

STATE OF TEXAS §
COUNTY OF GRAYSON §

June 22, 2010

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on June 22, 2010.

**MEMBERS PRESENT: CHAIRMAN LAWRENCE DAVIS
COMMISSION MEMBERS: JACOBS, ATHERTON, BARTON,
HICKS AND MORGAN**

MEMBERS ABSENT: PLYLER AND TANKERSLEY

CALL TO ORDER

Chairman Davis called the meeting to order at 5:00 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the May 18, 2010 Meeting. Motion by Commission Member Jacobs to approve the Minutes as written. Second by Commission Member Morgan. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

BOARD OF ADJUSTMENT

The members of the Board of Adjustment: JACOBS, DAVIS, ATHERTON, MORGAN, AND HICKS.

BOARD OF ADJUSTMENTS

EXCEPTION

THE REQUEST OF WWF MOTORS, INC. (OWNERS) AND TODD BASS, NORTH TEXAS SERVICES (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 4505 TEXOMA PARKWAY, BEING LOT 2R, BLOCK 1 OF THE REPLAT OF LOTS 2 & 3, BLOCK 1, TEXOMA CENTER ADDITION, AS FOLLOWS:

EXCEPTION – SIGN
4505 TEXOMA
PARKWAY
(WWF MOTORS, INC.)

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 4 TO INCREASE THE FACE AREA OF AN EXISTING NONCONFORMING FREESTANDING SIGN FROM 51.23 SQUARE FOOT TO 93.42 SQUARE FOOT IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

Todd Bass, North Texas Services, 4408 Texoma Parkway, Sherman, Texas

Mr. Bass appeared to represent the request and answer any questions. The property is located at 4505 Texoma Parkway; Credit Choice Motors is the tenant. The owner would like to increase the square footage of an existing nonconforming freestanding sign from 51.23 square foot to 93.42 square foot. The increase will add signage for two additional tenants on the lot. The sign is located 8' from the front property line in lieu of the required 25'.

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the exception. Second by Commission Member Atherton.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF RON BARTON (OWNER) AND SARTIN AND ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 100 FOREST CREEK DRIVE, BEING LOT 1, BLOCK 3, MOORMAN-MOORE ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 15’ REAR YARD SETBACK FOR A SINGLE FAMILY DWELLING IN LIEU OF THE REQUIRED 25’ IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**VARIANCE – REAR SETBACK
100 FOREST CREEK DR.
(RON BARTON)**

Ron Barton, 715 S. Sam Rayburn Freeway, Sherman, TX

Mr. Barton appeared to represent the request and answer any questions. The property is located at 100 Forest Creek Drive; the southeast corner of Forest Creek Drive and Travis Street. The owner would like to construct a single story, brick, single family residence, 15’ from the rear property line to conform to the other houses in the subdivision.

Susan Morrow, 104 Forest Creek Dr., Sherman, TX

Ms. Morrow explained she has lived adjacent to the lot since 1988. Drainage has always been a problem in the subdivision. A couple of years ago her backyard flooded with water up to her husband’s knees. The City dug out the drainage ditch on Travis Street, the drainage problem was almost resolved but there is still some erosion in her and her neighbor’s backyards due to the water runoff of the adjacent lot. Her concern is when a new home is built on the lot, if precautions are not taken by the builder or the homeowner, the same situation will occur. She was not opposed to having new neighbors, but was concerned with the drainage problems it may create.

Mr. Barton explained they have to address the flooding issue anytime they build a house and they have to address the flow of the water. “Gutters will be added to the house to direct the runoff.”

C.D. Fine, 101 Forest Creek Dr., Sherman, TX

Mr. Fine explained he lives directly north of this lot. “If anyone has driven around this City and looked where Cupid Homes has built, you will not find one built in an

addition such as the Moorman Moore Addition, because they are not up to the quality or the size of homes. I'm 77 years old and I have no desire to see a Cupid Home across the street from me, devaluing my home and my property. On top of that, there is a gas manifold on top of an 8" high pressure gas line setting there; who wants a home with that looking in the front yard, the side yard or wherever the case may be. I dare to say that none of you good people that are on this board have a Cupid Home in your area, except maybe this fellow here that builds them, he might have. I have no desire to see a Cupid Home built there because they are all framed with about \$100 worth of brick on the front of it, I have seen up to this point."

