



story building. That would be a concern in regards to approving this.”

**CONSENT AGENDA (ITEMS 7, 13, 14, 18, 20 & 21)**

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

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

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

**REPLAT – CONSENT AGENDA ITEM**

THE REQUEST OF CYPRESS LOFTS SHERMAN, LP (OWNERS), HELVEY-WAGNER SURVEYING, INC. (SURVEYOR), AND YOUNG ENTERPRISES LP (REPRESENTATIVE) CONCERNING THE PROPERTY AT 4901 KNOLLWOOD ROAD, BEING 11.069 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT NO. 275, ALSO BEING ALL OF LOT 1-R, BLOCK 2, CYPRESS LOFTS ADDITION, THE REMAINDER OF LOT 1, BLOCK 2, REPLAT OF BLOCKS 2, 3, 4, 5, 6, 7, 8 AND 9, NORTH CREEK ADDITION, SECTION ONE AND ALL OF BLOCK NO. 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION ONE (SAID LOT 1-R BEING A PORTION OF SAID LOT ONE, BLOCK 2) AND ALL OF LOT 2, BLOCK 2, AS FOLLOWS;

***PLANNING AND ZONING COMMISSION***

REPLAT APPROVAL OF CYPRESS LOFTS ADDITION, PHASE 1A, BEING A REPLAT OF LOT 1-R, BLOCK 2, CYPRESS LOFTS ADDITION, A PART OF LOT ONE AND ALL OF LOT TWO, BLOCK 2, REPLAT OF BLOCKS 2, 3, 4, 5, 6, 7, 8 AND 9, NORTH CREEK ADDITION, SECTION ONE AND ALL OF BLOCK NO. 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION ONE

This item was withdrawn at the July 20, 2021 meeting. The property is located at 4901 Knollwood Road on the southeast corner of Knollwood Road and Hilre Drive. The property is zoned a C-1 (Retail Business) District. The owner would like to add a dog park area to the apartment complex (Cypress Lofts Apartments) which is currently under construction. They are Replatting the property into three lots, adding additional acreage to include the dog park. They had seen the Staff Review Letter and would abide by the Recommendations.

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

**FINAL PLAT – CONSENT AGENDA ITEM**

THE REQUEST OF JEFFREY T. AND DESIREE ADAMS (OWNERS) AND COPLEY LAND SURVEYING (SURVEYOR)

**CONSENT AGENDA**

REPLAT – CYPRESS LOFTS ADDITION, PHASE 1A, BEING A REPLAT OF LOT 1-R, BLOCK 2, CYPRESS LOFTS ADDITION, A PART OF LOT ONE AND ALL OF LOT TWO, BLOCK 2, REPLAT OF BLOCKS 2, 3, 4, 5, 6, 7, 8 AND 9, NORTH CREEK ADDITION, SECTION ONE AND ALL OF BLOCK NO. 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION ONE 4901 KNOLLWOOD RD. (CYPRESS LOFTS SHERMAN, LP)

FINAL PLAT – ADAMS ADDITION 801 RIDDELS RD.

CONCERNING THE PROPERTY AT 801 RIDDELS ROAD, BEING 4.988 ACRES IN THE W.A. DEEVER SURVEY, ABSTRACT NO. 347, AS FOLLOWS;  
*PLANNING AND ZONING COMMISSION*  
FINAL PLAT APPROVAL OF ADAMS ADDITION.

(JEFFREY T. & DESIREE ADAMS)

The property is located at 801 Riddles Road, the northeast corner of Riddels Road and Pleasant Home Road in southwest Sherman off West Houston Street. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF FL COUNTRY VILLAGE LTD (OWNER), JOE GILBERT (GENERAL CONTRACTOR), DFD ARCHITECTS, INC. (ARCHITECT) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 900 SOUTH FM 1417 (HERITAGE PARKWAY), BEING LOT 1, THE RESERVE AT COUNTRY VILLAGE, AS FOLLOWS:  
*PLANNING AND ZONING COMMISSION*  
SITE PLAN APPROVAL FOR AN ADDITION TO COUNTRY VILLAGE APARTMENTS

SITE PLAN – ADDITION TO COUNTRY VILLAGE APARTMENTS 900 SOUTH FM 1417 (HERITAGE PARKWAY) (FL COUNTRY VILLAGE LTD)

The property is located at 900 South FM 1417 (Heritage Parkway) between Quail Run Road and West Houston Street; Country Village Apartments is the tenant. The property is zoned an R-2 (Multi-Family Residential) District and located in the O-1.1 (FM 1417) Overlay District.

The owner would like construct an addition to the Country Village Apartments. The project consists of adding five (5), sixteen (16) unit apartment buildings, two (2), five (5) car garages and eight carports, for a total of 151 parking spaces. The exterior of the buildings will be masonry veneer and concrete siding. A six (6) foot high wrought iron fence with masonry columns every 24' will surround the 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 TERRA PERPETUA LLC (OWNERS), KIMLEY-HORN & ASSOCIATES (SURVEYOR/CIVIL ENGINEER) AND AMERICAN COMMUNITIES (DEVELOPER) CONCERNING THE PROPERTY LOCATED IN THE 300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 4.58 ACRES IN THE SHERROD DUNMAN SURVEY ABSTRACT NO. 329, AS FOLLOWS:

SITE PLAN – BEL-AIR VILLAGE MULTI-FAMILY RESIDENTIAL, PHASE 1 300-1000 BLKS. EAST FM 1417 (VIETNAM

**PLANNING AND ZONING COMMISSION  
SITE PLAN APPROVAL FOR BEL-AIR VILLAGE MULTI-FAMILY RESIDENTIAL, PHASE 1**

**VETERANS  
PARKWAY)  
(TERRA  
PERPETUAL, LLC**

The property is located in the 300-1000 blocks East FM 1417 (Vietnam Veterans Parkway) between U.S. Highway 75 and State Highway 11 (Dewey Avenue). The property (278.313 acres) was approved for a Planned Development for Bel-Air Village.

The owners are requesting site plan approval for Phase 1 (4.58 acres) for multi-family development of 310 units. The exterior will be a combination of cement lap siding, stucco and brick. Parking will be provided 553 spaces with garage parking for 541. 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 MKT REAL ESTATE HOLDINGS, LLC (OWNER), SCHULMAN’S MOVIE BOWL GRILLE – SHERMAN (TENANT), FRANKLIN DESIGNS, INC. (DESIGNER) AND BEARDED BROTHERS (CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 110 EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING LOT 4, MBG SHERMAN ADDITION, AS FOLLOWS:  
*PLANNING AND ZONING COMMISSION*  
SITE PLAN APPROVAL FOR A SMOKEHOUSE FOR SCHULMAN’S MOVIE BOWL GRILLE – SHERMAN**

**SITE PLAN –  
SMOKEHOUSE FOR  
SCHULMAN’S MOVIE  
BOWL GRILLE  
110 EAST FM 1417  
(VIETNAM  
VETERANS  
PARKWAY)  
(MKT REAL ESTATE  
HOLDINGS, LLC)**

The property is located at 110 East FM 1417 (Vietnam Veterans Parkway), the southeast corner of FM 1417 (Vietnam Veterans Parkway) and South U.S. Highway 75; Schulman's Movie Bowl Grille is the tenant. The property is zoned a C-1 (Retail Business) District, C-2 (General Commercial) District and located in the O-1.1 (FM 1417) Overlay District and Blalock Commercial Overlay District.

The owner would like construct a 20' x 20' smokehouse behind the Schulman's Movie Bowl Grill for Billy's Grille. They had seen the Staff Review Letter and would abide by the Recommendations.

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

**FINAL PLAT – CONSENT AGENDA ITEM  
THE REQUEST OF HERITAGE DEVELOPMENT PARTNERS, LLC (OWNERS), BROCKETT DAVIS DRAKE, INC. (REPRESENTATIVE) AND VOTEX SURVEYING COMPANY (SURVEYOR) CONCERNING THE PROPERTY AT 221 WEST TRAVIS STREET, BEING 1.005 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 IN TRACT 4 OF THE BLALOCK INDUSTRIAL PARK, AS FOLLOWS;**

**FINAL PLAT –  
SHERMAN  
CROSSROADS  
MEDICAL NO. 3  
221 WEST TRAVIS  
ST.**

**PLANNING AND ZONING COMMISSION  
FINAL PLAT APPROVAL OF SHERMAN CROSSROADS  
MEDICAL NO. 3**

**(HERITAGE  
DEVELOPMENT  
PARTNERS, LLC)**

The property is located at 221 West Travis Street between Crossroads Boulevard and Northgate Drive. The property is zoned Blalock Industrial Park and Blalock Commercial Overlay District. Site plan approval was approved for Crossroads Medical Office Building, October 20, 2020. The owner would like to plat the property into one lot for commercial development of a medical office building. 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.

**ZONE CHANGE**

THE REQUEST OF TOBAR PROPERTIES LLC (OWNER), PRESTON TRAIL LAND SURVEYING (SURVEYOR), AND NBS DRAFTING AND DESIGN (DRAFTSMAN) CONCERNING THE PROPERTY AT 810 EAST MULBERRY STREET, BEING LOTS 19 AND 20, BLOCK 14, CHAFFIN'S FIRST ADDITION, AS FOLLOWS;

**ZONE CHANGE – M-2  
TO R-1  
810 E. MULBERRY  
ST.  
(TOBAR  
PROPERTIES, LLC)**

**PLANNING AND ZONING COMMISSION  
ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12,  
FROM AN M-2 (HEAVY MANUFACTURING) DISTRICT TO AN  
R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.**

**Mario Tobar, 635 Preston Meadows Rd., Sherman, TX**

Mr. Tobar appeared to represent the request and answer any questions. The property is located at 810 East Mulberry Street between Maxey and Willow Streets. The property is zoned an M-2 (Heavy Manufacturing) District. The property was originally platted into two 25' lots.

Mr. Tobar explained, "I would like to build a single-family home on this lot, so I am requesting a zone change from an M-2 (Heavy Manufacturing) District to an R-1 (One-Family Residential) District."

Chairman Mahone stated, "it looks like there is manufacturing zoning next to this lot and right across the street there is C-1 (Retail Business) District: but there are homes across the street from this lot; is that correct."

Mr. Tobar replied, "yes, there are homes across the street from this lot."

Commission Member Manley asked if they are only approving a zone change, not a plat.

Mr. Rae explained, "the plat is a condition of the Staff Review Letter; Replatting the two lots."

Commission Member Vanderveer stated, “the site plan shows a three-bedroom house, you have a one-car garage and two parking spaces in the driveway.”

Mr. Tobar stated, “that is correct there is two parking spaces in the driveway.”

Chairman Mahone asked why the request does not include the Replat.

Mr. Rae explained, “the applicant did not request a Replat at this time, so it is not on the agenda. The Replat came up after the application was submitted and is a requirement on the Staff Review Letter.”

Commission Member Davis asked if he had seen the Staff Review Letter.

Mr. Tobar replied, “yes, I have seen the Staff Review Letter and would abide by the Recommendations.”

Commission Member Manley stated, “it looks like a variance will be required for the lot width as well.”

Mr. Rae explained that will go along with the plat.

Commission Member Vanderveer stated, “it looks like the driveway is 25’ deep, be careful because we have had people have issues in the past with easements and you can’t park in the easement. The residential zoning is consistent with the neighborhood; is that correct.”

Mr. Rae agreed.

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

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the zone change from an M-2 (Heavy Manufacturing) District to an R-1 (One-Family Residential) District at 810 East Mulberry Street subject to the Staff Review Letters. Second by Commission Member Davis.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**FINAL PLAT AND EXCEPTIONS**

**THE REQUEST OF LEO BOWLER (OWNER), WINDROSE LAND SURVEYING/PLATTING (SURVEYOR), AND CODY CRANNELL, CCM ENGINEERING (CIVIL**

**EXCEPTIONS – LOT WIDTHS**

ENGINEER/REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK OF WEST NORTHCREEK DRIVE AND THE 4900 BLOCK OF NORTH TRAVIS STREET, BEING 40.840 ACRES IN THE ALEXANDER AND RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS;

FINAL PLAT –  
AUSTIN LANDING,  
PHASE IV  
700 BLK. W.  
NORTHCREEK DR. &  
4900 BLK. N. TRAVIS  
ST.  
(LEO BOWLER)

**BOARD OF ADJUSTMENTS**

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW THE FOLLOWING LOT WIDTHS IN LIEU OF THE REQUIRED 60' LOT WIDTHS IN THE PROPOSED AUSTIN LANDING, PHASE IV ADDITION IN AN SF-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT:  
LOT 11, BLOCK A – 45.29' LOT WIDTH  
LOT 12, BLOCK A – 42.34' LOT WIDTH  
LOT 23, BLOCK B – 40.22' LOT WIDTH

**PLANNING AND ZONING COMMISSION**

- B. FINAL PLAT APPROVAL OF AUSTIN LANDING, PHASE IV

Cody Crannell, CCM Engineering, 2570 Justin Road, Ste. 209, Highland Village, TX

Mr. Crannell appeared to represent the request and answer any questions. The property is located in the 700 Block West Northcreek Drive and the 4900 Block North Travis Street between Travis Street and Plainview Road. The property is zoned an SF-1 (Single Family Residential) District. The Final Plat of the Austin Landing Phase IV Addition (135 lots) was denied at the July 19, 2021, City Council Meeting pending approval of an exception to allow three lots to be less than 60' wide.

Mr. Crannell explained the lots for the exception are indicated on the final plat, usually those are cul-de-sac lots that have a larger back and smaller front.

Chairman Mahone stated, “looking at the map, those lots are quite a bit bigger and have a larger square footage than the average lot.”

Mr. Crannell agreed; “it is consistent of what was platted on an earlier basis.”

Commission Member Vanderveer asked if he had seen the Staff Review Letter.

Mr. Crannell replied, “yes, 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 Davis to approve the request for exceptions on Lots 11, 12 and 23, Block A to be

less than 60' wide in the 700 block of West Travis Street and 4900 block of North Travis Street. Second by Commission Member Vanderveer.

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

VOTING NAY: NONE

MOTION CARRIED.

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the request for the Final Plat of Austin Landing, Phase IV in the 700 block of West Travis Street and 4900 block of North Travis Street subject to the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED.

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

**VARIANCE**

THE REQUEST OF LAURETTA PECK (OWNER), SIAS DRAFTING & DESIGN (DRAFTSMAN) AND APEX CONSTRUCTION (GENERAL CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 629 CLAY LANE, BEING LOT 8, BLOCK 2, WASHINGTON PLACE ADDITION, AS FOLLOWS:

***BOARD OF ADJUSTMENTS***

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 5 AND SECTION 6.3, SUBSECTION (1) TO ALLOW A 10' REAR SETBACK IN LIEU OF THE REQUIRED 25' FOR A REAR PORCH ADDITION IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – REAR  
SETBACK  
629 CLAY LANE  
(LAURETTA PECK)

**Lauretta Peck, 629 Clay Lane, Sherman, TX**

Ms. Peck appeared to represent the request and answer any questions. The property is located at 629 Clay Lane between Legend Lane and Madison Place. The property is zoned an R-1 (One Family Residential) District.

Ms. Peck explained, "I would like to have a screened-in back porch with a 10' rear setback in lieu of the required 25'. My granddaughter and I are allergic to mosquitos; that is the reason for the sunroom addition. The exterior will be hardy lap siding with trim and shingles matching the existing house."

Chairman Mahone asked Mr. Rae about the other houses in the neighborhood having 10' setbacks.

Mr. Rae explained, "the houses in the back of these homes on Madison Place all have a Specific Use Permit for patio



homes, so their setbacks are all 10' in the rear. When you look at the aerial those houses on that side of the block are all close to the fence line; that is the reason.”

Commission Member Vanderveer asked if it was going to be a screened porch.

Ms. Peck explained, “it would be a sunroom where you can raise the windows.”

Commission Member Davis said it looks like it will be a un-air conditioned room that you are adding on, not a porch.

Ms. Peck explained, “we were considering doing air conditioning to it. We haven't really decided if we are going to need the air conditioning.”

Commission Member Vanderveer asked,” how does this later on not become a bedroom.”

Mr. Rae explained, “we would have to go through the process of the building permit as the proposed sunroom, if they change it later on, there is nothing the City can do to enforce that, unless they pull another permit to do some work or something.”

Commission Member Vanderveer was thinking about the next owner.

Commission Member Manley stated, “it would be an awful bright bedroom.”

Commission Member Davis explained, “I count this more of an addition to your home with the lap siding and a roof than a porch.”

Chairman Mahone explained there are windows on all three lengths of the walls. He asked if she had seen the Staff Review Letter.

Ms. Peck replied, “yes, I have 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 a variance to allow a 10' rear setback for a porch addition in an R-1 (One-Family Residential) District at 629 Clay Lane subject to the Staff Review letter. Second by Commission Member Sims.

**VOTING AYE: MAHONE, SIMS, MANLEY AND VANDERVEER.**

**VOTING NAY: DAVIS**

**MOTION CARRIED.**

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

**VARIANCE**

**THE REQUEST OF RICKY COOPER (OWNER), HAMBRICK TRIPLE H INVESTMENTS GROUP, LLC (CONTRACTOR), AL HAMBRICK (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2113 SOUTH EAST STREET, BEING LOTS 8 & 9, BLOCK 49, SOUTHSIDE ADDITION, AS FOLLOWS:**

***BOARD OF ADJUSTMENTS***

**VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 6’SIDE SETBACK FOR AN ADDITION TO THE EXISTING DWELLING IN LIEU OF THE REQUIRED 10’ IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.**

**VARIANCE – SIDE SETBACK  
2113 S. EAST ST.  
(RICKY COOPER)**

**Al Hambrick, 1920 Timberline Lane, Sherman, TX**

**Mr. Hambrick appeared to represent the request and answer any questions The property is located at 2113 South East Street between Cottage and Sherman Streets. The property is zoned an R-1 (One Family Residential) District.**

**Mr. Hambrick explained, “we have a request from the homeowner to add an addition to the home. The home was built in 1984 and has a side setback of 6.3’ so we are requesting a variance for an addition to the house and maintain that 6.3’ setback.”**

**Chairman Mahone asked how many square feet the house is currently.**

**Mr. Hambrick replied, “it is a small house, it is 925 square feet and we will be adding 950 square feet; so we are doubling the size of the house. One of the reasons for that is the homeowner owns two lots that are fifty feet wide, back to back, they adjoin each other, but in order to complete the project we needed more parking space. We have already presented and it has been approved a Replat of the two lots into a 100’ lot, so the reason we are asking for a 6’ setback is because the setback required would be 10’ now with the 100’ wide lot.”**

**Commission Member Vanderveer stated, “keeping the setback will allow the house to be consistent down the side.”**

**Mr. Hambrick replied, “yes.”**

**Chairman Mahone asked where parking will be.**

**Mr. Hambrick explained, “parking will be in the front. We put both lots together, so in front of the house they will still have**

their front yard. The Replat allows us to put parking on the additional lot that we added.”

Commission Member Davis said parking will be on the north end of the home.

Mr. Hambrick clarified, “yes on the other lot.”

Chairman Mahone asked how many bedrooms the house would have.

Mr. Hambrick said “three, so we needed three parking spaces. Without taking the entire front yard we couldn’t find parking spaces; that was the reason for the Replat.”

Commission Member Davis asked if they had seen the Staff Review Letter.

Mr. Hambrick replied, “yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

Mr. Rae explained, “in working with Mr. Hambrick there was multiple scenarios the property owner could go through and every scenario involved getting some type of exception or variance. This is the one the owner and applicant chose.”

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

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve request for a variance to allow a 6’ side setback for an addition to the existing dwelling in lieu of the required 10’ in an R-1 (One-Family Residential) District at 2113 South East Street subject to the Staff Review Letter. Second by Commission Member Davis.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**EXCEPTION AND, SPECIFIC USE PERMIT AND SITE PLAN  
THE REQUEST OF P & N SHERMAN, LLC (OWNER),  
HAMPTON INN & SUITES HOTEL (PROPOSED TENANT),  
ADR DESIGNS, LLC (ARCHITECT) AND PRESTON TRAIL  
LAND SURVEYING (SURVEYOR) CONCERNING THE  
PROPERTY LOCATED AT 305 CORNERSTONE DRIVE,  
BEING 2.477 ACRES IN THE J.B. MCANAI SURVEY,  
ABSTRACT NO. 763 AND BEING LOTS 8, 9 AND 10, BLOCK  
2, CORNERSTONE ADDITION, AS FOLLOWS;  
BOARD OF ADJUSTMENTS**

**EXCEPTION –  
HEIGHT  
  
SUP & SITE PLAN –  
HAMPTON INN &  
SUITES HOTEL  
  
305 CORNERSTONE  
DR.  
(P&N SHERMAN,  
LLC)**

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.6, SUBSECTION (6)(C) TO ALLOW A FOUR STORY, 54.4' TALL HAMPTON INN & SUITES HOTEL IN LIEU OF THE ALLOWED 45 FEET OR 3 STORIES IN HEIGHT IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

***PLANNING AND ZONING COMMISSION***

- B. SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A HAMPTON INN & SUITES HOTEL IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

**Anil Ram, ADR Designs, LLC, 601 Saddle Hill Dr., Grand Prairie, TX**

Mr. Ram appeared to represent the request and answer any questions. The property is located at 305 Cornerstone Drive off North Highway 75. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District. The owner recently was approved to Replat three lots into one lot for commercial development.

Mr. Ram explained, “this project consist of a proposed four (4) story Hampton Inn and Suites Hotel. The building area will be 49,174 square foot with eighty-three (83) rooms. Parking will be provided for 92 spaces.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if we have any other four-story hotels in the area.

Mr. Rae stated, “there are a lot of hotels north off Highway 75, but I am not aware if they are four stories; I don’t know if they are or not.”

Commission Member Manley stated, “there are four-story buildings downtown; right.”

Mr. Rae replied, “yes. The height regulation in the Central Business District is six-stories, everywhere else our height restriction is generally three stories.”

Commission Member Davis asked if the Hampton Inn changed; “did you add a story or was this always going to be a four-story. “

**Nila Patel, 2605 Hidden Valley Trail, Sherman, TX**

Ms. Patel explained she is the owner of the property. “The company that was a Hampton Inn was at 2904 Michelle Drive; it was a three-story building. I also own a Quality Inn and Suites next door which is a two-story building. That hotel, we rebranded to a Comfort Inn just six weeks ago. We severed all ties with the Hilton brand, however maintained our relationship with them to brand with other assets. I had the same concerns that this gentleman stated as well as

what Rob said that there are no other hotels in that area with four floors or four-stories.”

Commission Member Manley asked if Billy Hartsfield, Fire Marshal had expressed any concerns with fire protection to get up that high.

Mr. Rae replied, “I just asked him and he said he could even with a five-story if the fire lane was right; they could serve the building. He asked Chris Armstrong, Assistant City Engineer if there was anything they had a concern about.”

Mr. Armstrong replied, “no.”

Chairman Mahone asked if the Staff Review Letter would cover everything for Fire Protection if something needed to change or be added.

Mr. Rae explained, “the Fire Inspections would cover everything.”

Commission Member Vanderveer stated, “at one time they had a ladder truck to service taller buildings.”

Commission Member Davis stated, “they will probably be required to have a fire suppression system as well.”

Commission Member Vanderveer was concerned with approving a four-story building and opening the door for others or setting a precedent.

Mr. Rae explained, “exceptions and variances do not set a precedent.”

Commission Member Davis stated, “on the back side of the property is residential, it is a very old neighborhood on a cul-de-sac street but it is residential. Is a four-story hotel going to be a monster?”

Mr. Rae explained, “the hotel looks like it will be closer to the east side of the property and there is a tree line on the west side.”

Commission Member Manley asked if this is a standard plan or are the number of units driving the four-stories. “It looks like you have land available to the west; why not go wider and three-stories.”

Mr. Ram explained, “the owners own Lots 4, 5 and 6, but they have other plans for those. They bring a prototype project which is four-story, 85 room project.”

Commission Member Vanderveer asked if this is a new style for Hampton Inns.

Mr. Ram replied, “it has been this style for five or six years. This is a Hampton Inn and Suites, they have a Hampton Inn, which has a three-story prototype.”

Chairman Mahone asked what the building to the north was.

Mr. Rae thought it was a medical office.

Commission Member Sims thought it was the Cancer Center.

Janice Whitworth, 110 Atkinson Drive, Sherman, TX

Mrs. Whitworth explained she owns property behind this property and was concerned with flooding in the area.

Chairman Mahone explained, “they have to comply with the Engineering Departments requirements for detention and water control. They cannot cause flooding on your property. They have to have engineered plans where the water is going to go.”

Mrs. Whitworth explained she owns four houses on Atkinson Circle.

Commission Member Davis showed Mrs. Whitworth the site plan for the proposed hotel.

Mrs. Whitworth explained, “there is a creek that runs through there; part of my land has already fallen off into that creek in 1994.”

Commission Member Davis explained, “that happens to every creek in town at some point and time.”

Mr. Armstrong explained, “they will be required to have detention and they will have to release at the same area it is currently putting out.”

Mrs. Whitworth explained, “some of the trees have already feel off into the water.”

Commission Member Vanderveer explained, “the site plan states there is 64,270 square feet of impervious area, but I am not seeing a retention plan at all. I don’t see a pond or anything to capture water; just a building on the site plan with parking spaces.”

Mr. Rae explained, “when they submit their Civil Plans, those things will be addressed.”

Mr. Ram addressed some of the concerns. “As far as water control, we will make sure water is controlled so it does not flood anyone’s property. We have an Engineer hired to look into that.”

Commission Member Vanderveer stated the other buildings in the area are one, two or three stories; is that correct.

Mr. Rae replied, “yes, that is right.”

Commission Member Sims thought the hospital across the street is a three-story; at the corner of Lambert and Highway 75.

Mrs. Patel thought it was a two-story. “Our hotel, the Hampton Inn and the Quality Inn and Suites is three-stories.”

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

*Board of Adjustments*

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the exception to allow a four-story, 54.4’ tall Hampton Inn and Suites Hotel in lieu of the allowed 45 feet, three-stories in height in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 305 Cornerstone Drive. Second by Commission Member Manley.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**MOTION CARRIED.**

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the Specific Use and site plan approval to allow a Hampton Inn and Suites Hotel in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 305 Cornerstone Drive subject to the Staff Review Letter. Second by Commission Member Davis.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**MOTION CARRIED.**

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

**AMEND PLANNED DEVELOPMENT & SITE PLAN**

**THE REQUEST OF TERRA PERPETUA LLC (OWNERS), KIMLEY-HORN & ASSOCIATES (SURVEYOR/CIVIL ENGINEER), ION DESIGN GROUP, LLC, AND GFF ARCHITECTS (ARCHITECT) CONCERNING THE PROPERTY LOCATED IN THE 300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 278.313 ACRES IN THE SHERROD DUNMAN SURVEY ABSTRACT NO. 329, AS FOLLOWS:**

**AMEND PLANNED DEVELOPMENT – BEL AIR VILLAGE 1300-1000 BLKS. EAST FM 1417 (VIETNAM VETERANS PARKWAY)**

**PLANNING AND ZONING COMMISSION  
AMEND A PLANNED DEVELOPMENT AND SITE PLAN  
APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.12,  
FOR BEL AIR VILLAGE (ORDINANCE NO. 6319).**

**(TERRA PERPETUAL  
LLC)**

Rob Rae, Development Services Director represented the request. The property is located in the 300-1000 blocks East FM 1417 (Vietnam Veterans Parkway) between U.S. Highway 75 and State Highway 11 (Dewey Avenue). A portion of the property (245.83 acres) was approved for a Planned Development for Terra Perpetua Village by Ordinance 6232, August 5, 2019. The owner purchased an additional 32.545 acres east of the development which was zoned an R-1 (One Family Residential) District. The owner amended the planned development to include that acreage for a total of 278.313 acres and rename it to Bel Air Village.

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

Mr. Rae explained, “on page 5 of the Planned Development document, there is a dimension table that will show what has changed. The Developer is currently working on getting some home builders to build on the lots and one of the home builders requested that their garage door setback is 20’ instead of 25’. The only change that we have made to the Planned Development document for Bel Air Village is switching that yard setback front loaded from 25’ garage door to 20’ garage door.”

Chairman Mahone stated, “the building itself can be 10’, but the garage door has to be recessed further 5’.”

Mr. Rae answered, “yes.”

Commission Member Vanderveer asked if that would be from the sidewalks.

Mr. Rae explained, “the sidewalks are in the right-of-way. This is from the property line to the front of the garage. There would still be an “X” number of feet from the property line to the edge of the street. They will not be parking on the sidewalk. The garage will be setback 20’ and the rest of the house can be 10’. They are just wanting to build a bigger house.”



Commission Member Davis stated, “this is kind of new to the City and we spent a lot of money to come up with a good plan, not saying plans don’t change but we are just to blanket a whole deal and we are saying this is the way it needs to be.”

Mr. Rae clarified, “my understanding in the Planned Developments that have been approved, the City still has somewhat control over those like in a zoning district, if there are changes that need to be made at the request of the Developer, they can come in and do similar to the zoning amendment. This is just one small request that he didn’t want to ask exceptions for administrative approval through our office and would rather get it in writing so that he could get the home builder to sign the contract.

Chairman Mahone asked if the Planned Development Ordinance specifies this requirement or is it in their plan.

Mr. Rae replied, “that is correct.”

Chairman Mahone stated, “they came to the table before and said this is our plan and this is the setbacks we want.”

Mr. Rae explained, “this is just specific to the Bel Air Village Planned Development.”

Commission Member Davis asked how many are we approving.

Mr. Rae replied, “this would be just for the single-family detached and they have 200-300 homes in Phase I and they anticipate about a 1,000 single-family homes. There will be multiple builders.”

Commission Member Davis stated, “I am doing this because a builder wants to build them this way and 1,000 of them will have different setbacks.”

Mr. Rae stated, “they would get to have that new setback if this is approved, 20’ instead of 25’.”

Commission Member Manley said, “we approved the single-family setback detached, the rest of the homes are to be a 10’ setback when we approved the Planned Development; right, just allowing the garage to be 5’ closer.”

Mr. Rae explained, “from Staff prospective, the 20’ is what is required for front parking, any less than that we would probably require an exception and probably would not recommend that as Staff.”

Commission Member Davis asked, “is the garage door going back having to do with the aesthetics of the neighborhood more than the actual setback.”

**Michael Carlisle, Kimley-Horn & Associates, 260 E. Davis St., Ste. 10, McKinney, TX**

Mr. Carlisle explained the request is to revise the setback from 25' to 20' for the garage door, currently there is a 10' building setback and that is what is being requested. "What we are doing as far as design, the pad is 20' off the property line. We are asking a straight 20' pad setback to give the home builder more flexibility in their model, so when you go to choose your home you will have a variety of models that fit in this even pad rather than the additional setback. We are just asking for all to be setback 20', we are allowed to do that with the current zoning ordinance with it being 10' and 25'. The purpose of this zoning change is to make the one update for the 20' garage setback."

Commission Member Vanderveer stated, "so your garage is setback from the house."

Mr. Carlisle explained to have that flexibility.

Commission Member Manley asked to understand correctly, "this particular builder that requested that is going to build a house that is flat on the front all of them setback 20'."

Mr. Carlisle responded, "not necessarily, it just gives the flexibility to utilize the 10', additional, if they wanted to increase their pad they have the option to do that or they can move their garage over; it gives more flexibility of how the pad is going to be constructed."

Commission Member Vanderveer asked, "if someone wanted to put their house 10' back and a 20' setback for a garage, are they stuck at two bedrooms?"

Mr. Rae explained the parking requirements in Bel Air Village are completely different than regular zoning districts; they don't have the same requirements for parking per bedrooms.

Commission Member Davis stated, "it just looks like we are going to keep giving exceptions and then we are going to chip away at what we approved in the beginning."

Commission Member Sims asked why they didn't request this right out of the gate.

Commission Member Davis responded, "they didn't know."

No other citizens appeared before the Planning and Zoning Commission to discuss the amendment to the Bel Air Village Planned Development.

**ACTION TAKEN.**

Motion by Commission Member Manley to approve the amendment to the Planned Development for Bel-Air Village in the 300-1000 blocks of East FM 1417 (Vietnam Veterans

Parkway) subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

**EXCEPTION AND FINAL PLAT**

THE REQUEST OF HOLLEY JOLLY HOMES LLC (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 537 EAST BROCKETT AND 536 EAST CARTER STREETS, BEING 0.238 ACRES IN THE J.B. MCANAIR SURVEY ABSTRACT NO. 763, AS FOLLOWS:

**BOARD OF ADJUSTMENTS**

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW THE FOLLOWING LOT WIDTHS AND AREA IN LIEU OF THE REQUIRED 60' LOT WIDTHS, 6,000 SQUARE FOOT LOT AREA IN THE PROPOSED CORNER STONE ADDITION IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/(COLLEGE PARK) OVERLAY DISTRICT:

LOT 1– 43.89' LOT WIDTH, 4,291 SQUARE FOOT

LOT AREA

LOT 2 – 5,406 SQUARE FOOT LOT AREA

**PLANNING AND ZONING COMMISSION**

- B. FINAL PLAT APPROVAL OF CORNER STONE ADDITION.

EXCEPTION – LOT WIDTH & AREA FINAL PLAT – CORNER STONE ADDITION 537 E. BROCKETT ST. & 536 E. CARTER ST. (HOLLEY JOLLY HOMES, LLC)

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

The property is located at 537 East Brockett Street and 536 East Carter Street between East and Broughton Streets. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District. The owner would like to plat the property into two lots for residential development. They are requesting exceptions for the lot widths and area.

Rob Rae explained, “the City has been working with Holley Jolley Homes on this project. We requested if the home builder built homes there to dedicate right-of-way on Broughton Street. There is a portion on the corner of Broughton Street and Carter Street that they are dedicating right-of-way for a right turn lane on Broughton Street. As a result of that right-of-way dedication, the applicant needed to request an exception on the lot width and lot size.”

Chairman Mahone said he was fine with the lot size and width before the right-of-way dedication.

Mr. Rae explained before the right-of-way dedication, the lot width was 65'. He is also dedicating 10' on Carter Street so there is a really more room to get in and out on Carter Street.

Chairman Mahone asked if he is required to give up that space.

Mr. Rae responded, "probably not on either, but Broughton Street is really narrow. Lot 2, 536 E. Carter will have a driveway on Carter Street and Lot 1, 537 E. Brockett Street will have a driveway on Brockett Street to the south. There will not be any driveways on Broughton Street in the right turn lane.

Commission Member Vanderveer stated, "there are houses to the north on Broughton Street that always park on the sidewalk."

Mr. Rae explained, "that is part of our concern."

Commission Member Vanderveer asked if they are going to be able to meet setbacks or are they going to come back for variances.

Mr. Rae explained, "in my discussion with Josh, he will be able to fit the house on the lot."

Commission Member Sims asked the setback requirements.

Mr. Rae explained, "6' on the west side, 10' from Broughton Street, and 25' from Carter and Brockett Streets."

Commission Member Davis stated in the older neighborhoods, it looks like a lot of these lots are 50' wide.

Eddie Watson, 529 E. Brockett St., Sherman, TX

Mr. Watson wanted to know how far these lots are from 529 E. Brockett Street. The board gave him a copy of the aerial.

Mr. Armstrong explained, "they would not be able to get a drive approach permitted on Broughton Street with the turn lane there."

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 Davis to approve the exception to allow Lots 1, 43.89', 4,291 square foot lot area and Lot 2, 5,406 square foot lot area in the proposed Corner Stone Addition at 537 East Brockett Street and 536 East Carter Street subject to there not being any entrance/exits on Broughton Street. Second by Commission Member Vanderveer.

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Davis to approve the Final Plat of Corner Stone Addition at 537 East Brockett Street and 536 East Carter Street subject to the Staff Review letter. Second by Commission Member Manley.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**SPECIFIC USE PERMIT & SITE PLAN**

**THE REQUEST OF MPY HOMES, LLC (OWNER), ANIL PESARAMELLI (REPRESENTATIVE), CHARLIE SHEARER, SHEARER DESIGN & ASSOCIATES (DESIGNER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 214 EAST COLLEGE STREET, BEING 0.239 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, 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.**

**An email was received from Charlie Shearer withdrawing the request.**

**The property is located at 214 East College Street between Walnut and Montgomery Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to construct a Two-Family Dwelling (Duplex) on the property. The dwelling will be approximately 2,494 square feet (1,257 square feet per unit), three bedrooms with one-car garage. 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 Specific Use Permit and site plan.**

**THE REQUEST WAS WITHDRAWN.**

**EXCEPTION & REPLAT**

**THE REQUEST OF GROW MORE INVEST, LLC (OWNER), CHARLIE SHEARER, SHEARER DESIGN & ASSOCIATES (REPRESENTATIVE) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 811 NORTH EAST STREET, BEING 0.119 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND BEING A PART OF LOT 3, BLOCK 1, HALL AND JONES ADDITION, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**SUP & SITE PLAN –  
TWO-FAMILY  
DWELLING (DUPLEX)  
214 E. COLLEGE ST.  
(MPY HOMES, LLC)**

**(WITHDREW)**

**EXCEPTION – LOT  
WIDTH & AREA  
811 N. EAST ST.  
(GROW MORE  
INVEST, LLC)**

**(DENIED)**

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 37' WIDE LOT IN LIEU OF THE REQUIRED 60' AND A 5,180 SQUARE FOOT LOT AREA IN LIEU OF THE REQUIRED 6,000 SQUARE FOOT FOR A RESIDENTIAL DWELLING IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/(COLLEGE PARK) OVERLAY DISTRICT.

**PLANNING AND ZONING COMMISSION**

- B. REPLAT APPROVAL OF LOT 3, BLOCK 1, HALL AND JONES ADDITION.

**Charlie Shearer, 415 W. Main St., Denison, TX**

Mr. Shearer appeared to represent the request and answer any questions. The property is located at 811 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. The owner is requesting an exception to allow a 37' wide lot and 5,180 square foot lot area to Replat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked what they plan to put on a 37' wide lot for a house.

Mr. Shearer explained, "we have one plan that the client has built that will work on this lot. It is a three-bedroom, two bath but it is narrow and deep."

Mr. Rae informed the board, "we received the application for the plat and exception, the fee for the exception was paid but the fee for the Replat was not."

Chairman Mahone stated, "that is hopefully an oversight; this could be contingent on that fee."

Commission Member Vanderveer stated, "last month this was a significant reduction in what is required that it became an issue. This is a narrow lot; 61% reduction."

Mr. Shearer stated, "we have another lot that is 40' wide; that lot was platted that way."

Mr. Rae explained, "our patio home ordinance is really our minimum lot width for single-family is 40'. Anything less than that is cutting it pretty tight."

Mr. Shearer explained, "I assume what happened is part of that lot was sold off at some time or another and did not Replat the property. My client bought the lot and did not know there was a problem with it."

Commission Member Davis asked if there was another plan because it is 37' wide.

Commission Member Vanderveer asked if they could negotiate with the people to the south to get the 13' to make this lot a little wider.

Mr. Shearer stated, "there is a possibility that we could try to do that. I guess we could table it and give the owners the opportunity to reach out to the owners of the property adjacent to this to see if they would be interested in selling to them; it would make it more desirable for everyone involved."

Chairman Mahone stated, "I see several lots that look like the same width, but I can't find a single one with a house on it."

Chairman Mahone asked if he is asking to table this item.

Mr. Shearer explained, the owner has negotiated with the neighbors and they did not want to sell.

Commission Member Vanderveer asked if they would like to try again because if we deny it, it's is another year before you can ask again but if you table it you can come back.

Grow More Investments, LLC, 955 W. President George Bush Hwy., Apt. 4209, Richardson, TX

"We have tried to contact the neighbor with no response."

Commission Member Vanderveer stated, "if we approve this, the lots next door will want the same thing or three lots; that is my concern."

Mr. Shearer thought they should table it and make another stab to negotiate with the owners of the 13' adjacent to the property and if they don't respond or we can't get an answer from them then we will have to stand back and make something happen on it.

Mr. Rae explained, "the shot clock ordinance with the State for plats and site plans states it needs to come back in thirty days, we can't just table it for longer than that."

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

***Board of Adjustments***

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to table the request for an exception to allow a 37' wide lot and 5,180 square foot lot area in an R-1 (One-Family Residential) District at 811 North East Street and come back to the next meeting. THE MOTION DIED FOR LACK OF A SECOND.

Mr. Shearer explained, "we would have to redo the plat if the owner purchased additional acreage and ask for an exception for the lot width."

Mr. Rae explained, “the plat application is not complete, so technically they would have to redo the plat application.”

Commission Member Vanderveer stated if they purchase additional acreage they could come back if it was denied because it is substantially different.

Mr. Shearer explained, “if they do acquire more land they would have to go through the closing process and would probably take 30 days or more and then a new plat submittal.”

Mr. Rae stated, “from Staff’s prospective we would recommend denying the request.”

*Board of Adjustments*

**ACTION TAKEN.**

Motion by Commission Member Davis to deny the request for the exception to allow a 37’ wide lot and 5,180 square foot lot area in an R-1 (One-Family Residential) District at 811 North East Street. Second by Commission Member Vanderveer.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**ABSTAIN: NONE**

**MOTION CARRIED**

*Planning and Zoning Commission*

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to deny the request for the Replat of Lot 3, Block 1, Hall and Jones Addition at 811 North East Street. Second by Commission Member Davis.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**ABSTAIN: NONE**

**MOTION CARRIED**

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

**OTHER BUSINESS**

**APPROVE 2021 AND 2022 PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENTS CALENDAR**

**2021 & 2022  
CALENDARS**

Mr. Rae explained, “last night the City Council approved the zoning and subdivision changes that you recommended last month. Part of the requirement of that ordinance is to get the P&Z Schedule approved by this board. We are asking to approve the 2021 and 2022 Planning and Zoning Commission and Board of Adjustments Calendar.”



“What is changing is we are not going to have a deadline anymore, but an application window, what that allows us to do is to accept or deny applications for plats and site plans if they do not fall within that window. The reason for that is if we get a plat submitted today in our office, it would be 35 days between that and the next meeting and it falls out of the shot clock. We couldn’t put it on this meeting because the legal notice is already done or we would have to have a special meeting with this board or we would have to send it to the City Council without your approval. This allows us to have applications within that window, so that we meet the shot clock ordinance that the State requires.”

Commission Member Vanderveer asked if it applies to all applications.

Mr. Rae explained, “it technically only applies to site plans and plats.”

Chairman Mahone asked if this changed the format when the meetings are held.

Mr. Rae replied, “no.”

Chairman Mahone stated they will still be the Tuesday after the second City Council meeting.

Mr. Rae explained sometimes the holidays require a different date.

**ACTION TAKEN.**

Motion by Commission Member Vanderveer to approve the 2021 and 2022 Planning and Zoning Commission and Board of Adjustments Calendars. Second by Commission Member Sims.

**VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND VANDERVEER.**

**VOTING NAY: NONE**

**MOTION CARRIED**

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

**ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 6:05 p.m.

**ADJOURNMENT**

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**CHAIRMAN**

**\_\_\_\_\_**  
**ACTING SECRETARY**