Engineering Service, was consulted to design the ordinance. The planned development district is intended to facilitate the planning, design, and development of integrated land uses on large tracts of land that cannot be adequately accommodated in other zoning districts. A PD shall further the goals of the comprehensive plan, demonstrate enhanced and contextual design standards, present a well-organized and cohesive land plan, and contain clear and concise development regulations.

Mr. Klein explained, “Terra Perpetua, LLC would like to develop a 245.8-acre tract for Terra Perpetua Village, a Planned Development with an integrated mix of commercial and residential with land set aside for parks, open space or other village amenities and a potential for a school site. The site will be developed in Phases.”

Chairman Mahone explained, “this is the first planned development we have seen. Could you tell us about the mid-rise residential, is that three story buildings.”

Mr. Klein explained, “the mid-rise residential is something that will be three stories, it may be four stories, depending on the acceptance and the market; we do not quite know right now. It may at some point be a five-story, we are not sure, we do not start there; we start with a three story.”

Chairman Mahone stated, “with mixed uses, I am assuming you would have commercial on the first floor and living space above that or would it be separated.”

Mr. Klein explained, “the commercial is separated, there are two kinds of development like that, you have heard the term, mixed use, which is where the development is mixed equally, and this is a mix of uses. You have an apartment building here and directly across the street you have some commercial. There will be a number of different kinds of single families like you live in now and there will be some

smaller lots. We understand this is an area that has not been prone to development, the south side, so we are going to need to grow into the site a little bit and see what the clients support.”

Chairman Mahone asked, “if the commercial space will be the Village Center.”

Mr. Klein responded, “yes, that is another term for it.”

Chairman Mahone asked the total timeline looks like for a project like this, is it in stages, a beginning to end timeline, x number of years.

Mr. Klein responded, “I wish I could tell you exactly how long it would take; it really is determined by how the market accepts it. You have a good employment base here with more people coming all the time, so development accelerated. The first phase is something the owner would like to grow into this fall and construction beginning in the fall or the spring.”

Chairman Mahone stated, “it sounds like you have a first phase in mind and once you figure out how that is received, then you will move on to a second stage.”

Mr. Klein explained, “that is correct. We will come back to you for site plan review so there will not be any surprises of what it might be: single-family, multi-family or townhomes, commercial or different pieces like that. It is a natural progression into the site and you build pieces from there. On 245 acres, it could take a good long while, if there is a strong market acceptance, it could take 5-8 years; it is hard to know right now.”

Commission Member Davis asked about a Village Residence, “is that a duplex?”

Mr. Klein explained, “those are some general terms, the single family is single family; you see that as low density residential. The Village Residence is a little bit smaller garden homes, not everyone likes to live in the same type of dwelling, now you have a lot more choices, so we want to accommodate the lot for different people and the goal is to have something on the site that makes something for everyone; if you like to rent, come on out, if you like to own, come on out, you have a number of different choices, prices, price points.”

Commission Member Davis asked about mid-rise, “is that an apartment building.”

Mr. Klein explained, “a mid-rise would be an apartment. The concept plan shows seven mid-rise residential but the danger of doing concept plans is you want to go ahead and put something on paper but as soon as you do it looks as

though you have seven apartment buildings. Each of the multi-family will be responsible for parking and while we put little blocks on the plan, they are intended to represent areas we plan to develop. The street layout we have on there is very schematic, very conceptual. We did that in order to express and to divide the property into blocks and to provide something to TXDOT.”

Chairman Mahone asked Scott Shadden if the planned development ordinance would outline the number of parking spaces they will need.

Mr. Shadden explained, “the planned development ordinance will have that in it and our consultant will review the site plan as well, to make sure it complies with the ordinance before we bring the final to you. This is just a general concept tonight.”

Clint Philpott, Director of Engineering explained, “the intent of the planned development is we have our standard minimum standards for our subdivision currently and the planned development is to take that minimum and elevate it to a higher minimum to guarantee as the development progresses, this all meets a higher standard; so that is the intent of the development to make the whole area no matter if it is year one or year fifteen has the same standard for the whole area.”

Chairman Mahone explained, “so if this is approved today, we would see them again and show us the final plats, site plans for Phase One, for instance.”

Mr. Klein explained, “the next submittals will be far more detailed. We will come back for plats, site plans with building elevations with colors, textures, building materials for the exteriors, and a landscaping plan. There is a lot more detail we would like to show except we are not there yet.”

Chairman Mahone asked if the planned development ordinance had timelines for the project if it is approved.

Mr. Shadden responded, “there are time limits in there, if it is abandoned, it would revert to the base zoning that is in place.”

Chairman Mahone asked, “for instance, if they were approved today and they came back with Phase One, they completed Phase One and then they decided not to do a Phase Two, what would happen to that section that would have been Phase Two; it just goes back to its original zoning, they just get to keep the Planned Development Zoning on what is existing.”

Vice-Chairman Elliott stated, “that would not be advantageous because the PD zoning is higher than what was in place.”

Mr. Philpott did not know the timeline, but “I do know there are timelines and they are lengthy; this is not something that is developed quickly. The Crossroads development is an example of a much smaller development. We built Travis Street and Crossroads three years ago and we are just now starting to see QuikTrip and McDonald’s starting to pop up. For a development like this because it is residential, it could be longer; so those time frames are not one or two years, it is probably five or longer years.”

Commission Member Manley understood “this is conceptual but I was hoping from a conceptual standpoint, I am reading about the traditional single family residential, minimum lot width 40’, under single family village residential, minimum lot width 20’, front yard setbacks either five or ten feet, in single family traditional residential twelve units per acre. Could you describe what that looks like?”

Mr. Klein explained, “the ordinance only describes minimums, you can always exceed them and many times you come in with products that are a little bit larger, wider and taller. Part of the thing is growing into the site, there is momentum in this area and as there are more activities here, there will be much more variety of types of homes and more choices. What is described there is what is called a patio home, garden home or a townhome. We will bring back to you plats with various sizes.”

Commission Member Manley explained, “these minimums are very much smaller than our standard single-family residential minimums area.”

Mr. Shadden asked for an example in the metroplex of this type of development.

Mr. Klein responded, “Highway 75 and Alma, which is in Plano, smaller homes, and the big visual when I came in here is, we have a number of acres where you can build something, more of a master planned community. If you look at the population across the U.S., the baby boomers are downsizing, they do not want to have that big yard, they do not want a big house, so we are having meetings with builders and they are saying, hey can you do smaller lots, can you do different things.”

Mr. Guerrepo explained, “I am the owner of the land. I came to the City and I want to do a big master plan, we do have the land within the ordinance that we have, the minimums you can have, the detached garage, zero lot lines, what the homebuilders are looking for; it is more driven to the demand. The development at Highway 75 and Alma, where you see the product, you have to drive, there is a lot of demand, that project broke ground probably eighteen months ago and it is packed. The real demand is for the smaller downsize, my father-in-law said I want to sell this big home and I want to go to something smaller, I don’t want to

take care of the yard, so it is market driven. I picture a patio home, it is smaller, some people do not even want to go upstairs, I just want a first floor, and not a second floor; 2,500 – 3,000 square feet, park in my garage that is what we wanted, and we wanted to create that lifestyle environment for the full 250 acres.”

Mr. Philpott explained, “the parking on that type of higher density is going to be different from what we have seen traditionally in Sherman, where you are going to have more on-street parking and additional parking lots closer to the home, it would be all shared.”

Chairman Mahone thought they would have to have some type of parking garage.

Mr. Philpott stated, “it’s a different layout from what we are used to seeing with some of the duplexes come in with odd parking layouts; this would be minimized with development parking, multiple lots on the site plan. Engineers will have to provide parking based on square footage.”

Commission Member Davis asked if traditional residential is more of a sixty-foot lot.

Mr. Klein explained, “they are looking at a spectrum, but it is market driven. The idea behind this is a little bit more urban than suburban, so a little bit more urban gets to be smaller lots, as Ronny mentioned not everyone enjoys August with a lawnmower. Traditional is more attached and detached, more like townhomes in that nature.” They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden explained, “Halff and Associates, our consultants have reviewed the Planned Development for the City at the City’s direction and have recommended approval. They were the consultant on the ordinance as well as reviewing the planned developments as they come in.”

Brandon Shelby, City Attorney explained, “I reviewed the timeline for the Planned Development and they have two years after the conceptual plan is submitted to submit the detailed plan and five years to make substantial progress. The City Council could extend the timeline with evidence as to why it should be extended. “

Appearing from the audience:

Dustin Farris, 82 Shawnee Circle, Denison, TX

Mr. Farris explained he owns thirty-five acres across FM 1417. “I feel very excited about the development and would like to integrate our projects in with this larger planned development. Hats off to the City for making this happen.”

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

ACTION TAKEN.

Motion by Vice-Chairman Elliott to approve the Planned Development for Terra Perpetua Village in the 300-1000 blocks East FM 1417 (Vietnam Veterans Parkway) 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.

SPECIFIC USE PERMIT

THE REQUEST OF CTG GROUP, LLC (OWNERS), ANGELA STEWART, IRONWOOD AUTO SALES, LLC (APPLICANT/TENANT) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1604 SOUTH SAM RAYBURN FREEWAY, BEING A PART OF LOTS 7, 8 & 9, BLOCK 1, OF THE CORRECTION PLAT OF MAYHEW'S SECOND SUPPLEMENT, CONTAINING 0.344 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW USED AUTOMOBILE SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT

SUP – USED
AUTOMOBILE SALES
1604 S. SAM
RAYBURN FREEWAY
(CTG GROUP, LLC)

Angela Stewart, 482 Hanna Dr., Denison, TX

Mrs. Stewart appeared to represent the request and answer any questions. The property is located at 1604 South Sam Rayburn Freeway; the southwest corner of Staples and Sam Rayburn Freeway. The property is zoned a C-2 (General Commercial) District and located in the O-1.2 (Sam Rayburn) Overlay District.

Mrs. Stewart explained she owns Ironwood Auto Sales, LLC, and “we are looking to put in a used car lot at this location. It has everything set up for the building; the only thing needed is to paint. The proposed site will park sixteen cars for sale and allow three parking spaces for customers. I would like to install an ornamental black iron fence around the parking and add signage to the existing building and freestanding sign.” She had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained, “on the Staff Review Letter, it states the fence must be designed by structural engineers

and submitted to City of Sherman Engineering Department for review and approval. Do you understand that?”

Mrs. Stewart responded, “yes.”

Mr. Philpott explained, “that whole area is in the floodplain, I think it has had six or seven foot of water in the building. The concern is during a flood that the cars float off the lot and are caught under a bridge or into a culvert, we have major problems. The fence needs to be designed to not allow the cars to move.”

Mrs. Stewart stated, “we will only be doing interior work on the building, the windows need to be cleaned, there is a current sign on the property, and we are planning to have it refaced with our brand and logo.”

Chairman Mahone asked Mr. Shadden if he knew if the current sign complies with the sign ordinance.

Mr. Shadden responded, “it probably is not, but it is existing as long as they do not take it down, they can reface it.”

Commission Member Davis asked if they would be working on cars at this location, “have tires in front and auto parts.”

Mrs. Stewart responded, “no, they would be strictly for sale.”

Vice-Chairman Elliott asked Mr. Philpott if he knew how many times this property has flooded.

Mr. Philpott thought “the last time was 2007. The used car lot up the road flooded a year and a half ago. This property has shown up on FEMA’s severe repetitive lots, we purposely did not look into acquiring it because if you use FEMA funds, the area can never be built on and with it being off Highway 75, we did not want to restrict it forever because of that. If it was not in the floodplain it would be a great area, it is just right now it is a risk of flooding.”

Mrs. Stewart explained, “I talked to the owner and he told me it has flooded, once it came into the building a couple of inches. We live close and I have a couple of acres, so I can move the cars to that location.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow used automobile sales in a C-2 (General Commercial) District at 1604 South Sam Rayburn Freeway 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.

EXCEPTION & VARIANCE

THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNERS), JOHN PIMENTEL, QUIKTRIP (REPRESENTATIVE/TENANT) AND JONATHAN SCHINDLER (ENGINEER) CONCERNING THE PROPERTY LOCATED AT 3624 SOUTH U.S. HIGHWAY 75, BEING 2.027 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO BEING A PART OF LOT 1, BLOCK 2, SHERMAN CROSSROADS, PHASE II, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8.4, SUBSECTION (8) AND ORDINANCE NO. 2252, SECTION 410 (2)(N) TO ALLOW A 302 SQUARE FOOT, 75' TALL MULTI-TENANT FREESTANDING SIGN, 34' FROM THE SOUTH HIGHWAY 75 PROPERTY LINE FOR THE SHERMAN CROSSROADS DEVELOPMENT AND A 69 SQUARE FOOT, 8.5' TALL MONUMENT SIGN, 20' FROM THE FM 1417 (HERITAGE PARKWAY) PROPERTY LINE FOR QUIKTRIP IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT

EXCEPTION/
VARIANCE – SIGNS
3624 S. HWY. 75
(SHERMAN
CROSSROADS, LTD)

(TABLED)

An email was received from John Pimentel, QuikTrip, July 15, 2019 at 9:14 a.m. requesting to move this request to the August 20, 2019 meeting.

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

SPECIFIC USE PERMIT & VARIANCES

THE REQUEST OF LAZY L ENTERPRISES (OWNER), WILLIAM MAGERS (REPRESENTATIVE), HOLLEY HOMES (GENERAL CONTRACTOR) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE FOLLOWING PROPERTIES;

BOARD OF ADJUSTMENTS

- 800 N. BROUGHTON STREET, BEING LOT 11, BLOCK 1, BOYER & LUCAS ADDITION - VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 6.5' SIDE STREET SETBACK IN LIEU OF THE REQUIRED 10' FOR SINGLE-FAMILY DWELLING IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.
- 802/804 N. BROUGHTON STREET, BEING LOT 10, BLOCK 1, BOYER & LUCAS ADDITION - VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 3' SIDE SETBACK (NORTH) IN LIEU OF THE REQUIRED 5' FOR TWO-FAMILY, SINGLE STORY PATIO HOME IN AN R-1

VARIANCE – SIDE
STREET SETBACK
SUP – PATIO HOME
800 N. BROUGHTON
ST.

VARIANCE – SIDE
SETBACK
802/804 N.
BROUGHTON ST.

SUP – TWO-FAMILY
PATIO HOMES
802/804, 806/808 &
810/812 N.
BROUGHTON ST.
(LAZY L
ENTERPRISES)

(ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

- 802/804, 806/808 & 810/812 N. BROUGHTON STREET, BEING LOTS 8, 9 & 10, BLOCK 1, BOYER & LUCAS ADDITION - SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW TWO-FAMILY, SINGLE-STORY PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.
- 800 N. BROUGHTON STREET, BEING LOT 11, BLOCK 1, BOYER & LUCAS ADDITION - SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW SINGLE-STORY PATIO HOME IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers appeared to represent the request and answer any questions. The property is located at 800, 802/804, 806/808 and 810/812 North Broughton Street; the northwest corner of Broughton Street and East Carter Street. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District.

Mr. Magers explained, “this will be the same exact request that was approved in November of 2017, just east of Broughton Street. We are requesting a Specific Use Permit to allow single-story patio homes on four lots, one single-family and three two-family. We are proposing to use rear entry for this project. We have reached an agreement with the City to improve and maintain the alleyway. We are requesting the variance at 800 North Broughton to allow a 6.5' side street setback and a variance at 802/804 North Broughton for a 3' side setback to allow separation of the patio homes for the 10' maintenance. The 6.5' setback on Carter Street is the exact same setback that was approved at Carter and Throckmorton, due east on Carter Street. The problem you have with Carter Street is, in the original deed it is described as an alley; it is a very narrow street.” He had seen the Staff Review Letter and would abide by the Recommendations.

“These are the exact same floorplans that we used across the street on the single-family homes, the only difference is the ones facing Broughton Street, and we are not going to have a driveway in the front.”

Commission Member Downtain asked about the agreement for the alley. “What happens if they sell the property or sell the lots individually, will that owner then maintain the alley.”

Mr. Philpott explained, “they would either asphalt or concrete.”

Mr. Magers explained, “we will probably asphalt it because the street is asphalt, there is no curb and gutter in the area. The City will have to approve it before we get a building permit. I am going to call it an HOA for the lack of a better term, there will be a maintenance agreement with the owner of the house.”

Mr. Philpott explained, “there would be an encroachment agreement that allows them to do that, so the City Council will sign off on it.”

Mr. Magers explained, “this particular portion of the street has a curve in it and we plan to stagger the houses so when you are looking down the street the houses will have a straight line down the street.”

Chairman Mahone stated, “there is an amended Staff Review Letter, could you tell me what is different.”

Mr. Philpott explained, “originally, we talked about not allowing any driveways off Broughton Street, and so we removed that from the letter.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 6.5’ side street setback at 800 N. Broughton Street and a 3’ side setback (north) at 802/804 N. Broughton Street. Second by Vice-Chairman Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow a single-story patio home at 800 N. Broughton Street and to allow two-family, single story patio homes in an R-1 (One Family Residential) District/College Park Overlay District at 802/804, 806/808 and 810/812 N. Broughton Street subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

PLANNING & ZONING COMMISSION MINUTES – JULY 16, 2019

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:15 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY