

STATE OF TEXAS §

January 12, 2021

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 January 12, 2021.

MEMBERS PRESENT: CHAIRMAN MAHONE AND VICE-CHAIRMAN DOWNTAIN
COMMISSION MEMBERS: SIMS, DAVIS, MANLEY,
WHITAKER AND BLAGG

ALTERNATE: NONE

MEMBERS ABSENT: NONE

STAFF PRESENT: ROB RAE, DIRECTOR OF DEVELOPMENTAL SERVICES,
PATSY REEVES, DEVELOPMENTAL SERVICES
COORDINATOR AND WAYNE LEE, DIRECTOR OF
ENGINEERING

CITY ATTORNEY: RYAN PITTMAN

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:03 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the December 15, 2020 regular meeting. Motion by Commission Member Whitaker to approve the Minutes as written. Second by Vice-Chairman Downtain. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

ANNOUNCEMENTS

Chairman Mahone welcomed Bryan Blagg to the Planning and Zoning Commission.

WELCOME BRYAN
BLAGG

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, DOWNTAIN, DAVIS, SIMS, AND MANLEY.

BOARD OF
ADJUSTMENTS

CONSENT AGENDA (ITEMS 6, 10, 11, 12 & 19)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Consent Agenda Items as presented subject to the Staff Review Letters. Second by Commission Member Whitaker. 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 JOSE CASTILLO TORRES AND CRISALIDA SERRANO GONZALES (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) FOR THE PROPERTY LOCATED AT 515 NORTH COLBERT AVENUE, BEING 0.276 ACRES IN THE C. CARTER SURVEY, ABSTRACT NO. 229, ALSO BEING ALL OF LOTS 118 AND 119, BELMONT ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 118 AND 119, BELMONT ADDITION

REPLAT – LOTS 118 & 119, BELMONT ADDITION 515 N. COLBERT AVE. (JOSE CASTILLO TORRES & CRISALIDA SERRANO GONZALES)

The property is located at 515 North Colbert Avenue between Pacific and Mulberry Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT & SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF JMCR SHERMAN LLC (OWNER), RAISING CANE’S RESTAURANTS, LLC (DEVELOPER), BENCHMARK DESIGN GROUP, LLC (CIVIL ENGINEER) AND FREEMAN SURVEYING & MAPPING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3700 NORTH U.S. HIGHWAY 75, BEING LOT 5, BLOCK 3, SHERMAN TOWN CENTER, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

- REPLAT APPROVAL LOT 5, BLOCK 3, SHERMAN TOWN CENTER
- SITE PLAN APPROVAL FOR RAISING CANE’S RESTAURANT

REPLAT – LOT 5, BLOCK 3, SHERMAN TOWN CENTER

SITE PLAN – RAISING CANE’S 3700 NORTH U.S. HIGHWAY 75 (JMCR SHERMAN LLC)

The property is located at 3700 North U.S. Highway 75 between U.S. Highway 82 and Northcreek Drive; formerly Logan’s Roadhouse Restaurant. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District. The owners would like to Replat the property into two lots for commercial development.

Raising Cane's would like to construct a 2,913 square foot drive-thru restaurant. The building's architectural features include a standing seam metal awning, masonry facade with the combination of brick with stucco accents. The drive-thru will accommodate more than 20 cars. Thirty-eight parking spaces will be provided. They plan to employ 55 full and part-time employees. 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 SYSTEMS INC. (TAPS) (OWNERS), JOSH WALKER (REPRESENTATIVE), VILBIG & ASSOCIATES, INC. (CIVIL ENGINEER/SURVEYOR) AND BRAD NASS (GENERAL CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 6104 TEXOMA PARKWAY, BEING 4.29 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR THREE PARKING CANOPIES FOR SYSTEMS INC. (TAPS)

The property is located at 6104 Texoma Parkway between FM 691 and Woodlake Road; Systems Inc., (TAPS) is the tenant. The property is zoned a C-2 (General Commercial) District. TAPS would like to construct three metal parking canopies on the south side of the building. The proposed canopies are 2,700 square foot with 6 stalls; 3,360 square foot with 8 stalls; and 8,100 square foot with 18 stalls. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF STONEHOLLOW HOMES (OWNERS) AND SPIARS ENGINEERING INC. (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY IN THE 200 BLOCK OF SOUTH FM 1417 (HERITAGE PARKWAY), BEING 46.925 ACRES IN THE E. JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF ESTATES AT BAKER PARK.

The property is located in the 200 block of South FM 1417 (Heritage Parkway) between West Houston and Center Streets. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into (167) one-hundred-sixty-seven lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF TEACHERS RETIREMENT SYSTEM OF KENTUCKY (OWNERS), LOWE’S (TENANT) AND KYLE HYMEL, DUPLANTIS DESIGN GROUP (REPRESENTATIVE) CONCERNING THE PROPERTY AT 2801 NORTH U.S.

**SITE PLAN – THREE
PARKING CANOPIES
6104 TEXOMA
PARKWAY
(SYSTEMS INC.
TAPS)**

**PRELIMINARY PLAT
– ESTATES AT
BAKER PARK
200 BLK. SOUTH FM
1417 (HERITAGE
PARKWAY)
(STONEHOLLOW
HOMES)**

**SITE PLAN –
LUMBER CANOPY
2801 NORTH U.S.
HIGHWAY 75**

HIGHWAY 75, BEING LOTS 3 & 4, TEXOMA CROSSING, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A LUMBER CANOPY FOR LOWE’S

(TEACHERS RETIREMENT SYSTEM OF KENTUCKY, OWNER; LOWE’S, TENANT)

The property is located at 2801 North U.S. Highway 75, the southeast corner of U.S. Highway 75 and 82; Lowe's is the tenant. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District.

The project consists of demolishing the existing canopy on the south end of the building and installing a drive-thru canopy; approximately 2,900 square feet. The exterior will be masonry columns with a metal roof. Work also includes adding parking spaces under the new canopy. The parking lot and drive aisle will be affected and will adjust slightly. 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

THE REQUEST OF JOSE CASTILLO TORRES AND CRISALIDA SERRANO GONZALES (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) FOR THE PROPERTY LOCATED AT 515 NORTH COLBERT AVENUE, BEING 0.276 ACRES IN THE C. CARTER SURVEY, ABSTRACT NO. 229, ALSO BEING ALL OF LOTS 118 AND 119, BELMONT 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 A TWO-FAMILY DWELLING (DUPLEX) IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

SUP – DUPLEX
515 N. COLBERT AVE.
(JOSE CASTILLO TORRES & CRISALIDA SERRANO GONZALES)

Veronica Garcia, 1505 E. Lamar, Sherman, TX

Mrs. Garcia appeared to represent the request and answer any questions. The property is located at 515 North Colbert Avenue between Pacific and Mulberry Streets. The property is zoned an R-1 (One Family Residential) District.

Mrs. Garcia explained, “the owner would like to construct a three-bedroom, two-bath per side duplex at this location. The exterior will include smart siding with cedar post and brick accents. Six parking spaces will be provided. She provided pictures of duplexes within a three to four block radius. They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Blagg asked if they were combining two lots into one and if there was going to be one duplex or more.

Mrs. Garcia responded, they are Replatting two lots into one lot to build one duplex.

Commission Member Davis asked the square footage of each side of the duplex.

Mrs. Garcia responded, “1,041 square foot on each side.”

Commission Member Manley asked if all the parking would be on the front of the building.

Mrs. Garcia responded, “yes. I have spoken to the Engineering Department regarding the drive approach and Wayne Lee, Director of Engineering approved it.”

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

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the Specific Use Permit to allow a duplex in an R-1 (One-Family Residential) District subject to the Staff Review Letter at 515 North Colbert Avenue. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF MICHAEL STERRY (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 2213 SOUTH CROCKETT STREET, BEING 0.329 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO BEING THE PROPOSED LOT 1, BLOCK 1, MEADOW VIEW ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(A) TO ALLOW A LIVING SCREEN (24” - 36” RED TIP PHOTENIAS - EAST AND CREPE MYRTLES - NORTH) IN LIEU OF THE REQUIRED 6’ SCREENING DEVICE ABUTTING RESIDENTIAL IN A C-1 (RETAIL BUSINESS) DISTRICT.

EXCEPTION –
SCREEN
2213 S. CROCKETT
ST.
(MICHAEL STERRY)

Michael Sterry, 241 Country Club Dr., Health, TX

Mr. Sterry appeared to represent the request and answer any questions. The property is located at 2213 South Crockett Street between Wilson Avenue and Mercer Street. The property was rezoned to a C-1 (Retail Business) District December 7, 2020 by Ordinance 6337.

Mr. Sterry explained, “I have a 600 square foot building that is zoned commercial and the requirement is to screen between residentially zoned property on the north and east side of the property. I am requesting an exception to allow a living screen (24" - 36" Red Tip Photinias and Crepe Myrtles) abutting residentially zoned properties. I would like to plant 24"-36" tall Red Tip Photinas, 3' apart.”

“Looking north toward the cemetery against South Crockett Street I would like to leave this section as is with crepe myrtles only. Looking north toward the cemetery, I would like to add 24" - 36" tall Photinia bushes on 3' centers. The Photinias would run between the crepe myrtle trees, which are on my side of the fence. This allows me to keep the yard area as big as possible.”

Chairman Mahone asked, “how tall do the Red Tip Photinas usually get?”

Mr. Sterry responded, “they could get up to 12-15 feet tall, but I would stop them at six feet.”

Chairman Mahone asked, “how long does it take to double their size if they start out at 24-36 inches.”

Mr. Sterry responded, “it would probably take five years, they are fast growing.”

Commission Member Davis explained, “Red Tip Photinias are very susceptible to disease and usually die, so you would have a dead fence in six years.”

Chairman Mahone explained to Mr. Sterry, “if this is approved you would be required to replace any that died and to maintain the screening materials.”

Mr. Sterry agreed.

“Looking at the east property line, I would like to add Red Tip Photinas, 24" - 36" tall, planted 3' apart, starting 12' behind the back of the building, even with the south edge of building and run north to the cemetery. I just thought it would look better than a wood fence. The guy on the east that lives in the RV park keeps everything mowed and I thought a wood fence would really divide it out; I thought the natural way would be a good way to go.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked if he owns both properties and “are you local?”

Mr. Sterry responded, “I have had the RV Park for twenty-five years, I live in Heath, Texas but I have managers that help maintain the RV Park and the building.”

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the exception to allow a living screen (24” - 36” Red Tip Photenias - east and Crepe Myrtles - north) in lieu of the required 6’ screening device abutting residential in a C-1 (Retail Business) District subject to the Staff Review Letter at 2213 South Crockett Street. Second by Vice-Chairman Downtain.

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

VOTING NAY: NONE

MOTION CARRIED

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

TEMPORARY USE PERMIT

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNER) AND HOPE CONCRETE, DONNIE SNIDER (APPLICANT/REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1300 SOUTH SAM RAYBURN FREEWAY, BEING 78.4610 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS;

BOARD OF ADJUSTMENTS

TEMPORARY USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A CONCRETE BATCH PLANT FOR THE TXDOT U.S. HIGHWAY 75 RECONSTRUCTION PROJECT (PROJECT CONTROL # 0047-02-150) FOR A PERIOD NOT TO EXCEED THREE YEARS IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT.

TUP – CONCRETE
BATCH PLANT FOR
U.S. HIGHWAY 75
PROJECT
1300 SOUTH SAM
RAYBURN FREEWAY
(SSCGC HOLDINGS,
LLC)

Tim Foley, Hope Concrete, 5815 N. Travis, Sherman, TX

Mr. Foley appeared to represent the request and answer any questions. The property is located at 1300 South Sam Rayburn Freeway between Center Street and Stonecreek Drive. The property is zoned a C-1 (Retail Business) District and R-1 (One Family Residential) District.

Improvements to U.S. Highway 75 that will see the highway brought up to current standards making the highway eligible for Interstate highway standards is under construction and the Texas Department of Transportation estimate that it could take three years to complete the improvements. A Temporary Use Permit to allow a Concrete Batch Plant was approved for the project at 5901 South Highway 75 at the May 9, 2020, Planning and Zoning Commission Meeting. They have decided to locate the Concrete Batch Plant at this location instead.

Mr. Foley explained, “the site would contain the concrete batch plant operation, which will be utilized to produce

concrete for the job site. The yard will have a Pug-mill Mixer, which is designed to mix gravel, limestone, and other aggregate material together to make stabilized road base. The southeast side of the yard site will have the crusher for crushing the concrete salvaged from the project for reuse. The yard site will be temporary only during the TXDOT project. Once the project is complete, the entire yard including all the equipment will be removed from the site.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked, “would a project this size require a twenty-four hour batch plant or is it a twelve hour day, seven day a week operation.”

Mr. Foley explained, “it is generally a one-shift plant. In the summer, you have to pour concrete at night because it is too hot. Normally it is just one shift. There may be a time or two when they pour a lot.”

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

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the Temporary Use Permit to allow a concrete batch plant for the TXDOT U.S. Highway 75 Reconstruction Project (Project Control # 0047-02-150) for a period not to exceed three years in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn) Overlay District subject to the Staff Review Letter at 1300 South Sam Rayburn Freeway. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF STONEHOLLOW HOMES LLC (OWNERS) AND RICH BAGGS (REPRESENTATIVE) CONCERNING THE PROPERTY AT 5112 AMBERGATE LANE, BEING LOT 7, BLOCK H, AUSTIN LANDING, PHASE 3, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H) TO ALLOW 6’ TALL PRIVACY FENCE ON THE PROPERTY LINE IN LIEU OF THE ALLOWED 4’ IN HEIGHT EXTENDING CLOSER THAN 25’ TO A FRONT LINE STREET IN AN SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION – FENCE

**5112 AMBERGATE LN.
(STONEHOLLOW HOMES LLC)**

Rich Baggs, 60 Aletha Ln., Sherman, TX

Mr. Baggs appeared to represent the request and answer any questions. The property is located at 5112 Ambergate Lane, the southwest corner of Ambergate Lane and Woodbine Drive. The property is zoned an SF-1 (Single Family Residential) District.

Mr. Baggs explained, “there currently is a four-foot tall fence at this location and they would like to replace it with a six-foot tall fence. The fence will not interfere with traffic views.” He had seen the Staff Review Letter and would abide by the Recommendations.

Jimmy & Kathy Medford, 402 Woodbine, Sherman, TX

Mrs. Medford explained, “we live right behind this property and it is not very pretty right now. It will not block our driveway.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow a 6’ tall privacy fence on the property line in lieu of the allowed 4’ in height extending closer than 25’ to a front line street in an SF-1 (Single Family Residential) District at 5112 Ambergate Lane subject to the Staff Review Letter. Second by Commission Member Sims.

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

VOTING NAY: NONE

ABSTAIN: NONE

MOTION CARRIED

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

VARIANCE

**THE REQUEST OF WYLDEWOOD HOMES LLC (OWNERS), TIM PIKE (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1406 DEL MAR DRIVE, BEING LOT 12, BLOCK 4, HERITAGE FARMS ESTATES, REPLAT LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, AS FOLLOWS;
*BOARD OF ADJUSTMENTS***

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 24’ REAR SETBACK IN LIEU OF THE REQUIRED 25’ AND A 6’ SIDE SETBACKS IN LIEU OF THE REQUIRED 6.8’ FOR A RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

**VARIANCE – SIDE & REAR SETBACKS
1406 DEL MAR DR.
(WYLDEWOOD HOMES LLC)**

Tim Pike, 518 Bledsoe Rd., Gunter, TX

Mr. Pike appeared to represent the request and answer any questions. The property is located at 1406 Del Mar Drive, the northwest corner of Del Mar Drive and Crown Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Pike explained, “these are the last four lots in the subdivision. We would like to construct a single-family residence, 24' from the rear property line and 6' from the side property lines. The lot is a triangular shaped lot with a narrow rear yard.” They had seen the Staff Review Letter and would abide by the Recommendations.

Dawn Wasley, 1407 Del Mar Dr., Sherman, TX

Mrs. Wasley wanted to know how it would affect the other homes.

Chairman Mahone explained, “he has a corner lot and the house would be located closer to the property lines than what is permitted if approved.”

Mr. Pike explained, “it would just be the back yard. The home will be comparable to the other homes in the subdivision.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the variance to allow a 24' rear setback in lieu of the required 25' and a 6' side setbacks in lieu of the required 6.8' for a residential dwelling in an R-1 (One-Family Residential) District subject to the Staff Review Letter at 1406 Del Mar Drive. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF WYLDEWOOD HOMES LLC (OWNERS), TIM PIKE (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 4001 CROWN STREET, BEING LOT 13, BLOCK 4, HERITAGE FARMS ESTATES, REPLAT LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 5' SIDE SETBACK IN LIEU OF THE REQUIRED 6.9'

**VARIANCE – SIDE & REAR SETBACKS
4001 CROWN ST.
(WYLDEWOOD HOMES LLC)**

AND A 23’ REAR SETBACK IN LIEU OF THE REQUIRED 25’ FOR A RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

Tim Pike, 518 Bledsoe Rd., Gunter, TX

Mr. Pike appeared to represent the request and answer any questions. The property is located at 4001 Crown Street, the northwest corner of Del Mar Drive and Crown Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Pike explained, “Wyldeewood Homes would like to construct a single-family residence 23’ from the rear property line and 5’ from the side property lines. The lot is a triangular shaped lot with a narrow rear yard.” 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 Davis to approve the variance to allow a 5’ side setbacks in lieu of the required 6.9’ and a 23’ rear setback in lieu of the required 25’ for a residential dwelling in an R-1 (One-Family Residential) District subject to the Staff Review Letter at 4001 Crown Street. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF WYLDEWOOD HOMES LLC (OWNERS), TIM PIKE (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 4005 CROWN STREET, BEING LOT 14, BLOCK 4, HERITAGE FARMS ESTATES, REPLAT LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, AS FOLLOWS;
BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 22’ REAR SETBACK IN LIEU OF THE REQUIRED 25’ FOR A RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – REAR SETBACKS
4005 CROWN ST.
(WYLDEWOOD HOMES LLC)

Tim Pike, 518 Bledsoe Rd., Gunter, TX

Mr. Pike appeared to represent the request and answer any questions. The property is located at 4005 Crown Street, the northeast corner of Crown Street and Saratoga Drive. The property is zoned an R-1 (One Family Residential) District.

Mr. Pike explained, “Wyldeewood Homes would like to construct a single-family residence 22' from the rear property line.” 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 Davis to approve the variance to allow a 22' rear setback in lieu of the required 25' for a residential dwelling in an R-1 (One-Family Residential) District subject to the Staff Review Letter at 4001 Crown Street. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF WYLDEWOOD HOMES LLC (OWNERS), TIM PIKE (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1301 ASCOT AVENUE, BEING LOT 25, BLOCK 3, HERITAGE FARMS ESTATES, REPLAT LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 24' REAR SETBACK IN LIEU OF THE REQUIRED 25' AND A 5' SIDE SETBACKS IN LIEU OF THE REQUIRED 6' FOR A RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

**VARIANCE – SIDE &
REAR SETBACKS
1301 ASCOT
AVENUE
(WYLDEWOOD
HOMES LLC)**

Tim Pike, 518 Bledsoe Rd., Gunter, TX

Mr. Pike appeared to represent the request and answer any questions. The property is located at 1301 Ascot Avenue between Belmont Boulevard and Crown Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Pike explained, “Wyldeewood Homes would like to construct a single-family residence, 24' from the rear property line and 5' from the side property lines. The lot is an irregular shaped lot.” 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 Davis to approve the variance to allow a 24' rear setback in lieu of the required 25' and 5' side setbacks in lieu of the required 6' for a residential dwelling in an R-1 (One-Family Residential) District subject to the Staff Review Letter at 1301 Ascot Avenue. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF 75/82 SHERMAN CROSSING LTD (OWNERS), TRACTOR SUPPLY (TENANT), ONYX CREATIVE (ARCHITECT) AND AARON BLUE, (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3201 NORTH U.S. HIGHWAY 75, SUITE 101, BEING LOT 1R-1, BLOCK 1 OF THE REPLAT OF LOT 1R OF SHERMAN CROSSING ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (7)(D)(3) TO ALLOW AN OPEN MESH FENCE (CHAIN LINK) TO SCREEN AN OUTDOOR STORAGE AREA IN LIEU OF THE REQUIRED SOLID SCREENING FROM ALL PUBLIC THOROUGHFARES AND ABUTTING USES IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

- **SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW OUTDOOR DISPLAYS IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT**
- **SITE PLAN APPROVAL FOR A GREENHOUSE/CANOPY, ENCLOSED FEED STORAGE AREA AND CUSTOMER PICKUP DRIVE-THRU AREA FOR TRACTOR SUPPLY.**

**EXCEPTION –
SCREENING
(TABLED)**

**SUP – OUTDOOR
DISPLAYS
(APPROVED)**

**SITE PLAN –
GREENHOUSE/
CANOPY,
CUSTOMER PICK-UP
AREA (APPROVED)**

**3201 NORTH U.S.
HIGHWAY 75
(75/82 SHERMAN
CROSSING LTD)**

Chris Groggin, 3201 N. Highway 75, Sherman, TX

Mr. Groggin appeared to represent the request and answer any questions. The property is located at 3201 North U.S. Highway 75, Suite 101, the northeast corner of U.S. Highway 75 and 82; Tractor Supply is the tenant. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District.

Mr. Groggin explained, “the project consists of an exterior alteration to the existing Tractor Supply Store's side garden center called "The Side Lot Project". The primary function is to provide a new customer experience within the existing

perimeter fencing of the outdoor garden center. Key features will include a greenhouse/canopy feature to provide overhead coverage along with an enclosed bulk feed storage area and drive-through path with gates on both ends. The new drive-thru is to be used as a customer pick-up area in lieu of having a curbside pick-up zone in the parking lot. The garden center will be completely contained with the existing fenced area. The Specific Use Permit is to allow the outdoor displays in the parking lot and the exception is to allow an open mesh chain link fence to screen the outdoor displays.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone stated, “the current enclosed fenced in area that is connected to the building would no longer be outside storage.”

Mr. Groggin explained, “they would still have some of the merchandise in there but whatever is in the footprint of the greenhouse and feed storage area would be displaced out there. There is already a building there and that would become the feed storage area. We are adding the greenhouse and the merchandise in the footprint will get displayed.”

Chairman Mahone stated, “the outdoor storage area would no longer be connected to the building.”

Mr. Groggin responded, “correct.”

Commission Member Manley asked if it would be standard galvanized chain link fence.

Mr. Groggin responded, “yes.”

Commission Member Davis stated, “it looks like you are putting a feed storage area and greenhouse that is already covered.”

Mr. Groggin explained, “the feed storage area will be in an existing building; the canopy will be demolished and replaced with a greenhouse.”

Chairman Mahone asked if the greenhouse would be glass walls.

Mr. Groggin explained, “it would be poly carbon walls. The extent of the greenhouse will not exceed the extent of the existing building.”

Commission Member Davis asked, “what kind of chain link fence.”

Mr. Groggin responded, “eight foot tall, chain link fence; no barbwire or razor wire.”

Commission Member Blagg asked about the solid screening, “what is the intent of the current zoning.”

Rob Rae, Director of Development Services explained, “the ordinance is in our O-1 (75 & 82) Overlay District, if there is any outdoor storage, it needs to be screened.”

Commission Member Davis asked if the greenhouse would meet what is required for the Overlay District.

Mr. Rae responded, “I will have to check on that, typically it has some different architectural requirements for the Overlay District; the Staff Review Letter states they would have to follow those ordinances.”

Commission Member Davis explained, “what you need may not be allowed in that area.”

Mr. Groggin explained, “if the greenhouse is denied we would not do the project.”

Commission Member Davis explained, “the Overlay District usually requires masonry finishes.”

Mr. Rae explained, “a lot of the similar uses in this area would have a similar type building face; Walmart, Lowe’s and Home Depot.”

Commission Member Blagg stated, “I do not like the galvanized color; I looked at Home Depot, Lowe’s and Walmart outdoor storage. Walmart is using ornamental iron painted black. Highway 75 & 82 is Sherman’s corner; I would ask if they would consider doing black chain link.”

Chairman Mahone explained, “I remember most of the stores have one fenced in area connected to the building; is there some reason you feel you need two areas that are fenced in, one not even being connected to the building.”

Mr. Groggin explained, “the amount of merchandise that will be displaced would be outside the enclosed area and the property that Tractor Supply occupies; there is nowhere to put it or expand except to the parking lot.”

Chairman Mahone asked if they have equipment that is stored in the parking lot now that is not fenced in.

Mr. Groggin responded, “occasionally, most Tractor Supply’s have trailers, rental trailers and trailers to purchase that are lined up out there for security.”

Chairman Mahone asked Mr. Rae if he was familiar with the City Ordinance; “is it okay to have storage in the parking lot.”

Mr. Rae explained, “they do not comply with the outdoor storage.”

Vice-Chairman Downtain asked if the merchandise that will be displaced would now be in the fenced in area and all the stuff that is in the parking lot now.

Mr. Groggin explained, “it would be in the fenced area, yes.”

Chairman Mahone understood there is a certain amount of storage that a store like this would have outside, large equipment and stuff. “I do not see a precedent for allowing additional equipment that is already attached to the building. You already have stuff that is not in compliance out there in the parking lot.”

Commission Member Blagg stated, “sometimes Lowe’s would have their Christmas Tree Barn in the parking lot. I think retailers do push the envelope, but I am just thinking about the aesthetics; it is the prime corner. Galvanized chain link is the lowest level of fencing. I would love to see Tractor Supply have a painted black chain link fence; it does not increase the cost that much, it is still affordable.”

Mr. Groggin explained, “part of the see through chain link is the owner that we lease from; they do not want us to block the view of the other tenants. The fence will be a chain link fence; we are not doing slats.”

Rob Rae explained, “on a previous item for consent was site plan approval for Lowe’s that was approved; part of a condition on the Staff Review Letter was a requirement for a Specific Use Permit to allow outdoor displays. They have not applied for that yet. That was one of the requirements that Tractor Supply had for this site plan was to get in conformance.”

Commission Member Davis stated, “I remember Orscheln’s having to come in for their outside storage.”

Mr. Rae explained, “Home Depot and Orscheln’s have received Specific Use Permits for outdoor storage. Orscheln’s is attached to the building. Home Depot’s Specific Use Permit from 2005 is in their parking lot. Part of the restrictions on that was it could not take the required parking and it had to be striped off as a separate location. Currently, these commercial retailers put them where the parking spaces are. We want to make sure they are not taking away from their required parking.”

Vice-Chairman Downtain asked, “if they had a Specific Use Permit granted and they are out of compliance like the outdoor storage that is not in compliance now; if we grant the fence would the Specific Use Permit go away for being out of compliance for being outside the fence.”

Mr. Rae explained, “if you made the motion to approve the outdoor storage, they would have to provide screening although they would have to ask for an exception to the screening to provide chain link.”

Commission Member Blagg explained, “Home Depot and Lowe’s have chain link but they have the fabric mesh six feet tall. The intent is screening, we do not want the contents visible from outside.”

Vice-Chairman Downtain asked if the outdoor displays by the building are in compliance.

Mr. Rae explained, “the displays near the building are not taking up parking spaces; that part of it would probably be okay. The lawn mowers and yard equipment that is parking by their front door.”

Commission Member Davis stated, “you are pretty much doubling your outdoor storage that is currently there.”

Mr. Rae stated, “I did take pictures of the other properties that have outdoor storage.” He provided pictures to the board members.

Commission Member Davis asked if the Conex Containers are just sitting on the grass at Lowe’s.

Mr. Rae responded, “they are on the grass on the side of the building. We asked Lowe’s to come in and do the same thing so they can be in compliance.”

Chairman Mahone stated, “Tractor Supply is not in compliance with the storage they have outside currently.”

Mr. Rae responded, “that is correct.”

Chairman Mahone asked if it is the City Staff’s thought to have the chain link fence to bring them into compliance.

Mr. Rae stated, “we would like them to designate an outdoor storage location and stick to that instead of spreading out throughout the parking lot.”

Chairman Mahone stated, “that could be painted on the parking lot and verified.”

Mr. Rae stated, “ensuring they have enough parking spaces for what is required for their store. They would still need an exception for the screening.”

Commission Member Manley felt they could provide the chain link fence and have the vinyl strips. “If we denied this, would they be able to do that and be in compliance or would they have to reapply.”

Mr. Rae explained, “wood or masonry is the requirement.”

Chairman Mahone stated, “Orscheln’s has the chain link fence.”

Mr. Rae explained, “we would prefer them to keep the storage in the back or the side of the building but because of their lot and the location of Popeye’s Chicken, it makes it difficult.”

Chairman Mahone explained, “we need to decide if we want them to have solid screening, to allow a chain link fence or if we prefer a designated area with no fence.”

Commission Member Davis stated, “I have never heard of a no fence option.”

Mr. Rae explained, “the exception is for the chain link fence.”

Ryan Pittman, City Attorney stated, “the board might consider taking these out of order and voting on the Specific Use Permit to allow the outdoor storage first because if that is approved you could move on to the exception. If the Specific Use Permit were not approved, there would be no need for the exception.”

Brad Quine, 18906 Mahoney Trail, Dallas, TX

Mr. Quine explained, “my company manages the leasing for this development. I am familiar with it for the last twelve years. Tractor Supply has a great deal of merchandise in the parking lot with no secured area. The area they are talking about fencing is actually smaller than they are using now. I went out there and measured so I could be sure. I agree this is the prime corner in Sherman Texas and our opportunity, as a landlord with a solid fence on the side of Highway 82 would block visibility of Aldi’s and Harbor Freight. We would like to see something that is fairly see through so the tenants further back in the development do not lose any visibility that we do not have to.”

Chairman Mahone stated, “the tenant wants security, you want visibility.”

Mr. Quine responded, “correct.”

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

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a Specific Use Permit to allow outdoor displays for Tractor Supply in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the

Staff Review Letter at 3201 North U.S. Highway 75.
Second by Vice-Chairman Downtain.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS,
MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Manley to deny the request for an exception to allow an open mesh fence (chain link) to screen an outdoor storage area in lieu of the required solid screening from all public thoroughfares and abutting uses in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter at 3201 North U.S. Highway 75. Second by Commission Member Davis.

VOTING AYE: DOWNTAIN, DAVIS AND MANLEY.

VOTING NAY: MAHONE AND SIMS

MOTION FAILED.

Commission Member Manley offered to make a motion to allow a chain link fence with the solid privacy slats.

Mr. Pittman explained, “they could offer that to the applicant if they agreed to do that. If the applicant does not offer that up as an option but you would just vote the exception that is offered.”

Mr. Groggin explained, “they could do that but the owner is going to deny us from doing that.”

Mr. Rae explained, “it sounds like if the exception is not approved they would not do the project.”

Commission Member Sims asked if they would like to table the exception and maybe modify the request.

Mr. Rae explained, “they could table and bring something back at a later date.”

Mr. Groggin asked the board to table the request.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Manley to table the request for an exception to allow an open mesh fence (chain link) to screen an outdoor storage area in lieu of the required solid screening from all public thoroughfares and abutting uses in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District

subject to the Staff Review Letter at 3201 North U.S. Highway 75. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED.

THE REQUEST WAS TABLED.

Planning and Zoning Commission

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for site plan approval for a greenhouse/canopy, enclosed feed storage area and customer pickup drive-thru area for Tractor Supply in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter at 3201 North U.S. Highway 75. Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

SPECIFIC USE PERMIT

THE REQUEST OF LAZY L ENTERPRISES (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 910, 914, 916 AND 918 NORTH THROCKMORTON STREET, BEING LOTS 5, 6, 7 & 8, BLOCK 5, W.P. CARTER’S 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-FAMILY, SINGLE-STORY PATIO HOMES WITH NO MORE THAN TWO STRUCTURES ATTACHED IN A GROUPING IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

SUP – TWO-FAMILY,
SINGLE STORY
PATIO HOMES
910, 914, 916 & 918
N. THROCKMORTON
ST.
(LAZY L
ENTERPRISES)

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers appeared to represent the request and answer any questions. The property is located at 910, 914, 916 and 918 North Throckmorton Street between College and Williams Streets. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District.

Mr. Magers explained he would like to construct a two-family, single-story patio home (duplex) at this location. Each unit will be 1,563 square foot with one-car garage and

two parking spaces. 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 Specific Use Permit or site plan.

A letter was received from:

William Magers, 4 Timber Creek, Sherman, TX

“In the winter of 2017, both the Sherman Planning and Zoning Commission and the Sherman City Council unanimously approved a special use permit to allow two-family, single-story patio homes with no more than two structures attached in a grouping for 800, 802, 804 and 806 N. Throckmorton St. These homes were constructed on four contiguous 25' X 140' lots. It is clear that the lot layout for the current requested SUP, when compared to the one previously approved, are one and the same.”

“I am requesting that the Planning and Zoning Commission approve, as it did on November 21, 2017, the exact same application, on the exact same lot layout, using the exact same floorplan, elevation and finish-out, located just one block north in the 900 block of North Throckmorton Street. The only difference in this request and the one unanimously approved just over three years ago is that there is no longer a variance required for the front entry garage. Otherwise, this request is identical to the one that this body and the Sherman City Council unanimously approved in November and December of 2017.”

“After reviewing, please let me know if you have any questions or need more information. Thank you for your consideration and approval of this request.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a Specific Use Permit to allow two-family, single-story patio homes with no more than two structures attached in a grouping in an R-1 (One Family Residential) District/College Park Overlay District at 910, 914, 916 and 918 North Throckmorton Street subject to the Staff Review Letter. Second by Commission Member Sims

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

ZONE CHANGE & CONCEPTUAL SITE PLAN

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNERS), BILL MAGERS (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTIES IN THE 2400-2600 BLOCKS OF WEST TRAVIS STREET, BEING 33.996 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 AND ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS;

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 TO A C-1 (RETAIL BUSINESS) DISTRICT.

ZONE CHANGE & CONCEPTUAL SITE PLAN – R-1 TO C-1 2400-2600 BLKS. W. TRAVIS ST. (SSCGC HOLDINGS, LLC)

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers appeared to represent the request and answer any questions. The property is located in the 2400-2600 blocks of West Travis Street between Moore Street and Crossroads Boulevard; Northgate Drive dead-ends to the property.

Mr. Magers explained he is requesting a zone change and conceptual site plan approval from an R-1 (One Family Residential) District to a C-1 (Retail Business District. “The property is on the north side of West Travis Street and is contiguous with our property to north and is west of where the new hospital will be located.” He had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for a zone change from an R-1 (One-Family Residential) District to a C-1 (Retail Business) District and conceptual site plan in the 2400-2600 blocks of West Travis Street subject to the Staff Review Letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

EXCEPTION & REPLAT

THE REQUEST OF HOLLEY JOLLY HOMES LLC (OWNERS), JOSH HOLLEY (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 821 NORTH EAST STREET, BEING 0.115 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO.

EXCEPTION – LOT WIDTH & AREA

REPLAT – EAST HOLLEY ADDITION, BLOCK 1, LOT 1, A REPLAT OF PART OF

763, AND BEING A PART OF LOT 6, BLOCK 1, HALL AND JONES ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 35.75' WIDE LOT IN LIEU OF THE REQUIRED 60' LOT WIDTH AND A 5,005 SQUARE FOOT LOT AREA IN LIEU OF THE REQUIRED 6,000 SQUARE FOOT FOR RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF EAST HOLLEY ADDITION, BLOCK 1, LOT 1, A REPLAT OF PART OF LOT 6, BLOCK 1, HALL AND JONES ADDITION

LOT 6, BLOCK 1,
HALL & JONES
ADDITION
821 N. EAST ST.
(HOLLEY JOLLY
HOMES, LLC)

Josh Holley, 2013 South Polaris St., Denison, TX

Mr. Holley appeared to represent the request and answer any questions. The property is located at 821 North East Street between College and Carter Streets. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District.

Mr. Holley explained, "I am requesting a variance to allow a 35.75-foot lot width, 5,005 square foot area to Replat the property into one lot for residential development. There are a lot of smaller lots in the area around the same size; patio homes with the smallest on a 38' lot. The single-family house that I am putting on this lot will have the 5' setbacks on the sides. I have provided pictures of the same house I have built." 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 exception or Replat.

Commission Member Davis asked if a 40' or a 50' lot is a skinny lot.

Mr. Rae explained, "the requirement for patio homes is 40' wide lots. Since it was less than 40', our recommendation was to ask for the variance. This area has a lot of smaller lots."

Chairman Mahone asked if there was any evidence that there was a house on this lot in the past.

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers explained, "this is the first lot I bought in College Park in 2006. There was a house there with a situs address at the location. I cannot tell you when it was but there was a water pipe there at one time."

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for an exception to allow a 35.75' wide lot in lieu of the required 60' lot width and a 5,005 square foot lot area in lieu of the required 6,000 square foot for residential dwelling in an R-1 (One-Family Residential) District/College Park Overlay District subject to the Staff Review Letter at 821 North East Street. Second by Vice-Chairman Downtain.

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

VOTING NAY: NONE

MOTION CARRIED.

Planning and Zoning Commission

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for a Replat approval of East Holley Addition, Block 1, Lot 1, a Replat of part of Lot 6, Block 1, Hall and Jones Addition subject to the Staff Review Letter at 821 North East Street. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

VARIANCE & EXCEPTION

THE REQUEST OF HOLLEY JOLLY HOMES LLC (OWNERS), JOSH HOLLEY (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 821 NORTH EAST STREET, BEING 0.115 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AND BEING A PART OF LOT 6, BLOCK 1, HALL AND JONES ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

- **VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 20' FRONT SETBACK IN LIEU OF THE REQUIRED 25' AND A 5' SIDE SETBACKS IN LIEU OF THE REQUIRED 6' FOR A RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.**
- **EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.3 SUBSECTION (4)(C) TO ALLOW 1,168 SQUARE FOOT LIVING AREA IN LIEU OF THE REQUIRED 1,200 SQUARE FOOT FOR A RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT.**

VARIANCE – FRONT & SIDE SETBACKS

**EXCEPTION – LIVING AREA
821 N. EAST ST.
(HOLLEY JOLLY HOMES, LLC)**

Josh Holley, 2013 S. Polaris St., Denison, TX

Mr. Holley appeared to represent the request and answer any questions. The property is located at 821 North East Street between College and Carter Streets. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District.

Mr. Holley explained, “I am requesting variances to allow a 20’ front setback and 5’ side setbacks for a 1,168 square foot, three-bedroom, two-bath, single-family residence. The homes in the same block are set back 20’ in the front and I want to line this home up with those homes.” 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 exception or variance.

ACTION TAKEN.

Motion by Commission Member Manley to approve the request for a variance to allow a 20’ front setback in lieu of the required 25’ and 5’ side setbacks in lieu of the required 6’ and an exception to allow a 1,168 square foot living area in lieu of the required 1,200 square foot for a residential dwelling in an R-1 (One-Family Residential) District/College Park Overlay District subject to the Staff Review Letter at 821 North East Street. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED.

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

EXCEPTION & PRELIMINARY PLAT

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNER), GROVE ADDITION DEVELOPMENT JV (APPLICANT), CIVIL POINT ENGINEERS (CIVIL ENGINEER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 2100 BLOCK OF WEST MOORE STREET, BEING 60.038 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 THE FOLLOWING LOTS WIDTHS IN LIEU OF THE REQUIRED 60’ LOT WIDTH FOR A RESIDENTIAL DWELLING FOR THE PROPOSED GROVE ADDITION IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT:

LOT 10, BLOCK B – 33.32’

LOT 11, BLOCK B – 46.31’

LOT 57, BLOCK B – 46.24’

LOT 58, BLOCK B – 49.73’

EXCEPTION – LOT WIDTHS

PRELIMINARY PLAT – THE GROVE ADDITION 2100 BLOCK W. MOORE ST. (SSCGC HOLDINGS, LLC)

LOT 59, BLOCK B - 48.69'

LOT 60, BLOCK B – 41.29'

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF THE GROVE ADDITION

Joe Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located in the 2100 block of West Moore Street between Park Avenue and West Steadman Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Gilbert explained, “this a Preliminary Plat submission for 198 lots. We are very excited about the project; it will be a good project for the area. It will have homes that are comparable to others homes in the area. The medium home price will be from \$220,000 - \$250,000. What makes this development unique is we are working with the City of Sherman and it is our intention to donate 17-acres for future park and hiking and biking trails. That 17-acre is located directly west of the subdivision. The aerial map shows a natural drainage area or creek; that is what we are considering partnering with the City dedicating that land to them. The parkland will be accessible from our neighborhood and will have an easement out to Park Avenue. It is our understanding they plan to connect that with Herman Baker Lake to improve the trail system that is already there.”

“The request for the exception is to allow six lots to have less than 60' lot widths, the normal standard cul-de-sac lots where you have a narrower front and a wider back yard.” He had seen the Staff Review Letter and would abide by the Recommendations.

Appearing from the audience:

Cheri Browde, 1920 Ridgecrest, Sherman, TX

Ms. Browde wanted to know where the entrance to the subdivision would be located.

Mr. Gilbert explained, “the entrance will be off Moore Street. We will have a couple of points of access there. On the thoroughfare plan, Moore Street is considered a collector street and sometime in the future it will be curb and gutter. We are dedicating 40' of right-of-way to the City for future widening of Moore Street.”

Ms. Browde, “my concern is because I live right there on Park Avenue and Ridgecrest Lane, I have been there twenty years. My concern is traffic flow and I would want to make sure your houses are going to meet up to our home; we have put a lot of money into our home since we have been there. I want to make sure those homes will be up to par with the homes in Pebblebrook.”

Mr. Gilbert thanked Ms. Browde for her comments. “Our company developed several developments in the neighborhood and in Sherman. We plan to build homes in the \$220,000 - \$250,000 market; we think that is the target market. We are going to make a tremendous investment in the community next door to you and dedicating parkland, which will be a tremendous selling feature for your home.”

Edgar Guevara, 1813 Southridge, Sherman, TX

Mr. Guevara’s concern was Moore Street. “Have you driven Moore Street; it is pretty rough. This whole subdivision is going to have outlets to it.”

Chairman Mahone explained, “as more traffic comes, roads like that could be on the City’s priority list for improvements.”

Mr. Guevara asked Mr. Gilbert his timeline.

Mr. Gilbert responded, “we want to start by the end of the year.”

Mr. Guevara explained, “the other exit is FM 1417 (Heritage Parkway), in the last five years there have been three deaths, so where are all those people going to go to.”

Mr. Gilbert explained, “our development will spur the need for improvements to Moore Street.”

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

Letter received from:

Erin Smith, address unknown

“I am writing regarding the zoning changes about to be decided upon near my home in Pebblebrook. When we moved to our home several years ago, we moved there to enjoy the open space behind our house along with its trees and wildlife. Now, there is a plan to develop this area with patio homes, duplexes and apartment buildings. The new development will definitely change the current open space area for the worse.”

“This same type of development happened last year just to the north of Pebblebrook. An apartment building was built and homes were constructed very close together. It diminished the look and feel of Pebblebrook right away, with more traffic and homes jammed in together to accommodate as many people as possible, with as much profit for the developer as possible.”

“The development that is being proposed will lower our property values instead of raising them. I believe that the town of Sherman should consider the overall beautification of our community and, if necessary, develop the area to enhance the existing homes instead of devaluing them. If

the land must be developed, then new homes with at least one-acre lots would make the area beautiful and raise Sherman’s desirability as a location that people will want to move to. There are several areas like this in Sherman, such as Carriage Estates.”

“The zoning restrictions now call for a certain amount of lot space per house, and I am against changing the rules to accommodate smaller lots.”

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for an exception to allow the following lot widths:

- Lot 10, Block B – 33.32’
- Lot 11, Block B – 46.31’
- Lot 57, Block B – 46.24’
- Lot 58, Block B – 49.73’
- Lot 59, Block B - 48.69’
- Lot 60, Block B – 41.29’

in lieu of the required 60’ lot widths for a residential dwelling for the proposed Grove Addition in an R-1 (One-Family Residential) District in the 2100 block of West Moore Street. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the Preliminary Plat of the Grove Addition in the 2100 block of West Moore Street. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

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 (OWNER), GROVE ADDITION DEVELOPMENT JV (APPLICANT), CIVIL POINT ENGINEERS (CIVIL ENGINEER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 2100 BLOCK OF WEST MOORE STREET, BEING LOTS 2-18, BLOCK A, LOTS 1-9, BLOCK B, LOTS 1-11, BLOCK H AND LOTS 10-20, BLOCK G OF THE PROPOSED THE GROVE ADDITION, AS FOLLOWS:

**SUP – PATIO HOMES
2100 BLOCK W.
MOORE ST.
(SSCGC HOLDINGS,
LLC)**

**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.**

Joe Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located in the 2100 block of West Moore Street between Park Avenue and West Steadman Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Gilbert explained, “we are requesting a Specific Use Permit to allow patio homes on 48 lots in the proposed The Grove Addition. These will look similar to other homes in the neighborhood. We have done patio homes in the past, Washington Place and Brookstone Estates. The patio homes look and feel the same, they just have a little bit smaller side and rear yard setbacks. That allows us as builders a little bit flexibility on plans we build.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis stated, “you just told us you are building a nice community and next it whittles it down to a third being patio homes and it looks like we have some more whittling, so it just went from being feeling like I was passing a nice community to now it comes to this.”

Mr. Gilbert explained, “what we are presenting conforms to what we have done in the past. What we have done in the past has been well received by neighborhoods in the community and we are asking for the same ratio for this subdivision we just finished building less than 18 months ago; this is a much larger subdivision, there are 198 lots. The only thing that this does is a more efficient design and gives the builder more flexibility for the plans they can build. It does not mean it decreases the value at all; in fact, you can build a bigger home on a patio lot because you have reduced rear and side yard setbacks.”

Commission Member Davis asked about the section of land between Phase I and II.” What is going to happen there?”

Mr. Gilbert explained, “we have duplexes on the far north end; we have multi-family zoning on the north end furthest away from the existing neighborhood and the residential development to the south. This is considered the highest and best use for the property on the north end because there is a solar farm north and a big electrical substation across the way and this would provide a nice transition from those eyesores to transition to the south.”

Commission Member Sims asked, “how did you come up with the location of these lots.”

Mr. Gilbert explained, “there is no magic or reason for that. It is the amount of spacing between roads with the amount of space we have.”

Commission Member Manley stated, “the only access to this development is from Moore Street and it shares traffic with the Pebblebrook Development; is that correct.”

Mr. Gilbert responded, “yes, that is correct. Moore Street is a thoroughfare collector street of Park and so is West Travis; it connects to Highway 75. There will be some increases in traffic along Park Avenue, but that is identified on the Master Thoroughfare Plan as a collector street. There are not any homes that front on Park Avenue.”

Appearing from the audience:

Cheri Browde, 1920 Ridgecrest, Sherman, TX

Ms. Browde was concerned once the High School construction started; “Park Avenue got all the extra traffic because Moore Street is very narrow and closed Moore Street on the south end. They took O.B. Groner away, the new Travis Street comes through there, so that is the access to the new High School that everyone is going to come down to Moore and Park as a shortcut to these new developments. We are still getting woke up at 6 a.m. by the trucks coming to the high school. I can imagine when construction starts there; it will be the same until that road gets done. There is no other way to get to Moore Street unless you are familiar with Sherman.”

Edgar Guevara, 1813 Southridge, Sherman, TX

Mr. Guevara wanted to know how many total homes they plan to build.

Mr. Gilbert responded, “there are 198 lots.”

Mr. Guevara explained, “that is approximately 396 cars possibility going back and forth on Moore Street. It is not drivable; I take it every day going back and forth to work. When I see that many cars on there, it is going to be mischief.”

Mr. Gilbert explained, “Moore Street is a proposed thoroughfare and because we are moving forward with development, it will speed up the timeline for improvements to Moore Street.”

Mr. Guevara stated, “you are talking 5-10 years; I don’t know. My priority is safety.”

Wayne Lee, Director of Engineering explained, “there is not justification for traffic right now for improving those roads but as more development occurs that will spur to make those improvements. There is no set schedule at the moment to be improved but it is on our radar.”

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

Letter received from:

Erin Smith, address unknown

“I am writing regarding the zoning changes about to be decided upon near my home in Pebblebrook. When we moved to our home several years ago, we moved there to enjoy the open space behind our house along with its trees and wildlife. Now, there is a plan to develop this area with patio homes, duplexes and apartment buildings. The new development will definitely change the current open space area for the worse.”

“This same type of development happened last year just to the north of Pebblebrook. An apartment building was built and homes were constructed very close together. It diminished the look and feel of Pebblebrook right away, with more traffic and homes jammed in together to accommodate as many people as possible, with as much profit for the developer as possible.”

“The development that is being proposed will lower our property values instead of raising them. I believe that the town of Sherman should consider the overall beautification of our community and, if necessary, develop the area to enhance the existing homes instead of devaluing them. If the land must be developed, then new homes with at least one-acre lots would make the area beautiful and raise Sherman’s desirability as a location that people will want to move to. There are several areas like this in Sherman, such as Carriage Estates.”

“The zoning restrictions now call for a certain amount of lot space per house, and I am against changing the rules to accommodate smaller lots.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a Specific Use Permit to allow patio homes in an R-1 (One-Family Residential) District in the 2100 block of West Moore Street subject to the Staff Review Letter. Second by Vice-Chairman Downtain.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

ABSTAIN: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNER), GROVE ADDITION DEVELOPMENT JV (APPLICANT), CIVIL POINT ENGINEERS (CIVIL ENGINEER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 2100 BLOCK OF WEST MOORE STREET, AS FOLLOWS:

SUP – DUPLEXES
2100 BLOCK W.
MOORE ST.
(SSCGC HOLDINGS,
LLC)

PLANNING AND ZONING COMMISSION

- TRACT 1: BEING 1.649 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND THE PROPOSED LOTS 12-20, BLOCK B OF THE GROVE ADDITION - SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW DUPLEXES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.
- TRACT 2: BEING 3.183 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND PROPOSED LOTS 1-13, BLOCK J OF THE GROVE ADDITION - SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW DUPLEXES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

Joe Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located in the 2100 block of West Moore Street between Park Avenue and West Steadman Street. The property is zoned an R-1 (One Family Residential) District.

Mr. Gilbert explained, “this is the northern portion of the subdivision where the higher density will be. We are requesting a Specific Use Permit to allow duplexes on 22 lots in the proposed The Grove Addition. The purpose of the two-family residences is to transition away from the R-2 (Multi-Family Residential) District to the R-1 (One-Family Residential) District development and to transition from the solar farm area and electrical substation.”

“There is a demand for duplexes, what we are proposing is to not change the existing neighborhoods but rather going in with this plan up front. We are very confident that these will be built by very high standards and conform to the architectural standards of the rest of the homes in the neighborhood. I saw some comments that think by building a duplex on the north end of this subdivision while it is not in a different subdivision will decrease their property values; I just don’t agree with that. The fact is we are going in and planning it this way, developing this neighborhood, building these duplexes at the same time we have to sell 150 homes or 170 homes in the neighborhood; frankly I disagree that this could detour anyone’s values when we are making a substantial investment in homes right next door to these

duplexes.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained, “there is a plot of land in the middle of these duplexes and what he is trying to do is transition from them; the apartments to the duplexes to the patio homes to the typical homes.”

David Rylander, 1925 Ridgecrest, Sherman, TX

Mr. Rylander echoed the previous concerns on the previous items about the traffic. “I would assume duplexes would add to that volume in that small space. Also, whether duplexes are necessary in that area, it might have a domino effect. It is in your best interest to make them nice enough to not devalue the other homes; that is a concern that has been expressed in our neighborhood. In that whole area, I hear some assurances and some intentions that Park Avenue will be developed and the trails put in and the street developed but we don’t seem to have many assurances. We really see some serious concerns there with traffic, there are a lot of pedestrians in that neighborhood and there are no sidewalks on Park Avenue and there will be lots more traffic combined with the high school in an area with many pedestrians with no really safe and traffic tends to be way to fast there. I don’t know if there is any way we can get some assurances from the City to make it safer.”

Mr. Rae explained, “what they are working on with Joe Gilbert is from a City prospective is they need some utilities and part of the agreement is for them to dedicate the parkland; actually usable parkland, not just trees.”

Mr. Guevara asked about the power lines;” what is going to be in there, those two huge power lines.”

Mr. Rae responded, “the City owns that and they plan to build hiking/bike trails on that. It will connect to the proposed park.”

Mr. Gilbert explained, “we feel very confident that we are going to develop a great neighborhood with a mixed use of housing. We have built several houses in neighborhoods in the past. With the regards to concerns about traffic, we are doing the best we can; we are dedicating the 43’ to the City on Moore Street. In addition to what is there on Moore Street now, we are giving an additional 43’ and we hope they will build Moore Street soon just like the rest of us. We feel there are four points of ingress and egress to our development to the north to Center Street, to the east to the new West Travis Street and also to O.B. Groner to FM 1417 (Heritage Parkway) to Park to FM 1417 (Heritage Parkway) to the west. We have a letter of intent for the parkland dedication and will work on finalizing those details. We are looking forward to building another successful project in Sherman. We are a local home development team and will stand behind everything we build here.”

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

Commission Member Blagg asked Mr. Gilbert, “duplexes are usually investment owner, so do you see that being true.”

Mr. Gilbert responded, “yes mostly investment/owners, but that is not always the case. The first property that I bought in Sherman, I purchased it; I lived on one side and leased out the other side. We expect quite a bit of that for newer, nicer properties, the duplexes will be more expensive than the houses. There is no difference in the product between a single-family and a patio home. I don’t see it being a lesser quality between the single-family homes and the patio home lots. The two-family homes are duplexes, they are going to be brick, they are going to conform to the same deed restrictions. There is investment activity out there and that is the nature of business.”

Commission Member Sims asked if there would be a Homeowner’s Association (HOA).

Mr. Gilbert responded, “there would be deed restrictions in place and likely a voluntary HOA. It is our intention to not have common areas. When we dedicate the land for the park, it will be maintained by the City.”

Mrs. Browde had one more concern. “You want to put in duplexes, to me that doesn’t seem to be consistent with homeowners because you are talking about people that rent. They will be in and out. To me that decreases the value of the homes around you. Now you are trying to look like what is over at the old high school now, where it is all run down and I hate to see that happen out there.”

Mr. Gilbert responded, “if we felt that it would negatively influence the value of the homes in our neighborhood we would not build them. We have a lot invested and are going to be building homes in there for several years. I just disagree that it will negatively impact you in any way.”

Ms. Browde explained, “several years back they came in and tried to do the same thing in the front of Pebblebrook, they wanted to put duplexes and we got that shot down. They did put some single-family homes, but they don’t match our homes that are in our neighborhood now; they are lower end homes.”

Mr. Gilbert explained, “the request was for the duplexes for the entrance to your neighborhood where you live and this is an adjacent neighborhood and has no ingress or egress directly to your neighborhood. It’s not in your neighborhood.”

Letters received from:

Michael Brashear, 2119 Southridge Lane, Sherman, TX

“ I am writing you to voice opposition to the planned zoning of duplexes in the 2100 block of West Moore Street.”

“I purchased a first home for my family in the Pebblebrook neighborhood in 2018 after serious consideration of other options for our first home. Although our neighborhood is seated between apartment complexes, I have held hope that property values continue to increase with the addition of single-family homes on FM 1417. Placing multiple family residences on a third side of our neighborhood will hurt property values and further promote rental properties in our neighborhood of which residents do not provide adequate upkeep.”

“I believe placing multiple family residences such as condos on this particular piece of land would be a short sighted solution on behalf of the city and a waste of real estate. This land would be far better suited for larger single-family homes due to its proximity to the new high school and easy access to FM 1417. Large single-family homes would not only help current resident resale values but increase city revenue as well.”

Erin Smith, address unknown

“I am writing regarding the zoning changes about to be decided upon near my home in Pebblebrook. When we moved to our home several years ago, we moved there to enjoy the open space behind our house along with its trees and wildlife, Now, there is a plan to develop this area with patio homes, duplexes and apartment buildings. The new development will definitely change the current open space area for the worse.”

“This same type of development happened last year just to the north of Pebblebrook. An apartment building was built and homes were constructed very close together. It diminished the look and feel of Pebblebrook right away, with more traffic and homes jammed in together to accommodate as many people as possible, with as much profit for the developer as possible.”

“The development that is being proposed will lower our property values instead of raising them. I believe that the town of Sherman should consider the overall beautification of our community and, if necessary, develop the area to enhance the existing homes instead of devaluing them. If the land must be developed, then new homes with at least one-acre lots would make the area beautiful and raise Sherman's desirability as a location that people will want to move to. There are several areas like this in Sherman, such as Carriage Estates.”

“The zoning restrictions now call for a certain amount of lot space per house, and I am against changing the rules to accommodate smaller lots.”

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow duplexes in an R-1 (One-Family Residential) District on Lots 12-20, Block B of The Grove Addition and Lots 1-13, Block J of the proposed The Grove Addition subject to the Staff Review Letter in the 2100 block of West Moore Street. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED

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

OTHER BUSINESS

APPOINT PLANNING AND ZONING COMMISSION MEMBER TO PATIO HOME ORDINANCE SUBCOMMITTEE.

**APPOINTMENT
MEMBER TO PATIO
HOME ORDINANCE
SUBCOMMITTEE**

Chairman Mahone explained at the November 17, 2020 meeting, I appointed three members to a subcommittee to review the Patio Home Ordinance per the City Council’s request. Members appointed were Clay Mahone, Shawn Davis and Trish Wood. Trish Wood resigned at the last meeting so I am appointing David Downtain as a replacement.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:05 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY