

STATE OF TEXAS §

August 20, 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 August 20, 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 July 16, 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 (ITEM 8)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Consent Agenda as presented subject to the Staff Review Letters. Second by Commission Member Manley. 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 1305 S FM 1417, LP (OWNERS) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1305 SOUTH FM 1417 (HERITAGE PARKWAY), BEING ALL OF LOT 1 OF THE BROOKS ON HERITAGE PARKWAY ADDITION, A 2.212 ACRE TRACT AND A 0.109 ACRE TRACT IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CONTAINING 8.749 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT THE BROOKS ON HERITAGE PARKWAY ADDITION, LOT 1R, A REPLAT OF LOT 1, THE BROOKS ON HERITAGE PARKWAY ADDITION

REPLAT APPROVAL OF THE BROOKS ON HERITAGE PARKWAY ADDITION, LOT 1R, A REPLAT OF LOT 1, THE BROOKS ON HERITAGE PARKWAY ADDITION.

1305 SOUTH FM 1417
(HERITAGE PARKWAY)
(1305 S FM 1417, LP)

The property is located at 1305 South FM 1417 (Heritage Parkway), The Brooks on Heritage Parkway Apartments. The property is zoned an R-2 (Multi-family Residential) District and located in the O1.1 (FM 1417) Overlay District. The owner would like to Replat the property into one lot for an addition to The Brooks on Heritage Parkway Apartments. 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.

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:

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

(DENIED)

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 1,668 SQUARE FOOT, 60’ TALL MULTI-TENANT FREESTANDING SIGN, 32’ FROM THE SOUTH HIGHWAY 75 PROPERTY LINE FOR THE SHERMAN CROSSROADS DEVELOPMENT AND A 100 SQUARE FOOT, 8.6’ TALL MONUMENT SIGN, 20’ FROM THE FM 1417 (HERITAGE PARKWAY) PROPERTY LINE FOR QUIKTRIP IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

John Pimentel, QuikTrip, 1120 N. Industrial Blvd., Euless, TX
Mr. Pimentel appeared to represent the request and answer any questions. The property is located at 3624 South U.S. Highway 75, the northwest corner of U.S. Highway 75 and FM 1417 (Heritage Parkway), QuikTrip is the proposed tenant. The property is in the Blalock Industrial Park and the Blalock Commercial Overlay District.

Mr. Pimentel explained, “we are starting our second site for QuikTrip; the one on the north side is doing very well and we decided to construct an additional station/convenience store on the south side of Sherman. We would like to erect a 1,668 square foot, 60’ tall multi-tenant, freestanding sign, 32’ from the Highway 75 property line for the Sherman Crossroads development and a 100 square foot, 8.6’ tall monument sign, 20’ from the FM 1417 (Heritage Parkway) property line for QuikTrip. The monument sign will be the same sign that you see on the northern property along FM 691. The high-rise sign will not be as tall as the freestanding

sign at the current QuikTrip, but it will be wider in square footage. The freestanding sign will be a multi-tenant sign that will be shared with eight other developers. The intent is to cut down on signage and sign pollution. You will see some of the older developments in Sherman where there are several high-rise signs; we would like to prevent that with a multi-tenant sign. The metal poles will be wrapped in stone along the sides; on the bottom, it also says Sherman Crossroads.” He had seen the staff review letter and would abide by the recommendations.

Chairman Mahone explained, “this sign is 60’ tall, 28’ wide and you have space for eight tenants.”

Mr. Pimentel responded, “eight additional tenants.”

Chairman Mahone explained, “the total square footage is 1,668.”

Mr. Pimentel responded, “yes.”

Chairman Mahone stated, “you said the sign is not quite as tall as the sign on the north side of town.”

Mr. Pimentel stated, “that is a 75’ tall sign.”

Chairman Mahone stated, “that sign is taller, but it is in a dip.”

Mr. Pimentel explained, “there are some elevation issues there.”

Chairman Mahone explained, “at the current location, this sign would be on a hill.”

Mr. Pimentel explained, “it is, but the exits have been pushed a lot further back; going northbound today, I passed it and had a concern that you would not be able to see the sign at that point.”

Chairman Mahone asked, “where will the other tenants be.”

Mr. Pimentel explained, “they should have some on the west side of FM 1417 (Heritage Parkway) eventually; I am not sure of the status of that development.”

Commission Member Davis asked if they had ties to the development that requires them to use their sign or are they going to be here asking for their own sign.

Mr. Pimentel explained, “it is the developer that sold us the property; Mr. Harkinson. Whoever buys on the west side of FM 1417 (Heritage Parkway) development will have the opportunity to go on the sign.”

Commission Member Davis explained, “you do not have anything solid from the other eight tenants.”

Chairman Mahone stated, “you are saying you have this sign over here, but they might want their own sign on their own property.”

Mr. Pimentel explained, “as of right now, I believe I am the second one, that should be McDonald’s; it is something they are negotiating right now.”

Commission Member Davis stated “that’s key, they are negotiating, you have a 60’ sign, but you don’t have a guarantee the tenants you are hoping to get.”

Mr. Pimentel stated, “that is correct; we do not own the rest of the development.”

Commission Member Davis stated, “you are not the developer, just for one little section.”

Mr. Pimentel responded, “yes, sir.”

Chairman Mahone stated, “typically a multi-tenant sign is going to be all in the same ownership.”

Commission Member Manley thought all the rest of the tenants will be to the north on Highway 75, “is that correct.”

Mr. Pimentel explained, “McDonald’s is just north of us; there will be some to the west of us as well on the west side of Crossroads Boulevard. I do not know what the rest of the plans are for.”

Commission Member Manley explained, “those are all separate buildings, McDonald’s will be a separate building, QuikTrip will be a separate building and we have seen commercial development to the north of that.”

Chairman Mahone asked Scott Shadden “how tall a sign could be and the size.”

Scott Shadden, Director of Developmental Services explained, “the sign is limited to 12’ tall with a 65 square foot face area for each lot planned in the Blalock Commercial Overlay District. The multi-tenant sign such as the one that was approved at Schulman’s Movie Bowl Grille is to have a larger sign for the whole development and not to have larger signs on every lot.”

Chairman Mahone stated, “when you look at Schulman’s sign for instant that is across the highway, it is a pretty tall multi-tenant sign, but it is not nearly this square footage.”

Mr. Shadden explained, “it is 467 square feet, 60 feet tall.”

Chairman Mahone stated, “versus 1,668 square feet. We have some large multi-tenant signs at Sherman Town Center as well, don’t we?”

Mr. Shadden explained, “one of them is 328 square feet, 321 square feet, those are 35 feet tall. There is another one that is 45 foot tall; the largest sign at Town Center is at Town Center and Highway 75, and its 856 square feet, 63 feet tall.”

Commission Member Davis asked when the regulations for signs were put in place; “forty years ago or more recently when this area started being developed.”

Mr. Shadden explained, “that was part of the deal when this became commercial; when the Blalock Commercial Overlay District was established. The variance that was granted for the QuikTrip at the north end of town, the discussion on that was because it was in a low area.”

Chairman Mahone stated, “I remember that; it was on the height of the sign to get it out of that valley, so that you could see it as you are coming down the highway. I can appreciate why you would want the larger sign for the QuikTrip; I cannot really in my own mind make a whole lot sense of why you would need multi-tenants on that sign if they are not your tenants or connected in this in any way. If a QuikTrip is standing on its own, typically what size sign do they have?”

Mr. Pimentel explained, “typically for a highway sign it would be 50-75 feet tall such as the sign in the north end of town, 402 square feet.”

Appearing from the audience:

Andy Olmstead, PO Box 1298, Sherman, TX

Mr. Olmstead explained, “we own the property to the south, the Shell Station. I understand QuikTrip wants this sign, we have about a 50’ tall sign, I think that was the ordinance back then when we put it up, you can’t see it from either direction, the off ramp is way back, you can’t see it from the off ramp. I just request that you abide by the zoning ordinances that are there. You have another gas station across the street that is going in, they are not asking for variances. A multi-tenant sign, that is a single use property; it ought to be treated as that. I am sure that McDonald’s would love to be on your billboard but they are going to want a big sign too, Braum’s as well.”

Mr. Pimentel explained, “I know we do not have all the information of who is going to be there, but the developer will control the whole development.”

Chairman Mahone stated, “I would think if the developer had control over it, he might be presenting this case for a sign for his development.”

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 signage at 3624 South U.S. Highway 75 based on the information that was presented
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 DID NOT CONFORM TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT & VARIANCES

THE REQUEST OF SHERMAN MONTESSORI PRESCHOOL, INC. (OWNERS) AND ALLISON WEST (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 618 WEST BELDEN STREET, BEING LOT 1, BELDEN STREET MONTESSORI SCHOOL ADDITION, A REPLAT OF THE EAST 20' OF LOT 46 WITH A PORTION OF A 15' ALLEY OF THE BIRGES-FAIRVIEW ADDITION FOR A TOTAL OF 0.66 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AMENDMENT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW THE ADDITION OF A 12' X 14' SHADE STRUCTURE AND 8' X 12' ACCESSORY BUILDING FOR BELDEN STREET MONTESSORI PRESCHOOL IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

SUP AMENDMENT –
SHADE STRUCTURE
& ACCESSORY
BUILDING
618 W. BELDEN ST.
(SHERMAN
MONTESSORI
PRESCHOOL, INC.)

Allison West, 2609 W. Biscayne Dr., Sherman, TX

Ms. West appeared to represent the request and answer any questions. The property is located at 618 West Belden Street between Ricketts and Lockhart Streets; Belden Street Montessori School is the tenant. The property is zoned an R-1 (One Family Residential) District with a Specific Use Permit to allow a preschool and kindergarten in an R-1 (One Family Residential) District, August 5, 1985 (Ordinance 3855)

Ms. West explained Sherman Montessori Preschool would like to install a 12' x 14' cedar pavilion and a 10' x 12.5' storage building on the back portion of their lot. “We are in the process of creating a Peace Garden with a nature walk area for the children and installing the pavilion would provide a shaded area for the children to sit and learn about the insects/plants and the great outdoors. The storage building will be made of high-density polyethylene with a natural color scheme. It will be used to house a large stroller, tricycles and other items the children will use for the nature

park. Right now, a lot of our storage stuff is in a neighbor's house, so we would like to move it to our property."

Chairman Mahone asked if the current storage building would be torn down that is on the lot.

Ms. West explained, "the existing building is a wood structure with a metal roof; it needs some repairs, but we plan to keep it and repair it. The only thing is we plan to purchase the building from Sam's Club or Costco and if they do not have it in stock anymore, I was hoping we could find something very similar. She had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone responded, "sure."

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

ACTION TAKEN.

Motion by Commission Member Wood to approve the Specific Use Permit to allow the addition of a 12' X 14' shade structure and 8' x 12' accessory building for Belden Street Montessori Preschool in an R-1 (One Family Residential) District at 618 West Belden Street subject to the Staff Review Letter. Second by Commission Member Sims.

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

VOTING NAY: ELLIOTT

MOTION CARRIED

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

ZONE CHANGE & SITE PLAN

THE REQUEST OF CALADIUM INVESTMENTS, LLC (OWNERS), CALEB DUPUIS (REPRESENTATIVE), CROSS ENGINEERING CONSULTANTS, INC., (CIVIL ENGINEER) AND CBG SURVEYING TEXAS, LLC (SURVEYOR) CONCERNING THE PROPERTY AT 2920 WEST HOUSTON STREET, BEING 1.75 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- **ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.**
- **SITE PLAN APPROVAL FOR A RETAIL STRIP CENTER.**

ZONE CHANGE – R-1 TO C-1

SITE PLAN – RETAIL STRIP CENTER

**2920 W. HOUSTON ST.
(CALADIUM INVESTMENTS, LLC)**

(TABLED)

An email was received from Caleb Dupuis requesting to table the request, August 15, 2019, 2:47 p.m.

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

ACTION TAKEN.

Motion by Commission Member Downtain to table the request at 2920 West Houston Street. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

EXCEPTIONS & SITE PLAN

THE REQUEST OF 1305 S FM 1417, LP (OWNERS), PRESTON TRAIL LAND SURVEYING (SURVEYOR) AND KENT HUGHLETT (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 1305 SOUTH FM 1417 (HERITAGE PARKWAY), BEING ALL OF LOT 1 OF THE BROOKS ON HERITAGE PARKWAY ADDITION, A 2.212 ACRE TRACT AND A 0.109 ACRE TRACT IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CONTAINING 8.749 ACRES, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- AMENDING AN EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (6) TO ALLOW 55% MASONRY AND 45% HARDY BOARD SIDING IN LIEU OF THE REQUIRED MASONRY OR MASONRY VENEER FOR AN ADDITION TO THE BROOKS APARTMENT COMPLEX IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT
- AMENDING AN EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) TO ALLOW AN EXTENSION OF AN 8' WOOD FENCE ON THE SOUTH AND EAST PROPERTY LINES AND A 6' WROUGHT IRON FENCE WITH RED TIPPED PHOTINIAS ON THE NORTH PROPERTY LINE SURROUNDING THE APARTMENT COMPLEX IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ADDITION TO THE BROOKS ON HERITAGE PARKWAY APARTMENTS.

Joe Gilbert 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located at 1305 South FM 1417 (Heritage Parkway), The Brooks on Heritage Parkway Apartments. The property is zoned an R-2 (Multi-Family Residential) District and located in the O-1.1 (FM 1417 Overlay) District.

EXCEPTION – FAÇADE

EXCEPTION – FENCE

SITE PLAN – ADDITION TO THE BROOKS ON HERITAGE PARKWAY APARTMENTS 1305 S. FM 1417 (HERITAGE PARKWAY) (1305 S FM 1417, LP)

Mr. Gilbert explained, “a couple of years ago we got site plan approval for The Brooks on Heritage Parkway Apartment Complex, as well as the exceptions we are asking for tonight. The apartment complex is a total of 148 apartment homes; it has been very successful, it is now full, I think there are five vacant apartment homes.”

“We have an additional 2.3 acres in the rear of the property that is zoned R-2 (Multi-family Residential) District and we would like to get permission to build Phase Two which will consist of three, two-story, sixteen-unit apartment buildings for a total of forty-eight units. The exterior of the buildings will match the existing buildings on the lot, brick and hardy board siding. Ninety-six parking spaces will be added. A privacy fence will be erected where it adjoins residential, the north of the property where it adjoins vacant commercial land will have a wrought iron fence with live screening. 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 exceptions or site plan.

A letter was received from:

Debra Jackson, 3723 Brookstone Dr., Sherman, TX

“My concern about these exceptions has to do with what a fire hazard this is to be. Please address this – not even a fire wall, very unsafe.”

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exceptions to allow 55% masonry and 45% hardy board siding in lieu of the required masonry or masonry veneer for an addition to The Brooks Apartment Complex and an extension of an 8’ wood fence on the south and east property lines and a 6’ wrought iron fence with red tipped Photinias on the north property line surrounding the apartment complex in lieu of the required masonry perimeter wall in an R-2 (Multi-family Residential) District/O-1.1 (FM 1417 Overlay) District at 1305 South FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Manley to approve the site plan for an addition to The Brooks on Heritage Parkway Apartment Complex in an R-2 (Multi-family Residential) District/O-1.1 (FM 1417

PLANNING & ZONING COMMISSION MINUTES – AUGUST 20, 2019

Overlay) District at 1305 South FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Vice-Chairman Member Elliott.

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

VOTING NAY: NONE

MOTION CARRIED

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:43 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY