

STATE OF TEXAS

§

December 17, 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 December 17, 2019.

MEMBERS PRESENT: CHAIRMAN MAHONE,  
COMMISSION MEMBERS: DOWNTAIN, SIMS  
ALTERNATES: VANDERVEER, BETHEL AND  
TANKERSLEY

MEMBERS ABSENT: ELLIOTT, DAVIS, WOOD AND MANLEY

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:02 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the November 19, 2019 regular meeting. Motion by Commission Member Downtain to approve the Minutes as written. Second by Commission Member Vanderveer. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, DOWNTAIN, SIMS, VANDERVEER AND BETHEL.

BOARD OF  
ADJUSTMENTS

CONSENT AGENDA (ITEMS 7, 10 & 15)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission Member Vanderveer moved to approve the Consent Agenda as presented subject to the Staff Review Letters. Second by Commission Member Sims. All present voted AYE.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF YOUNG ENTERPRISES, LP (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 4800-4900 BLOCKS OF KNOLLWOOD ROAD, BEING A PART OF THE JAMES H. CLARK SURVEY, ABSTRACT NO. 275, AND BEING A PART OF LOT 1, BLOCK 2, REPLAT OF BLOCKS 2-9, NORTH CREEK ADDITION, SECTION ONE AND ALL OF

REPLAT CYPRESS  
LOFTS ADDITION, A  
REPLAT OF A PART  
OF LOT 1, BLK. 2,  
REPLAT OF BLOCKS  
2-9, NORTH CREEK  
ADDITION, SECTION  
1 AND ALL OF BLK. 1  
OF THE REPLAT OF

**BLOCK NO. 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION ONE, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**REPLAT APPROVAL OF CYPRESS LOFTS ADDITION, BEING A REPLAT OF A PART OF LOT ONE, BLOCK 2, REPLAT OF BLOCKS 2-9, NORTH CREEK ADDITION, SECTION ONE AND ALL OF BLOCK NO. 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION ONE AS PER PLAT OF RECORD IN (VOLUME 8, PAGE 121, O. P.R.G.C.T.)**

**NORTH CREEK  
ADDITION, SECTION  
1  
4800-4900 BLKS.  
KNOLLWOOD RD.  
(YOUNG  
ENTERPRISES, LP)**

The property is located in the 4800-4900 blocks of Knollwood Road (formally Sherman Oaks Drive); the southeast corner of Hilre Drive and Knollwood Road. The property was zoned a C-1 (Retail Business) District, February 16, 1987 (Ordinance No. 4014). The owner would like to replat the property into one lot for development of an apartment complex. 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 GARY WATSON (OWNER), SSCP MANAGEMENT, INC. (REPRESENTATIVE), GREG GUERIN, EAST STAR DESIGN (ARCHITECT) EAGLE SURVEYING, LLC (SURVEYOR) AND THOMAS SITE DEVELOPMENT ENGINEERING, INC. (CIVIL ENGINEER) CONCERNING THE PROPERTY AT 3301 NORTH U.S. HIGHWAY 75, BEING LOT 4, BLOCK 1, SHERMAN SHOPPING CENTER, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**SITE PLAN APPROVAL FOR APPLEBEE’S RESTAURANT**

**SITE PLAN –  
APPLEBEE’S  
RESTAURANT  
3301 NORTH U.S.  
HIGHWAY 75  
(GARY WATSON)**

The property is located at 3301 North U.S. Highway 75 between U.S. Highway 82 and Pecan Grove Road; formerly Catfish King. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82) Overlay District. Applebee's Restaurant would like to construct a 5,142 square foot restaurant with 189 seats. The exterior of the building will be brick, stone, stucco and fiber cement board siding. 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 BRYAN AND MARGARET GRAHAM (OWNERS), JOE GILBERT (PROSPECTIVE BUYER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2300-2400 BLOCKS NORTH HICKORY STREET AND 229 WEST PELTON STREET, BEING ALL OF LOTS 1, 2 AND 3 OF GRAHAM ADDITION, AS FOLLOWS:**

***PLANNING AND ZONING COMMISSION***

**REPLAT APPROVAL OF GRAHAM ADDITION, LOTS 1R-7R**

**REPLAT GRAHAM  
ADDITION, LOTS 1R-  
7R  
2300-2400 BLKS. N.  
HICKORY ST. & 229  
W. PELTON ST.  
(BRYAN &  
MARGARET  
GRAHAM)**

The property is located in the 2300-2400 blocks of North Hickory Street and 229 West Pelton Street; the northeast corner of Hickory and Pelton Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to replat the property into seven (7) lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

**ZONE CHANGE, CONCEPTUAL SITE PLAN & EXCEPTION**  
THE REQUEST OF GARY MATTHEWS (OWNER) AND CHRIS BIGGERS, DUNAWAY ASSOCIATES (REPRESENTATIVE/CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2100 EAST LAMAR STREET, BEING 12.995 ACRES IN THE G B PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS;

**ZONE CHANGE – R-1 & C-1 TO R-2  
2100 EAST LAMAR STREET  
(GARY MATTHEWS)**

**(DENIED)**

***PLANNING AND ZONING COMMISSION***  
ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND C-1 (RETAIL BUSINESS) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

***BOARD OF ADJUSTMENTS***  
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3 SUBSECTION (4) TO ALLOW 627 PARKING SPACES IN LIEU OF THE REQUIRED 784 FOR A 300-UNIT MULTI-FAMILY DEVELOPMENT IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

**Chris Biggers, Dunaway Associates, 550 Bailey Avenue, #400, Ft. Worth, TX and Jake Brown, LDG Development, 1305 E. 6<sup>th</sup> St., Austin, TX**

Mr. Biggers and Mr. Brown appeared to represent the request and answer any questions. The property is located at 2100 East Lamar Street between Colbert Street and Bethany Road; the vacant property west of Goodwill Industries and across from the Sherman High School. The property is zoned an R-1 (One Family Residential) District and C-1 (Retail Business) District.

Mr. Biggers explained “the owner would like to rezone the property to an R-2 (Multi-Family Residential) District to construct a twelve (12) building, 300-unit apartment complex. There will be 36 - 4 bedrooms units; 96 - 3 bedroom units; 120 - 2 bedroom units and 48 - 1 bedroom units; 300 total units with 720 total bedrooms. The exterior finish on the buildings will be stone and hardy board siding. They are also requesting an exception to allow 627 parking spaces in lieu of the required 784.”

“We feel it is a good location considering the proximity of the high school and the elementary school to the southwest. On the parking variance, it is similar to what we have seen successful in other communities as far as the requirements.

What we have seen in Sherman that is different in other cities is the minimum two parking spaces per unit, so even for a single bedroom unit, you are required to have two parking spaces, which from our experience that is typically not required. Typically a one bedroom unit has a single car and one car space per bedroom and a four bedroom apartment has four parking spaces is very atypical for a four bedroom unit to have four users in each apartment; those are typically for more family units, parents and two kids. That is our reasoning for the request for the parking exception.”

Chairman Mahone asked Mr. Biggers to orientate where the main street and entrance would be located.

Mr. Biggers explained, “it is the southeast corner of Colbert and Lamar Streets. The main entrance will be off East Lamar Street. It will be a gated community.”

Chairman Mahone asked about water runoff.

Mr. Biggers explained, “we have not done the detailed drainage analysis as of yet; pending approval of rezoning. We have looked at an initial high-level study that is required by City codes. We would elevate that to make sure there are no downstream impacts, increased runoffs as it is required. We will provide a report to the City Engineering Department as the project proceeds forward after approval and prior to construction. We are looking at some underground detention areas to keep some of the green space open, but it has not been fully designed yet. Underground detention looks like storm drainpipe below the ground; it has manholes on the surface for access for maintenance and cleaning. You really cannot tell from the surface; it really just looks like large underground storm pipes.”

Commission Member Vanderveer asked if it just percolates into the ground at that point.

Mr. Biggers explained, “typically it is designed where it falls to the drainage. They do have systems that perk into the ground but around here and largely in Texas soils it doesn’t perk very well, so that is usually not the approach around here.”

Commission Member Vanderveer asked about the exception for the 632 parking spaces. “You want to enter and exit 632 cars through two gates onto East Lamar Street.”

Mr. Biggers responded, “that is correct.”

Commission Member Vanderveer explained, “in the middle of your drawing, there is a dumpster enclosure at a ninety-degree angle to the thoroughfare. Can our trash trucks turn a ninety degree that sharp; my concern is if that does not work, they will angle the dumpster a little bit and it takes

away another parking space. I have watched the dumpster trucks how they have to maneuver very carefully.”

Mr. Biggers explained, “they have done this at other locations and they can maneuver or there is space to rotate the dumpster forty-five degrees counter clock wise without taking out parking. We have looked at trying to add parking to this site; there are spaces where we could add some at the expense of green space, but we would like to maximize the green space for children to play as well as aesthetics.”

Chairman Mahone asked Clint Philpott if the turning radius of a trash truck something that the City of Sherman Engineering Department takes into account.

Clint Philpott, Director of Engineering explained “typically, when we get the site plan before they go into construction, we send it over to solid waste to get them to verify the location of the dumpster.”

Commission Member Vanderveer asked about single bedrooms, we require two parking spaces for single bedrooms, “you said you do not typically see that; you do not have couples living in a single bedroom unit.”

Mr. Biggers explained, “correct, from our experience. In a one bedroom, you could have a case where you have two cars, so it does exist, but the four bedroom with four cars that is very atypical in this type of development; if you are close to a college campus or something like that makes a lot more sense.”

Commission Member Vanderveer explained, “this is pretty close to a college.”

Mr. Biggers explained, “that is correct but I do not know that college would be a heavy user at this facility.”

Commission Member Vanderveer asked, “who would be.”

Mr. Biggers explained, “largely families.”

Chairman Mahone stated, “with 300 units and 300 bathrooms and kitchens, what kind of analysis have you done on the water or sewer capabilities for that area.”

Mr. Biggers responded, “we have not done detailed analysis yet, we do know there is a possibility some extensions we will have or upgrades that will be needed.”

Mr. Philpott explained, “before construction, they would have to verify the capacity and the system can handle their flows; any upgrade would need full engineering design drawings before construction.”

Commission Member Vanderveer asked if they had done any traffic analysis; “there is a current high school, soon to be middle school and a lot of traffic related to that. If you are exiting and you look to the east, the hill climbs right there and as you leave the high school you are looking hard at the east because not everyone slows down to the speed limit immediately; have you considered that at all, the number of cars versus the speed.”

Mr. Biggers responded, “we have, but we have not done a detailed traffic impact analysis yet.”

Chairman Mahone explained, “there is a neighborhood of single-family homes to the south of this development. It does not look like there is any entrance or exit from your property into that neighborhood. Will there be a fence between the two.”

Mr. Biggers responded, “that is correct. There would be screening between the developments, a minimum six-foot screen wall will be provided; in other developments we have done a wrought iron fence with landscaping, a soft buffer as opposed to a hard wall.”

Commission Member Vanderveer asked about the entrance and exit, “is that to save your developable space and parking space; is that why there are only two there.”

Mr. Biggers explained, “that is very typical for this kind of development; we typically like to contain the traffic. We are referring to it as two entrances and exits, but the northern one at this point would only be for emergency exits. It will be an exit and emergency entrance. The one to the south is entry and exit.”

Commission Member Vanderveer asked if they had any contract with the neighbors in the area.

Mr. Biggers responded, “no they have not. We were going back and forth whether to reach out to them and decided to wait until we had this meeting.”

Chairman Mahone asked Mr. Philpott if there were any plans for Lamar Street in this vicinity.

Mr. Philpott explained, “there are no plans at this time.”

Chairman Mahone asked if this project would still be feasible if it were smaller, so that the number of buildings and units would comply with the parking.

Mr. Biggers explained, “the developer could speak more to this but I would say the answer is no, it would not.”

Jake Brown, LDG Development, 1305 E. 6<sup>th</sup> St., Austin, TX

Mr. Brown explained “to answer your question, the answer is no, it is not feasible. One of the reasons we have looked so hard at requesting the parking variance, we have done our research and gone back and looked at different developments we have done around the State and the Metroplex. Typically on average, it is about two parking spaces per unit regardless of the bed situation. Three hundred units is really the sweet spot for both market demand, we have seen and done as well as our third party market analysis as far as something that is achievable, three hundred units is the sweet spot that makes it financially feasible. Unfortunately, money is a driver for everything we do in life, so three hundred is where it makes it feasible for us. If we drop a building, I think it goes down to something like 274 units, which doesn’t seem like quite a fall from 300, but that is a make or break kind of situation.”

“We are not trying to come in here and buck the rules or anything like that, obviously we are requesting a variance but it is not that we don’t want to abide by it. I think the main thing we are trying to do is since this project is geared towards families and families have kids, we want to provide a development that has green space for kids to run around and play and not worry about skinning their knee and run around on concrete. I understand the code is there for a reason, I understand you may have had issues in the past by not having enough parking. I want to assure you we have done our homework. In the past, we have requested several variances on our developments, not here, but just know we do take that into consideration when we are proposing parking reduction that would not work. I think more than anything, we are really trying to make this project the best product that we can and trying to incorporate as much green space as possible.”

“I know multi-family a lot of times gets a bad reputation, but just understand we are a high-class developer with a high reputation across the nation. In Texas, we have done over 6,000 units in the State; we have a wonderful relationship with various cities and municipalities across the State. Here in Sherman, we have Steeple Chase Apartments, which is already in existence, all the way down to Houston and San Antonio. I know you guys are experiencing some growth, you have a strong manufacturing job base, I have tons of statistics of how you need the housing. We are trying to provide housing for a community that desperately needs it.”

Appearing from the audience:

Mary Hendrickson, 604 Patricia, Sherman, TX

Mrs. Hendrickson explained she started the petition. “My neighbors were very concerned when they got their letters and to let everyone else know that did not get letters of what is going on, since the cut off is two hundred feet. A lot of the concerns have been addressed already tonight, like the runoff, the school being there. It sounds like they are just

waiting for you to say ok, you know you are going to approve this but they do not have anything planned out. I think the sewer is a major concern. I think it is going to cost the City quite a bit of money to get the area ready, because our area already has a lot of problems; we were built in the “60’s and it is hard for us to maintain sometimes. Those additional units, I think there is going to be problems. The other concern of mine is the property values; I do not know how that is all affected when there is an apartment building in the area but we are all concerned about that. A lot of us have those areas for investments for retiring; we have plans to keep them as rent homes. I have land that adjoins this property, I was going to develop it, but I do not know that I am going to do that if this is going to happen.”

Chairman Mahone explained, “this a conceptual site plan, which essentially gives them the go ahead to start working with City Engineering and other departments for development of the project. I would like to ask about your petition, have you counted how many names are on this petition.”

Mrs. Hendrickson explained, “almost two hundred; not all of them are within two hundred feet of the property, which would be close to 75-100 people in that area. My grandson started it online, so there are some people that just sign petitions. I did check out with the City that they would take any signature. I would say half of the signatures are in the area.”

Chairman Mahone explained, “I see a printed petition and also a hand written petition, so I am assuming the hand written signatures are in the neighborhood.”

Mrs. Hendrickson responded, “yes, and since it did air last night on the news, there have been quite a few people stop by my home today.”

Donna Burk, 516 Patricia, Sherman, TX

Mrs. Burk wanted to thank the board for all the questions, because that really helps a lot. “I purchased my home twenty-four years ago because it was a quiet, secure neighborhood. I have done quite a bit of work on my home preparing for retirement. Many of my neighbors have owned their homes for over forty years and their kids have bought homes in the area as well because it is a good area. On our street, we have several rental homes and they take pride in the homes, but a multi-family home does not take the same pride in a home. I feel starter homes in that area would be much better, young families coming in starter homes, the school is right there. I do not quite understand the parking because a house right next door to me has a mother, father and teenage son and young daughter, they have three vehicles. We have young drivers now that can get their licenses young. You are going to tell me that a multi-family unit is not going to have a teenager that will get their permit



and have another vehicle. It does not seem right that one parking space even two would be appropriate. The traffic, I do not know if any of you have gone by Crutchfield School at 3 p.m., Highway 11 is backed up; I have a hard time getting home from work because of the parents lining up. So now, you are going to have a middle school there and the congestion, you pointed out very good about the traffic coming over there. It just does not seem very feasible.”

Doug Keller, 515 Hillside, Sherman, TX

“One thing they were talking about was the water flow, if you go to our house, which is the last house and then you have the field that starts, if you have a rainfall of over a ½ inch, it is like a river coming down Hillside and that is with no concrete or asphalt. You are going to put all this parking lot and all this housing addition, water is going to come down more. If I understand an underground detention, the water goes down one of these underground sewage areas and at a later time it is released into the regular sewage lines of the neighborhood because it flows that way. The neighborhood is over sixty years old; there has not been any major work to the sewage system in the neighborhood. Every winter there is at least five to ten water main breaks in that addition. As far as the cars in the parking lot, the residential neighborhood, there is an average of three cars per house; some as much as five, so to say there is going to be two maybe or one per house, that is wrong. It seems if they are not approved for the reduced parking spots then that is not a project that they want to do. Are you willing to set a precedence for developers to go against the code because they say they got a study and it will work with reduced parking?”

Betty Jones, 519 Patricia, Sherman, TX

Ms. Jones explained she has lived at her location for forty-five years. “My biggest concern is the traffic on Lamar Street. When the high school is getting out, there is one turn lane and people go both ways on it not knowing which way they can go; it is horrible, that is now. We do not have that many kids running loose on that street as we are going to have when it is a middle school. When there is a middle school, they are all going to be running loose, out there on Lamar Street, trying to get across it. Right now, you cannot get across that street. When it is a middle school, there will be twice as many little kids trying to get out there and it is going to be a mad house. They will have to do something to that road if they expect them to do that. I have been out there on that road and I try not to get up there when the school is letting out or coming in, but it is just a mad house up there and it is going to be ten times worse with littler kids.”

Stacey Melton, 2029 E. Cherry, Sherman, TX

Ms. Melton explained she has heard rumors they are going to open up all the dead-end streets that run to this property. “I am concerned with the entrance off Lamar Street that

might be an answer to the problem and I hope that is not the case.”

Chairman Mahone explained, “the conceptual site plan does not show that, if they change that, it would have to be approved through the City as well.”

Peter Tracey, 705 Valentine, Sherman, TX

Mr. Tracey explained he has brought up on numerous occasions that this City thrives on open storm drains and these people are bringing additional drainage and that is going to dump more into these open storm drains. “It has already had approval that we are expanding the airport in that same area on Highway 11, so that is going to be who knows what coming from the airport. One of the questions that was raised by some was whether jet aircraft are going to be coming into that airport and the answer is going to be yes, because they are improving it to add additional services for jet aircraft and the current runway is adequate to accommodate a small jet aircraft. The drainage, I have always brought up in other cities that I have lived in, it has always been subterranean, and it was brought up that is more expensive, to me that is an upfront cost and reduced long-term cost; those are the things that have to be kept in mind along with utilities.”

Mr. Brown explained, “LDG would be responsible for the utility upgrades; there will not be any type of financial burden on the City. As far as the property value decreased, any time there is multi-family coming in folks are concerned about the property values and I totally understand and respect that. More often than not, we do studies and almost every single time they actually go up. I think it is really important for everyone to understand since this property that we are proposing is a tax credit program that utilizes the tax credit program that is enforced by the Texas Department of Housing Community Affairs, they are the administer of that program and they have very stringent requirements, not only for the development but also the prospective tenants that we can allow at this development. Full time jobs are one of he requirements, all tenants are subject to a background check, they have to have apartment references, no felons, no criminals; we are talking about very strict requirements. We have to abide by these rules or lose our tax credits for funding; we are very thorough in that, we take that very seriously.”

“The comment about starter homes, I think starter homes would be a great addition to the area; the problem is not everyone can afford a starter home. Our project acts as a transitional form of housing, you get folks from the lower income, they get a little more money in their pocket and then transition to where they can purchase a home. Our development is proposed to be income restricted development, that means you have a full time job and you have to have at or below a certain income requirement. What

comes with that is lower income families that are not going to have multiple cars, certainly there will be situations where they will have two cars. College students can lease this unit but they will have to have a full time job; that is a non-negotiable situation and not many college students work a full time job. I hear the concerns about traffic; I want this to be the safest development for the residents and the community. If this is approved, we will look into the traffic issues and sit down with City Staff to address those issues.”

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

Letters were received from:

Donna Burk, 516 Patricia, Sherman, TX

“I am adamantly opposed to this repeated request of Gary Matthews and Chris Biggers, just as much as I was the last time they attempted this proposal. This neighborhood of single-family residents, some for as long a 25-45 plus years, want to keep our neighborhood as single-family dwellings. As I stated in the past, Goodwill Industries does not need possible harassment that could arise from a multiple family complex. Even more importantly, the coming middle school and the existing Crutchfield Elementary School would be at much risk if this proposition becomes a reality. Things like this are turning the east side of Sherman into a very degraded area. If Mr. Matthews wants to make money, why not improve the area by building nice single-family homes like in Oak Creek Estates or starter homes or build apartments along Highway 75, not in a residential area and near schools. Thank you for hearing very concerned citizens on this matter.”

Elizabeth Pounds, 520 Hillside Dr., Sherman, TX

“I cannot attend the meeting but wanted to share my views on the property.”

“Lamar Street, at this property is already a highly trafficked area in the mornings for school drop off and work schedules without adding 300 more families and possibly 600+ more vehicles to the area.”

“There are many student pedestrians attempting to walk and cross Lamar Street at this property. There is also a slight hill to the east, which makes blind spots to oncoming cars, pedestrians, and traffic turning at this location. During the week, this area is already unorganized and stressful for commuters.”

“Lamar Street would need to be widened for turn lanes, shoulder area and sidewalks put in before the apartments could even be built to allow traffic to flow in the area. Is widening Lamar Street and adding sidewalks up and down Lamar Street in your provisions for this property zoning change?”

“The line of traffic at the light at East Lamar Street and South Andrews Avenue would back up to prevent traffic to even proceed through the area at all in the mornings.”

“One aspect I think is being overlooked is the effect of the parking available. For a 300 unit building, there needs to be at least 600 parking spots just for residents alone. With only 627 parking spaces, there will not be enough space for the guest to park. Those guest will overflow into the nearby, narrow streets. This is unacceptable to me as a nearby resident.”

“I am a single mother who recently moved to Sherman and bought my first home ever with my young son right next to this property. I loved this house because it was on a quiet, dead-end street with NO traffic and no cars parked on the sides of the street. As a single mother, quiet and safety are very important to me and my son. This apartment would ruin what I value most about my home. I have lived in apartments for years, they are very useful, but location is key. I finally saved up enough money to purchase my first home to get out of the apartment life cycle and now this individual wants to build one right next to my home? No thank you, please!”

A petition was received opposing the zone change from:  
Mary Hendrickson, 604 Patricia, Sherman, TX

“I want to add this explanation to the petition I submitted earlier concerning the zoning change at the property 2100 E. Lamar Street.”

“I want to explain why I am protesting this zoning change. Besides just wanting single residence homes verses an apartment complex consisting of 300 units, I do not believe this area will or can support a complex of this size at this time without many costly and extensive improvements to the area first. There is the water and sewer capabilities. We on this side of town already suffer from failing systems, just because of the age of our homes. Most were built in the 60's and some still have the original systems from house to curb. Many of us have incurred the expense of replacing the old pipes because of collapse or roots growing through, I have witnessed the City working extensively and repeatedly on our streets, and individual connects to the main. If we add 300 units, some of those 4-bedroom units with how many bathrooms kitchens additions to an already failing older system, I am not sure of the outcome. Single-family units or a business would indicate a gradual change to our system. Either way this brings up planning and cost for the City in this area.”

“Then is my concern of water runoff. With a complex of this size, I am sure there will be quite a bit of concrete and with that concrete there will be runoff. I am sure there are codes to be followed in the construction but our area already suffers from yards flooding with rains just because of the

different levels of landscaping, again because of the age of our neighborhoods. With the addition of this amount of concrete for parking and such where will, all of this run-off goes to our yards? Would there be retaining pools involved? Lots of questions and concerns on this issue. Single-family homes would involve far less runoff issues.”

“The next concern is the proximity to the now High School soon to be Middle School? Many students walk to and from school and sidewalks are sketchy or non-existent now, plus the traffic issues that already exist on Highway 56, there will be additional traffic with the comings and goings of residents of the complex. These are safety issues the children will have to deal with more changes the City will need to address. I cannot think of many apartments, if any in Sherman that are directly across from a school plus a major highway thrown in the mix.”

“Lastly and probably a more personal reason is the effect rezoning from single family residential and business will have on the property values. I own three homes on the 600 block of Patricia. These homes are an investment in my future. Many of the people on the block have lived here 30, 40 or more years. Many of us are hoping property values will continue with the current increase, giving us options in our retirement years. I believe an apartment complex will bring our values down for many reasons. Some of these reasons may not be politically correct, but I believe are valid points. 1) Yes, at first, from the perspective shown, this will be a beautiful complex but give it 5 years and I am not so sure. Will there be codes enforced to maintain this beauty? Can you guarantee future maintenance will be kept up, that the cliental will take pride in the appearance of the property as a single- family residence would as the residence of our area do now? 2) And let us be honest, can you control the human nature factor? When that many people, 300 units are thrown together not everyone gets along. There will be more disturbances possible criminal activity that will spread out into the nearby neighborhoods. We seem to go through spurts of vandalism and theft in our area off and on now since we are on the outskirts of the City, with no thru traffic on many of the blocks connected with this rezoning sort of growing pains trials of the youth. So, all these concerns and factors I believe will affect my property value. The increase in our values recently is a positive for me and I would like to see that continue not stop or turn the other direction.”

“I just believe single-family residents or a business would take more pride in their property will maintain it and keep its value increasing as an investment. We have a reason to maintain it; can you say the same for people who are renting one unit in a 300-unit complex? I believe there are better locations for an apartment complex. I understand the landowner wanting to sell his property and this proposal and rezoning would be great for him, I just do not agree with

him. Surely with all the new construction and growth in Sherman there are developers wanting to build a great new addition, a new single- family neighborhood. An area that would bring growth and give other people a chance to own a home invest in our neighborhood. Thank you for your consideration.”

Commission Members were concerned with the traffic issues around the high school and the proximity of the entrance of the apartment complex.

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to deny the request for the zone change from an R-1 (One Family Residential) District and C-1 (Retail Business) District to an R-2 (Multi-family Residential) District and conceptual site plan located at 2100 East Lamar Street based on the concerns raised tonight and the community feedback. Second by Commission Member Tankersley.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL, TANKERSLEY AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED

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

**EXCEPTION , SPECIFIC USE PERMIT & SITE PLAN**

THE REQUEST OF 6M HOLDINGS, LTD (OWNERS), SUNBELT RENTALS, INC. (TENANT), DUSTIN TIPPETTS (REPRESENTATIVE), UPI BUILDERS (CONTRACTORS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 910 SOUTH SAM RAYBURN FREEWAY, BEING 9.27 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

***EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.2, SUBSECTION (7)(C) TO ALLOW A CHAIN LINK FENCE IN LIEU OF THE PERMITTED WOOD, STONE, BRICK OR CONCRETE BLOCK IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.***

***PLANNING AND ZONING COMMISSION***

***SPECIFIC USE PERMIT AMENDMENT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW HEAVY EQUIPMENT SALES AND RENTALS WITH A WASH BAY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.***

**EXCEPTION – SCREENING**

**SUP AMENDMENT– HEAVY EQUIPMENT SALES & RENTALS**

**SITE PLAN – WASH BAY**

**910 SOUTH SAM RAYBURN FREEWAY (6 M HOLDINGS, LTD)**

**(TABLED)**

**No one was present to represent the request.**

The property is located at 910 South Sam Rayburn Freeway between Center Street and Gateway Drive; Sunbelt Rentals is the tenant. The property is zoned an R-1 (One Family

Residential) District and C-2 (General Commercial) District. A Specific Use Permit to allow heavy equipment sales for Grayson County Equipment in a C-2 (General Commercial) District was approved July 21, 1997 by Ordinance No. 4626.

Sunbelt Rentals recently purchased the property at 910 South Sam Rayburn Freeway. There is an existing 5,200 square foot showroom and retail building for the heavy equipment sales and rentals and they would like to construct a 20' x 40' wash bay to clean the heavy equipment. They would also like to erect a chain link fence to protect the building and heavy equipment.

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

A letter was received from:

SSCGC Holdings, LLC, 4 Timber Creek, Sherman, TX

"I am writing on behalf of SSCGC Holdings, LLC, the owner of Stone Creek Golf Club and the adjacent property to oppose the requested variance of a chain link fence in the Sam Rayburn Overlay District. SSCGC has a sizable investment along Highway 75. This variance will undermine the efforts to upgrade and bring high-quality development to the "Gateway of Sherman".

"This property is in plain sight of the highway. SSCGC Holdings, the City of Sherman, TXDOT and other parties have made, and will continue to make, significant investments in this corridor. SSCGC Holdings believe that all future development should comply with the current standards in the overlay district, which does not allow chain link fencing. Furthermore, the equipment should be stored in the "down" position."

**ACTION TAKEN.**

Motion by Commission Member Sims to table the request for the exception to allow a chain link fence as screening device in a C-2 (General Commercial) District/O-1.2 (Sam Rayburn Overlay) District at 910 South Sam Rayburn Freeway. Second by Commission Member Downtain.

**VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL, TANKERSLEY AND VANDERVEER**

**VOTING NAY: NONE**

**MOTION CARRIED**

**THE REQUEST WAS TABLED.**

**EXCEPTION**

**THE REQUEST OF NIMRAT JOHAL AND JASPREET GILL (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 2222 SOUTHRIDGE LANE, BEING LOT 15, BLOCK C, AMENDING**

**EXCEPTION – FENCE  
2222 SOUTHRIDGE  
LN.  
(NIMRAT JOHAL &  
JASPREET GILL)**

FINAL PLAT OF PEBBLEBROOK SOUTH, PHASE II, AS FOLLOWS;

**BOARD OF ADJUSTMENTS**

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H)(2) TO ALLOW A 6' PRIVACY FENCE, 1' FROM THE SIDE STREET PROPERTY LINE IN LIEU OF THE PERMITTED 4' IN HEIGHT EXTENDING CLOSER THAN 25' TO A FRONT LINE STREET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**Nimrat Johal, 7321 Hickorywood Lane, Pleasanton, CA**

Ms. Johal appeared to represent the request and answer any questions. The property is located at 2222 Southridge Lane; the northeast corner of Southridge Lane and Ballam Street. The property is zoned an R-1 (One Family Residential) District.

Ms. Nimrat explained she is the co-owner of the property and they would like to erect a six-foot privacy fence, one foot from the Ballam Street property line. "There are other properties in the subdivision on corner lots that have 6' fences on the property line and we would like to do the same. We buy single-family homes in Sherman for rental property and we hear from tenants that it is unsafe for them if they have animals and children on the corner lot without a fence; this is for safety, privacy and security." They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer asked if the fence would obstruct traffic view from Southridge Lane.

Ms. Johal explained, "the fence would not obstruct the view of traffic; the fence will angle into the existing fence."

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

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the request for an exception to allow a 6' privacy fence, 1' from the side street property line in lieu of the permitted 4' in height extending closer than 25' to a front line street in an R-1 (One Family Residential) District at 2222 Southridge Lane subject to the Staff Review Letter. Second by Commission Member Sims.

**VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL AND VANDERVEER**

**VOTING NAY: NONE**

**MOTION CARRIED**

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



**EXCEPTION**

THE REQUEST OF LIONEL J RICHARDSON, TRUSTEE RICHARDSON FAMILY 2016 IRREVOCABLE TRUST (OWNERS), MONIQUE A WILSON (REPRESENTATIVE) AND SARTIN & ASSOCIATES (SURVEYOR) CONCERNING THE PROPERTY AT 1000-1002 NORTH BRENTS AVENUE, BEING LOT 6, BLOCK 1, COLLING ADDITION, SECTION 2, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (4) TO ALLOW AN EXISTING DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION –  
EXISTING DUPLEX  
1000-1002 N.  
BRENTS AVE.  
(LIONEL J  
RICHARDSON,  
TRUSTEE  
RICHARDSON  
FAMILY 2016  
IRREVOCABLE  
TRUST)

**Monique A. Wilson, 3032 Seabrook Dr., Little Elm, TX**

Ms. Wilson appeared to represent the request and answer any questions. The property is located at 1000 and 1002 North Brents Avenue between East College and East Richards Streets. The property is zoned an R-1 (One Family Residential) District.

**Timeline:**

February 22, 2005, Building permit application received to construct a duplex.

February 22, 2005 - Building permit approved and issued.

July 13, 2005 - Certificate of Occupancy Permit for the duplex approved.

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

Ms. Wilson explained, I am the listing agent for the 1000-1002 North Brents Avenue. The owners want to sell the property at 1000-1002 North Brents and to get in compliance with current zoning regulations; they are requesting an exception to allow a duplex in an R-1 (One Family Residential) District. Most of the block has duplexes on the lots so I assume at one time they were allowed.” 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 exception.

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the request for an exception to allow an existing duplex in an R-1 (One Family Residential) District at 1000-1002 North Brents Avenue subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL AND VANDERVEER

VOTING NAY: NONE

MOTION CARRIED

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

**EXCEPTION & FINAL PLAT**

THE REQUEST OF SGU JOINT VENTURE, LLC (OWNERS), DAVID BACA (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1401 AND 1405 WEST MOORE STREET, BEING 0.738 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 50' LOT WIDTH ON LOT 2 OF THE PROPOSED HOLLY MOORE ADDITION IN LIEU OF THE REQUIRED 60' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

***PLANNING AND ZONING COMMISSION***

FINAL PLAT APPROVAL OF HOLLY MOORE ADDITION

EXCEPTION – LOT WIDTH

FINAL PLAT – HOLLY MOORE ADDITION  
1401 & 1405 W. MOORE ST.  
(SGU JOINT VENTURE, LLC)

**David Baca, 100 N. Travis St., Ste. 500, Sherman, TX**

Mr. Baca appeared to represent the request and answer any questions. The property is located at 1401 and 1405 West Moore Street, the northwest corner of Holly Avenue and West Moore Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Baca explained they would like to plat the property into two lots. "There are two existing homes at the corner of Holly and Moore Streets. The reason for the 50' wide lot in lieu of the 60' on Lot 2 of the proposed Holly Moore Addition is the house currently has a drive that comes onto Moore Street; that is the front of the house, however there is only 12' with the new property line, so we spoke to the Engineering Department and they suggested we add frontage on Holly Street so it becomes a panhandle lot. There are also two out buildings and we had to make sure we had the correct setbacks for the out buildings." 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 exception or Final Plat.

***Board of Adjustments***

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the request for the exception to allow a 50' lot width on Lot 2 of the proposed Holly Moore Addition in lieu of the required 60' in an R-1 (One Family Residential) District at 1401 & 1405 West Moore Street. Second by Commission Member Bethel.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL AND VANDERVEER

VOTING NAY: NONE

**MOTION CARRIED**

*Planning & Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the Final Plat of Holly Moore Addition located at 1401 and 1405 West Moore Street subject to the Staff Review Letter. Second by Commission Member Vanderveer.

**VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL, TANKERSLEY AND VANDERVEER**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**VARIANCE**

**THE REQUEST OF DAVE A. & MELINDA REED (OWNERS), DOYAL REED (TENANT) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1515 EAST NALL STREET, BEING LOT 1, BLOCK C, REPLAT OF BLOCKS B & C, HIGHLAND PARK SECOND ADDITION, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 6' SIDE YARD SETBACK FOR AN ATTACHED CARPORT/GARAGE/SHOP IN LIEU OF THE REQUIRED 10' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.**

**VARIANCE - SIDE SETBACK FOR CARPORT/GARAGE 1515 E. NALL ST. (DAVE & MELINDA REED)**

**Dave Reed, 1623 E. Herron, Denison, Sherman, TX**

**Mr. Reed appeared to represent the request and answer any questions. The property is located at 1515 East Nall Street between Texoma Parkway and Loy Street. The property is zoned an R-1 (One Family Residential) District.**

**Mr. Reed explained, "I would like to replace a deteriorated carport/garage/shop in the same location; 6' from the west property line. The structure will be 20'x60' attached to the main structure by a breezeway. We were approved for an encroachment easement from the City Council. My parents live in the house. We will replace the driveway with a concrete slab for the carport/garage/shop." 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.**

**ACTION TAKEN.**

**Motion by Commission Member Vanderveer to approve the request for an exception to allow a 6' side yard setback for an attached carport/garage/shop in lieu of the required 10' in an**

R-1 (One Family Residential) District at 1515 East Nall Street subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL AND VANDERVEER

VOTING NAY: NONE

MOTION CARRIED

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

**EXCEPTION**

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNERS), JOSHUA HOLLEY (DEVELOPER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2100-2200 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING LOT 16, BLOCK A OF THE PROPOSED REPLAT OF HOLLEY HEIGHTS ADDITION, A REPLAT OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF SHERMAN HILLS COUNTRY CLUB ADDITION, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 34' LOT WIDTH IN LIEU OF THE REQUIRED 60' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION – LOT WIDTH  
2100-2200 BLKS.  
SOUTH U.S.  
HIGHWAY 75  
(SSCGC HOLDINGS, LLC)

**Joshua Holley, 2013 S. Polaris Dr., Denison, TX**

Mr. Holley appeared to represent the request and answer any questions. The property is located in the 2100-2200 blocks South U.S. Highway 75, between Center Street and FM 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District.

Mr. Holley explained, “we are requesting an exception for Lot 16, Block A of the proposed Replat of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition. The lot is located in a cul-de-sac; at the building line it is 60’.” 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 exception.

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the request for an exception to allow a 34' lot width in lieu of the required 60' in an R-1 (One Family Residential) District in the 2100-2200 Blocks South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Bethel.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL AND VANDERVEER  
VOTING NAY: NONE  
MOTION CARRIED

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

**SPECIFIC USE PERMIT**

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNERS), JOSHUA HOLLEY (DEVELOPER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2100-2200 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING LOTS 5, 6, 10-21, BLOCK A; LOTS 1-4, BLOCK B; LOTS 11-23, BLOCK C AND LOTS 5-23, BLOCK D OF THE PROPOSED REPLAT OF HOLLEY HEIGHTS ADDITION, A REPLAT OF THE SUNRISE TRACT AT SHERMAN HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF SHERMAN HILLS COUNTRY CLUB ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

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

SUP – PATIO HOMES  
2100-2200 BLKS.  
SOUTH U.S.  
HIGHWAY 75  
(SSCGC HOLDINGS,  
LLC)

**Joshua Holley, 2013 S. Polaris Dr., Denison, TX**

Mr. Holley appeared to represent the request and answer any questions. The property is located in the 2100-2200 blocks South U.S. Highway 75, between Center Street and FM 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District. The owner is requesting a Specific Use Permit to allow patio homes on the following lots in the proposed Replat of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition:

- Block A - Lots 5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21
- Block B - Lots 1, 2, 3, 4
- Block C - Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
- Block D - Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23

Mr. Holley explained, “the request is mostly for the setback requirements for the patio homes which is a 40’ lot width and the front setback, which is 20’. If you look at the topo, if I make it wider, then I would have to do more retaining wall. Several of the lots are less than 60’ wide in the front but more in the back of the lot and this would take care of that.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Sims asked if he planned to have patio homes mixed in with regular homes.

Mr. Holley stated, “they will look the same, pretty much just the setbacks will be different.”

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers explained, “SSCG owns the surrounding property and we are in support of this request.”

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

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the request for a Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District in the 2100-2200 Blocks South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Tankersley.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL, TANKERSLEY AND VANDERVEER

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT

THE REQUEST OF BRYAN AND MARGARET GRAHAM (OWNERS), JOE GILBERT (PROSPECTIVE BUYER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2300-2400 BLOCKS NORTH HICKORY STREET AND 229 WEST PELTON STREET, BEING ALL OF LOTS 1, 2 AND 3 OF GRAHAM ADDITION, AS FOLLOWS:

*PLANNING AND ZONING COMMISSION*  
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW TWO-STORY DUPLEXES ON LOTS 6R AND 7R AND TWO SINGLE-STORY DUPLEXES ON EACH OF LOTS 1R, 2R, 3R, 4R AND 5R OF THE PROPOSED REPLAT OF GRAHAM ADDITION IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

SUP – DUPLEXES  
2300-2400 BLKS. N.  
HICKORY & 229 W.  
PELTON  
(BRYAN &  
MARGARET  
GRAHAM)

Joe Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located in the 2300-2400 blocks of North Hickory Street and 229 West Pelton Street; the northeast corner of Hickory and Pelton Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Gilbert explained, “we are replatting the tract into seven lots and we are seeking a Specific Use Permit to construct

duplexes on the seven lots. The duplexes will meet all of the setback requirements and the exterior finish on the duplexes will be brick. Parking will be provided in the rear of the property for one space per bedroom for each duplex. I reached out to the Fire Marshal, reviewed the plan with him and they can adequately service those because we are making the driveways wide enough for fire trucks.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer asked if he understood correctly, “on five of the lots you are doing two duplexes on each lot, one right behind the other.”

Mr. Gilbert responded, “yes that is correct. It also says on two of the lots we are doing two-story duplexes, we actually found a nice one-story duplex, two bedroom, two bath that will fit nicely on those lots. The lots are 400’ deep and we are trying to make the best use of it and the fact that we are going to extend infrastructure to run water making it economically feasible to develop two duplexes per lot. We feel we have come up with a good plan for that. A dilapidated garage and house will come down on one of the lots.”

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

**ACTION TAKEN.**

Motion by Commission Member Downtain to approve the request for a Specific Use Permit to allow duplexes on Lots 1R, 2R, 3R, 4R, 5R, 6R and 7R of the proposed Replat of Graham Addition in an R-1 (One Family Residential) District in the 2300-2400 Blocks North Hickory Street and 229 West Pelton Street subject to the Staff Review Letter. Second by Vanderveer.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, BETHEL, TANKERSLEY AND VANDERVEER

VOTING NAY: NONE

MOTION CARRIED

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

**SPECIFIC USE PERMIT**

THE REQUEST OF MUNAZZA JABEEN AND KARIM ANJUM (OWNERS), NATHAN GRAY (DRAFTSMAN) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1024 NORTH CLEVELAND AVENUE, BEING LOTS 7 & 8, BLOCK 1, COLLEGE PARK ADDITION, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

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

SUP – DUPLEXES  
1024 N. CLEVELAND  
(MUNAZZA JABEEN  
& KARIM ANJUM)

(DENIED)

**RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.**

Commission Member Sims abstained from this request.

**Nathan Gray, 303 W. Houston, Sherman, TX**

Mr. Gray appeared to represent the request and answer any questions. The property is located at 1024 North Cleveland Avenue; the southwest corner of Cleveland Avenue and Richards Street. The property is zoned an R-1 (One Family Residential) District and the College Park Overlay District.

Mr. Gray explained, “currently there are two lots and the owner is requesting a Specific Use Permit to allow duplexes on each of the lots. I did receive the Staff Review Letter stating it would have to be replatted. The duplexes will be approximately 2,312 square foot with three bedrooms in each unit. Six parking spaces will be provided for each duplex. The number of bedrooms could be reduced if need be; two bedrooms, two baths per side.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Vanderveer asked if they could have parking in the back of the lots.

Mr. Gray responded, “that is possible, we have plenty of room in the back and we could access it from the alley.”

**Truett Cates, 1102 N. Cleveland, Sherman, TX**

Mr. Cates explained, “my house is right across the street from this property. We are not happy about this project; it would mean putting two duplexes on a single lot right across the street where single-family residents have been for many years. Our house is from 1911; it is an old neighborhood. I have brought some neighbors here today and we do not think this is a good idea; it clearly inconsistent with the College Park Overlay, which is restricted to college structures and single-family residences. We were very pleased when that ordinance was passed setting up the overlay zone and that is one of the reasons we improved our structure and stayed there because we thought it was a good neighborhood.”

“We know that putting duplexes on that lot, the only duplexes within three or four blocks would decrease all our property values. We have looked at the ordinance; we know what it allows, one of the things it says is it allows the Planning and Zoning Commission when justified by certain circumstances and specific conditions to award variances. I have heard no argument about the certain circumstances or specific conditions that would merit changing the character of this neighborhood in such a dramatic way. The real circumstance is right now that it is problematic enough with parking; Richards Street has no parking on it on either side in that block. To face a house out onto that street, it



does not make any sense. This would create an enforcement problem for the police because there will be many calls about people illegally parked there; I can promise you that we would call frequently. All of our neighbors are strongly opposed to this. Your granting this variance would be the opposite of supporting community standards and would make the City complicit in damaging a volatile community.”

Heidi Ellis, Austin College VP Business Affairs, 900 N. Grand, Sherman, TX

“I am here to speak on behalf of Austin College; we would oppose this request as well. This property is within 200’ of our property on Grand Avenue.”

Lynn Cates, 1102 N. Cleveland, Sherman, TX

Mrs. Cates explained, “1024 N. Cleveland is a very sad situation for us, there was a house there, a beautiful house that we were trying to help two different people contact the owner in Dallas to buy it and had helped them send off a certified letter and at that time the owner’s ex-roommate from college contacted him and said I have parents who need a project to keep busy and to make some money. We are going to tear the house down and I learned from the people that we watched it go down made us all very sad; we have lived in the neighborhood for forty years, we care about our neighborhood. My husband and I invested later in our lives quite a bit of money to renovate and add to the historic home; it had a historic marker on it from 1911, but it would not have that anymore because we added to it to make it better to serves us with a third bedroom and an attached garage. This property at 1024 North Cleveland, I just learned tonight would face Richards Street; what we look out onto to and love. Our house is right there across on that narrow street, we have been in the Austin College neighborhood for forty years. We have invested in the neighborhood and would love to see our investment still good and I just do not think or know it would do that to have a duplex facing our house. The City just put in bike boulevards, four of them in the City, Cleveland Avenue was chosen as one of those streets because it is a quite street. The bike boulevard goes all the way to Old Settler’s Park to Lamar Street. This certainly would not help to have all the parking forced out onto Cleveland Avenue or the block beyond on Richards Street.”

Mr. Gray understood the concerns of the neighborhood. “I would work to alleviate the density of traffic flow by putting in an extra drive or whatever and as the stylist nature of the duplex trying to blend with the neighborhood.”

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

A letter was received from:

Christopher & Dianna Butler, 1002 N. Cleveland, Sherman, TX

“I would like to register my opposition to changing the zoning at this lot. We already have enough multi-family housing around the college. Two duplexes on this lot would further congest the streets with so many more cars parking on the street. Please keep the lot single one-family residential.”

**ACTION TAKEN.**

Motion by Commission Member Downtain to deny the request for a Specific Use Permit to allow two duplexes in an R-1 (One Family Residential) District/College Park Overlay District at 1024 North Cleveland Avenue based on the information presented tonight. Second by Commission Member Vanderveer.

VOTING AYE: MAHONE, DOWNTAIN, BETHEL, TANKERSLEY AND VANDERVEER

VOTING NAY: NONE

ABSTAIN: SIMS

MOTION CARRIED

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

**ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 6:50 p.m.

**ADJOURNMENT**

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CHAIRMAN

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SECRETARY