Mr. Barton explained "in east Sherman and east Denison, we do hardy board homes but in west Sherman we do brick homes; we have several brick homes on the west side already. We are just builders, we elected to build a lot of smaller homes in east Sherman and east Denison for a reason, but we have also custom built larger homes at the lake, 100 percent brick homes. We are just a builder that was willing to build smaller houses in the inner City. The Cupid Home actually won the "best craftsmanship" in the recent Parade of Homes. This home is going to look just as well or better as any home in the neighborhood; the home will be full brick."

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

ACTION TAKEN.

Motion by Commission Member Morgan to approve the variance. Second by Commission Member Hicks.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF JOANNE MARGOLIS (OWNER) AND HUGH SALES (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 607 WEST BIRGE STREET, BEING 0.49 ACRES IN THE J. B. MCANAIR SURVEY, ABSTRACT NO. 763 AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (3) TO ALLOW AN 18' SIDE STREET SETBACK IN LIEU OF THE REQUIRED 25' FOR A DETACHED GARAGE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**VARIANCE – SIDE STREET SETBACK
607 W. BIRGE
(JOANNE MARGOLIS)**

Hugh Sales, 1411 N. Woods, Sherman, TX

Mr. Sales appeared to represent the request and answer

any questions. The property is located at 607 West Birge Street; the northwest corner of West Birge Street and Leslie Avenue. The owner would like to construct a 28'x32' detached garage, 18' from the Leslie Avenue property line. Mr. Sales explained "the property is one of the historic homes in the area, it is really important that the aesthetics be maintained in that area. The property use to have a detached garage, but several years ago it was torn down and now there is no garage on the property at all. The desire is to build the garage and have it look aesthetically correct with the property. To do that is to have the house and garage in line in the same plane. The garage will be setting within the fence and the tree line and on the same driveway as the old garage."

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

Letters were received from:

Robert & Ruth Minschew, PO Box 758, Sherman, TX

Robert Utter, 1001 Leslie Ave., Sherman, TX

They both were in favor of the request.

ACTION TAKEN.

Motion by Commission Member Atherton to approve the variance. Second by Commission Member Morgan.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF TIN STAR HOMES (OWNERS) AND ANDREW CASSADY (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1414 SOUTH RAVEN DRIVE, BEING LOT 17, BLOCK 4, COUNTRY RIDGE ESTATES, NO. 4, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 22' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR AN ATTACHED COVERED PATIO IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**VARIANCE – REAR SETBACK
1414 S. RAVEN
(TIN STAR HOMES)**

Andrew Cassady, Tin Star Homes, 4200 Quail Run Rd., Sherman, TX

Mr. Cassady appeared to represent the request and answer any questions. The property is located at 1414 South Raven Drive in the Country Ridge Estates subdivision off F.M. 1417 South. The owner would like to construct a covered patio 22' from the rear property line.

No other citizens appeared before the Planning and Zoning

Commission to discuss the variance.

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the variance. Second by Commission Member Morgan.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF FRANK PURDOM (OWNER) AND DAVID KIGHT (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2108 JONI CIRCLE, BEING LOT 5, BLOCK 9, TURTLE CREEK SOUTH ADDITION, SECTION 4, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 3' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR AN ATTACHED GARAGE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**VARIANCE – REAR SETBACK
2108 JONI CIRCLE
(FRANK PURDOM)**

David Kight, 860 Brown Rd., Sherman, TX

Mr. Kight appeared to represent the request and answer any questions. The property is located at 2108 Joni Circle off of Meadows Lane which is off Lamberth Road. The owner would like to construct a covered patio, garage and storage area, 3' from the rear property line. Mr. Kight explained Mr. Purdom is purposing to build a two car garage, a storage unit and a covered patio that is open on two sides. "The 3' setback is not correct, it is actually 8'. We have written confirmation from ATMOS, ONCOR, Verizon and Cable One saying they do not have a problem after they came out and looked at the site with the 20' utility easement being encroached upon." They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Commission Member Jacobs asked if the variance is actually 8'; why was it 3' and now it is 8'.

Mr. Kight explained the covered patio area has been taken down 5' smaller, so now there is an 8' clearance instead of 3'.

Commission Member Jacobs explained "this looks awfully intrusive on the property next door. He did not understand the pressing need for a variance; he understood the property owner wants to do something different but we have a setback for a reason."

Mr. Kight explained there is a substantial utility easement

on the rear of the property; the property is a triangular shaped lot in a cul-de-sac with three utility easements; one on the rear of the property and the other two on the sides.

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

ACTION TAKEN.

Motion by Commission Member Morgan to approve the variance subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF TEXOMA AREA PARATRANSIT SYSTEM INC. (TAPS) (OWNERS) AND RICKY BATES, NEON SIGNS & DESIGNS (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 6104 TEXOMA PARKWAY, BEING 1.575 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5) TO ALLOW A 5' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR A 12X14 LED MONUMENT SIGN IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

**VARIANCE – FRONT SETBACK
6104 TEXOMA PARKWAY
(TAPS)**

Ricky Bates, Neon Signs & Designs, 103 E. Crawford, Denison, TX

Mr. Bates appeared to represent the request and answer any questions. The property is located at 6104 Texoma Parkway; TAPS is the tenant. The owners would like to erect a 12'x14' LED monument sign, 5' from the front property line. They had a large pole sign that was removed; it was located in front of the old Greyhound Bus Station; they own both of the buildings now. They have erected two temporary signs on the lot. They would like to erect a monument sign in front of the new building which has been remodeled for the new "park and ride" area. The location of the sign will not obstruct the view of Texoma Parkway. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the variance subject to the Staff Review Letter and the condition the two other signs be removed. Second by

Commission Member Atherton.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF MARVIN GRIFFITH (OWNER) CONCERNING THE PROPERTY LOCATED AT 1421 PINTAIL DRIVE, BEING LOT 15, BLOCK 10, COUNTRY RIDGE ESTATES NO. 3, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 16' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR AN ATTACHED COVERED PATIO IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – REAR SETBACK
1421 PINTAIL
(MARVIN GRIFFITH)

Marvin Griffith, 1421 Pintail Dr., Sherman, TX

Mr. Griffith appeared to represent the request and answer any questions. The property is located at 1421 Pintail Drive in the Country Ridge Estates subdivision off F.M. 1417 South. The owner would like to construct a 16'x10' covered patio, 16' from the rear property line.

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

ACTION TAKEN.

Motion by Commission Member Morgan to approve the variance. Second by Commission Member Hicks.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

SITE PLAN

THE REQUEST OF ST. MARY'S CATHOLIC CHURCH (OWNERS), ST. MARY'S CATHOLIC SCHOOL (TENANT) AND JIM ANDREWS (REPRESENTATIVE) CONCERNING THE PROPERTY AT 713 SOUTH TRAVIS STREET, BEING LOT 1, BLOCK 1, HARE & RANDOLPH HEIGHTS, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A 24'X60' PORTABLE CLASSROOM BUILDING.

SITE PLAN – PORTABLE CLASSROOM
713 S. TRAVIS
(ST. MARY'S CATHOLIC CHURCH)

Jim Andrews, 2501 Shoreline Dr., Sherman, TX

Mr. Andrews appeared to represent the request and answer any questions. The property is located at 713 South Travis

Street; St. Mary's Catholic School is the tenant. The owners would like to purchase a 24'x60' portable classroom building from the Sherman ISD. The building will be placed east of the existing portable classroom building on the lot. A covered walkway will be extended to the building.

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

ACTION TAKEN.

Motion by Commission Member Atherton to approve the site plan. Second by Commission Member Barton.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

PRELIMINARY & FINAL PLAT

THE REQUEST OF ET JOINT VENTURE (OWNERS) AND SARTIN AND ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY IN THE 1600-1700 BLOCKS OF U.S. HIGHWAY 75 NORTH, BEING 10.83 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY AND FINAL PLAT APPROVAL OF CRESCENT OAKS PLAZA.

**PRELIMINARY & FINAL
PLAT – CRESCENT
OAKS PLAZA
1600-1700 BLKS HWY.
75 N.
(ET JOINT VENTURE)**

**Marshall Sartin, Sartin & Associates, 109 S. Travis,
Sherman, TX**

Mr. Sartin appeared to represent the request and answer any questions. The property is located in the 1600-1700 Blocks of U.S. Highway 75 North, between Texoma Parkway and Taylor Street. The owner would like plat the property into four lots for commercial development. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the Preliminary and Final Plat subject to the Staff Review Letter. Second by Commission Member Morgan.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

FINAL PLAT, ZONE CHANGE, SITE PLAN & EXCEPTION
THE REQUEST OF HUBERT MCINTOSH AND AUSTIN COLLEGE (OWNERS), HEIDI ELLIS, (AUSTIN COLLEGE REPRESENTATIVE), TODD WILLIAMS, KANGAROO HOUSING INVESTORS, LLC (DEVELOPER/ APPLICANT), MATTHEW CAIN, CAIN CONSULTING AND ENGINEERING SERVICES, (ENGINEERS), ARCHITECTURE DEMAREST (ARCHITECT) AND SARTIN & ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY IN THE 900 BLOCKS OF EAST BROCKETT AND EAST PACIFIC STREETS AND THE 600 BLOCK OF NORTH WILLOW AND NORTH PORTER STREETS, BEING 1.69 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF BROCKETT SW ADDITION

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12 FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND SITE PLAN APPROVAL FOR STUDENT APARTMENTS.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) AND SECTION 7, SUBSECTION (13) TO NOT REQUIRE A MASONRY PERIMETER WALL/SCREEN IN AN R-2 (MULTI-FAMILY RESIDENTIAL)/COLLEGE PARK OVERLAY DISTRICT.

**Matthew Cain, Cain Consulting & Engineering Services,
6136 Frisco Square Blvd., Ste. 400, Frisco, TX**

Mr. Cain appeared to represent the request and answer any questions. The property is located in the 900 Blocks of East Brockett and East Pacific Streets and the 600 Block of North Willow and North Porter Streets. The owner would like to plat the property into one lot and change the zoning to an R-2 (Multi-Family Residential) District for construction of a Victorian Style, 26 unit, 94 bed, three-story student apartment building. The owners are planning to come back to the Planning & Zoning Commission in July for a variance for the height of the building, which is proposed to be 57' tall. Parking will be provided for 99 spaces. They are requesting an exception for the masonry perimeter fence around the complex due to the consistency of the overall campus and pedestrian access throughout the campus. The property is owned by Austin College, the complex will be built by other developers with Austin College's approval, it will be for Austin College with a long term lease agreement, the complex will be managed by the college and it will be used only for student housing. Austin College will have the option to purchase the building. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

FINAL PLAT –
BROCKETT SW ADDN.

ZONE CHANGE – R-1
TO R-2

SITE PLAN – STUDENT
APARTMENTS

EXCEPTION – WALL
SCREEN

900 BLKS E.
BROCKETT & E.T
PACIFIC & 600 BLK. N.
WILLOW & N. PORTER

(HUBERT MCINTOSH &
AUSTIN COLLEGE)

PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF BROCKETT SW ADDITION

ACTION TAKEN.

Motion by Commission Member Morgan to approve the Final Plat subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

PLANNING AND ZONING COMMISSION
ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12 FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND SITE PLAN APPROVAL FOR STUDENT APARTMENTS.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the zone change and site plan subject to the Staff Review Letter. Second by Commission Member Atherton.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) AND SECTION 7, SUBSECTION (13) TO NOT REQUIRE A MASONRY PERIMETER WALL/SCREEN IN AN R-2 (MULTI-FAMILY RESIDENTIAL)/COLLEGE PARK OVERLAY DISTRICT. COMMERCIAL) DISTRICT AND O-1 (75 & 82) OVERLAY.

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the exception to not require a masonry perimeter wall/screen. Second by Commission Member Morgan.

VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND JACOBS.

VOTING NAY: JACOBS

MOTION CARRIED

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

FINAL PLAT, ZONE CHANGE, SITE PLAN & EXCEPTION
THE REQUEST OF AUSTIN COLLEGE (OWNERS), HEIDI

**FINAL PLAT – GRAND
N ADDN.**

ELLIS, (AUSTIN COLLEGE REPRESENTATIVE), TODD WILLIAMS, KANGAROO HOUSING INVESTORS, LLC (DEVELOPER/ APPLICANT), MATTHEW CAIN, CAIN CONSULTING AND ENGINEERING SERVICES, (ENGINEERS), ARCHITECTURE DEMAREST (ARCHITECT) AND SARTIN & ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY IN THE 1100-1200 BLOCKS OF NORTH GRAND AVENUE AND THE 1100-1200 BLOCKS OF NORTH LUCKETT STREET:

BLOCK 1 – BEING 1.68 ACRES IN THE CHARLES CARTER SURVEY, ABSTRACT NO. 220

BLOCK 2 – BEING ALL OF LOTS 1-4, BLOCK 3, MILDRED HEIGHTS ADDITION, CONTAINING 0.70 ACRES

BLOCK 3 - BEING ALL OF LOTS 6-8, BLOCK 3, MILDRED HEIGHTS ADDITION, CONTAINING 0.50 ACRES

BLOCK 4 - BEING ALL OF LOTS 4-7, BLOCK 6, MILDRED HEIGHTS ADDITION, CONTAINING 0.99 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF GRAND N ADDITION, BEING PART OF A REPLAT OF BLOCKS 3 & 6, MILDRED HEIGHTS ADDITION

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12 FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND SITE PLAN APPROVAL FOR STUDENT HOUSING.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) AND SECTION 7, SUBSECTION (13) TO NOT REQUIRE A MASONRY PERIMETER WALL/SCREEN IN AN R-2 (MULTI-FAMILY RESIDENTIAL)/COLLEGE PARK OVERLAY DISTRICT.

**Matthew Cain, Cain Consulting & Engineering Services,
6136 Frisco Square Blvd., Ste. 400, Frisco, TX**

Mr. Cain appeared to represent the request and answer any questions. The property is located in the 1100-1200 Blocks of North Grand Avenue and the 1100-1200 Blocks of North Lockett Street between Richards and Dorchester Streets. The owner would like to plat the property into four lots for construction of 22 cottage style homes for the purpose of student housing for a total of 88 beds. Mansion style buildings will be located on the end of the properties near Richards, Dorchester and Dugan Streets; they are actually 3 cottage style homes placed together to make it look like one, sharing a common roof. Parking will be provided for 98 spaces. They are proposing to go before the City Council to abandon the alleyways. They are requesting an exception for the masonry perimeter fence around the complex due to the consistency of the overall campus and pedestrian access throughout the campus. The property is owned by Austin College, the complex will be built by other developers with Austin College's approval, it will be for Austin College with a long term lease agreement, the complex will be managed by the college and it will be used

**ZONE CHANGE – R-1
TO R-2**

**SITE PLAN – STUDENT
HOUSING**

**EXCEPTION – WALL
SCREEN**

**1100-1200 BLKS N.
GRAND & 1100-1200
BLKS. N. LUCKETT**

(AUSTIN COLLEGE)

only for student housing. Austin College will have the option to purchase the building. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Commission Member Morgan was concerned about parking, the requirement is one space per bedroom, and he asked if they would be allowed more than one person per bedroom.

Mr. Cain explained there would only be one person per bedroom.

Commission Member Jacobs asked about the properties adjacent to the lots not owned by Austin College; would they normally be required to screen between the R-1 (One Family Residential) District and the R-2 (Multi-Family Residential) District. He was concerned about imposing the multi-family use on the property next door zoned for one family residential.

Scott Shadden, Director of Developmental Services explained they normally would be required to screen between the properties not owned by the college.

Homer Phelps, 1217 N. Craycroft, Sherman, TX

Mr. Phelps explained Austin College has been pretty good neighbors; they have done some pretty significant things to improve the property. He was concerned about shutting or abandoning the streets in the area, then there is only one way in and out, the traffic flow is sometimes pretty heavy during school and if something major should happen it would cause a problem getting in and out of the neighborhood. He did not object to the progress the school was making, he is concerned with the volume and one way in and out.

Chris Skotnik, 1215 N. Grand, Sherman, TX

Ms. Skotnik explained she came to see what the college had planned; she lives across the street from the property. She was concerned about living across the street from an apartment building, but she thought the project looked very nice since parking will be located in the back of the lot and the area will be landscaped. She just wanted to make sure they were well landscaped and did not change the look of the neighborhood.

Mr. Cain explained there is an existing alley that will be improved to 24' for access to either Richards or Dorchester Street, the alley will be utilized as an alley; however it will not be a City owned alley. There will be a one way alley off of Dugan Street that comes up into the parking area; Dugan Street primarily goes into the Austin College campus. Grand Avenue will be nicely landscaped with no access points along Grand Avenue.

Donald Kelley, 1202 N. Grand, Sherman, TX

Mr. Kelley explained his mother-in-law owns the house between the lots that Austin College owns and is proposing to develop. There is an alley from Grand Avenue all the way to Lockett Street that has not been addressed. “She does not want to sell to Austin College, how close with the alley being there, if the alley is abandoned, will the property lines come up to.” He understood Austin College wants to abandon the alley and purchase the property from the City of Sherman. “As far as the fence goes, there have been fences in the past that have not been maintained by the college, if the fence is maintained they are fine.”

Mr. Cain explained the alley is 15’. “To explain the alley situation, under the City of Sherman’s Ordinance, if an alley becomes abandoned, there is the opportunity for the owners adjacent to the property to purchase the alley, if both sides don’t want the alley, it won’t be abandoned, or if one of the sides says the other can buy the alley, it could be abandoned and it could be purchased. We have received a letter saying they do not want to abandon that section of the alley at this point, we would like to abandon the alley but we understand that they have access off of the alley as well, that’s how they get to their driveway. Our intent is to leave that alley at this point, unless we can work out an agreement in the future, we would grant them access to their driveway, put our buildings on the true lot with 15’ setbacks off the property lines, the alley nearest this house will maintain as it is. The alley that goes through the property, Austin College owns both sides of that, so their intent is to abandon that section as well as abandon the alley that runs out to Dorchester Street, they are working with the property owner to see if they can abandon that section.”

Chairman Davis explained they could not take over the alley unless everyone agreed to it.

Commission Member Atherton asked if Mr. Kelley’s mother-in-law only access would be limited to coming off of Grand Avenue.

Mr. Cain explained her access point will be off Grand Avenue.

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

PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF GRAND N ADDITION

ACTION TAKEN.

Motion by Commission Member Morgan to approve the Final Plat subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12 FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND SITE PLAN APPROVAL FOR STUDENT HOUSING.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the zone change and site plan subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) AND SECTION 7, SUBSECTION (13) TO NOT REQUIRE A MASONRY PERIMETER WALL/SCREEN IN AN R-2 (MULTI-FAMILY RESIDENTIAL)/COLLEGE PARK OVERLAY DISTRICT.

COMMERCIAL) DISTRICT AND O-1 (75 & 82) OVERLAY.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the exception to not require a masonry perimeter wall/screen. Second by Commission Member Hicks.

Commission Member Jacobs explained he thought it was great what Austin College is doing, I like everything about it except the idea that it is unfairly imposing on the adjacent property owners.

Chairman Davis explained he did not think there was a lot of opposition against having a fence and the quality of this development, by putting a fence around it is a negative, as the way the campus is designed now, open for walking, bicycling; overall it is a positive.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, AND HICKS.

VOTING NAY: JACOBS

MOTION CARRIED

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

PRELIMINARY & FINAL PLAT, ZONE CHANGE, SPECIFIC USE PERMIT, SITE PLAN & VARIANCES

THE REQUEST OF BLUESTONE PARTNERS, LLC (OWNERS), KYLE BOOTHE (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY IN THE 2300 BLOCK OF WEST LAMBERTH ROAD AND THE 2100 BLOCK OF LITTLE LANE, BEING 0.812 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY AND FINAL PLAT APPROVAL OF NEWHAVEN ADDITION

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12 FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

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

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 9, SUBSECTION (B)(2) TO ALLOW A 11.04' FRONT LOT WIDTH IN LIEU OF THE REQUIRED 45' AND SECTION 7, SUBSECTION (5) TO ALLOW A 10' SIDE STREET SETBACK IN LIEU OF THE REQUIRED 25' ON A SPECIAL BUILDING SETBACK STREET ON THE PROPOSED LOT 1, NEWHAVEN ADDITION IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT WITH A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES.

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 9, SUBSECTION (B)(4) TO ALLOW A 40'10 1/2" FRONT YARD SETBACK ON PROPOSED LOT 1, A 35'1 1/4" FRONT YARD SETBACK ON PROPOSED LOT 2 AND A 26'11 1/2" FRONT YARD SETBACK ON PROPOSED LOT 3, NEWHAVEN ADDITION IN LIEU OF THE MAXIMUM 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT WITH A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES.

Kyle Boothe, 2414 Westhaven Ct., Sherman, TX

Mr. Boothe appeared to represent the request and answer any questions. The property is located in the 2300 Block of West Lamberth Road and the 2100 Block of Little Lane; the southeast corner of West Lamberth and Little Lane. The owner would like to plat the property into four lots, change the zoning from a C-1 (Retail Business) District to an R-1 (One Family Residential) District for construction of patio homes. Mr. Boothe explained after seeing the Staff Review Letter, there a few items up for discussion. They would like to construct single story, 1,600 square foot patio homes with accessible floor plans. "The lots are so narrow, they did not like the design of front entry garages because the garages take up the majority of the home so they decided to have a joint access easement across the back of the

PRELIMINARY & FINAL PLAT – NEWHAVEN ADDN.

ZONE CHANGE – C-1 TO R-1

SUP & SITE PLAN – PATIO HOMES

VARIANCES – FRONT LOT WIDTH, SIDE STREET SETBACK & FRONT YARD SETBACK

2300 BLK. W. LAMBERTH & 2100 BLK. LITTLE LN.

(BLUESTONE PARTNERS LLC)

(TABLED)

property with all four residents entering from there and turning into their rear entry garages. The two main issues that have come up in the Staff Review Letter are not allowing access at all off Lamberth Road and the other being a 25' setback along Lamberth instead of a 10' setback. We could probably work around one or the other, but it would be tough to work around both with the design. We definitely want it to be attractive, I live in the area and know a lot of other people that live in the area, we developed Westhaven, which is right across the street from this lot."

Commission Member Jacobs asked about patio homes and the variance for the 45' lot; they are requesting a variance for 11'.

Mr. Shadden explained the requirement is 45' for a corner lot; the corner lot in the front has a 45° off the corner of the lot.

Mr. Boothe explained the site plan reflects that the lot was altered when Lamberth Road was widened by right-of-way dedication.

Commission Member Hicks asked "if there is not going to be access off of Lamberth, how he proposed to park and get to the homes."

Mr. Boothe explained "they would like to have access off of Lamberth but seeing the Staff Review Letter, that is something they did not want because there is going to be an island eventually as they add the other side of Lamberth, so if you come out of the patio homes you would not be able to turn left, you could only turn right; we are fine with that, and we will make sure that everyone knows that up front being a resident there. We thought it would be worth that sacrifice as opposed to having three or four of these having a full garage as the front elevation."

Chairman Davis asked "if that was his reason for coming out on Lamberth; if I have my garages on the front of the house."

Mr. Boothe explained "yes, plus we have the depth to work with, with the patio home you have the small yard; if you have front garages, you will have a fairly deep back yard, so there was plenty of room back there to have a driveway in order to turn into the garages."

Commission Member Jacobs explained "the problem I have is the Comprehensive Plan says you should not have access off arterials and what you are proposing; that seems a conflict with our bright new shiny Comprehensive Plan wants to accomplish and until Lamberth is widened, there is not a median there, people will be able to come from either direction and that is going to have a negative

effect on traffic, if they stop to cross that traffic. Is there not another way for you to access your property?”

Mr. Boothe explained he had looked into that after seeing the Staff Review Letter, “we thought about making an entrance off Little Lane and then going around back, there is just not enough room as proposed, more than likely if we are not able to have access there, then we will be flipped to have access to front entry garages, there is not enough space to have wide enough drives. There are currently seven other driveways that enter onto Lamberth Road as you go back to the east to FM 1417.”

Commission Member Jacobs explained “the idea is not to compound the problem.”

Chairman Davis explained he felt part of Sherman’s problem as it has been explained to him is “the City has some north and south thoroughfares, but going east and west are harder, for example Taylor Street ends at FM 1417 and Washington Street is a main east/west and it gets curvy with the bridge over the creek, Lamberth is the best hope of getting east/west to at some point Preston Road; so there is quite a bit of opposition of filling it up of other people getting on and off, they want to keep it so that you can have a road to get somewhere; that’s part of the problem we are facing here.”

Commission Member Jacobs explained “part of the problem is the speed zones on an arterial is 40-55 mph and that sounds dangerous to encourage additional people pulling in or pulling out of a 55 mph street.”

Mr. Boothe explained being the lot is zoned a C-1 (Retail Business) District, he was not sure what would happen, but he would like to have access on both Lamberth Road and Little Lane or rezone to an R-1 (One Family Residential) District and knocking it down to three units with access on both roads.

Mark Gibson, Director of Utilities & Engineering explained “anything would have to be evaluated, the whole issue would be if there were no other means to access this property, you could have a hardship to need access to Lamberth Road, but we have a collector street; Little Lane is a future collector street in front of the property so there is a means to access the property. Each instance has to be elevated on its own.”

Commission Member Jacobs asked if the lot was broken down to three lots would that solve the setback issue.

Mr. Boothe explained yes it would.

Chairman Davis asked why he was thinking of developing the property into patio homes instead of what was

developed across the street.

Mr. Boothe explained “there are a lot of other homes similar to what they have across the street that are currently vacant, for sale and we have had a lot of demand for 1,600-1,800 square foot single family handicap accessible homes with a small yard; so this worked perfectly, we really liked the setup.”

Commission Member Jacobs liked the idea of the patio homes but “the access and the setback issues seem like that is something you could solve and as pointed out it is not a hardship issue, it’s just not what you want to do, so I’m not sure we should accommodate that, just because it’s not what you to do.”

John Dixon, 2338 W. Lamberth, Sherman, TX

Mr. Dixon explained he lives next door to this lot. He asked why they decided to build patio homes instead of one large home; he understood there was a market for smaller homes. The driveway will be parallel to his fence with all the garages in the back, which creates a lot of noise and pollution. “We are trying to do some gardening; I don’t like to eat tomatoes covered with fumes from cars. It is just too much on the corner, if he cuts it down to two or three; I know he will not make as much money, it is a little more sensible to do that. The intersection will be a dangerous intersection; I can guarantee you it will be, it is a dangerous intersection right now today. With the widening of Lamberth Road you will have a slingshot turn. If you add a driveway right next to mine, that will increase the danger. Right now it is zoned commercial, if they change it to residential that will change the dynamics of the whole area; it is zoned commercial all the way to the church; it would be nice if it would stay commercial; you could put an office building on the property that would be the best thing. Second best, would be a single home; he has a nice addition across the street; so I expected something like that, one house, one family, big yard. Little Lane would be much better and safer for access.”

Brooks Highfill, 2334 W. Lamberth, Sherman, TX

Mr. Highfill explained he just wanted to echo everything Mr. Dixon said. “I noticed that this Commission gave Mr. Boothe concession off of Washington Street in the Creekbend Addition as far as the setback; let’s think about the private citizens other than the contractor around here. We are under a lot of duress out there on Lamberth Road right now; ya’ll need to think about that further.”

Mr. Boothe explained if they needed to table the request to come back with a couple of other ideas; he would like to do that.

No other citizens appeared before the Planning and Zoning Commission to discuss the Preliminary and Final Plat,

zone change, Specific Use Permit, site plan and variances.

ACTION TAKEN.

Motion by Commission Member Jacobs to table the request for all items. Second by Commission Member Hicks.

VOTING AYE: DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: MORGAN

MOTION CARRIED

THE REQUEST WAS TABLED.

SITE PLAN & EXCEPTION

THE REQUEST OF GARCHA CORPORATION (OWNER), CANAM TRUCK PLAZA, LLC (TENANT), HARBINDER SINGH (REPRESENTATIVE), KHALID MAHMOOD, TYLER PUMP SERVICES (SUPPLIER) AND CHRIS MILLER, CANOPIES OF ARKANSAS (CONTRACTOR) CONCERNING THE PROPERTY AT 220 EAST F.M. 1417, BEING 13.41 ACRES IN THE SHEROD DUNMAN SURVEY, ABSTRACT NO. 329, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A 24X75 CANOPY.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(B) TO ALLOW THE EXTERIOR FAÇADE OF A 24X75 CANOPY TO BE METAL IN LIEU OF THE REQUIRED MASONRY OR EQUIVALENT IN A C-1 (RETAIL BUSINESS) DISTRICT, C-2 (GENERAL COMMERCIAL) DISTRICT AND O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT.

SITE PLAN – CANOPY

EXCEPTION – EXTERIOR FAÇADE

**220 E. FM. 1417
(GARCHA CORP. –
CANAM TRUCK
PLAZA, LLC)**

Harbinder Singh, 220 E. FM 1417, Sherman, TX

Mr. Singh appeared to represent the request and answer any questions. The property is located at 220 East F.M. 1417; Canam Truck Plaza is the tenant. The tenant would like to demolish the existing canopy and replace it with a 24x75 canopy with metal columns. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A 24X75 CANOPY.

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the site plan subject to the Staff Review Letter. Second by Commission Member Morgan.

VOTING AYE: MORGAN, DAVIS, ATHERTON, BARTON, HICKS AND JACOBS.

VOTING NAY: NONE

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

BOARD OF ADJUSTMENTS
**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7,
SUBSECTION (1)(B) TO ALLOW THE EXTERIOR FAÇADE
OF A 24X75 CANOPY TO BE METAL IN LIEU OF THE
REQUIRED MASONRY OR EQUIVALENT IN A C-1 (RETAIL
BUSINESS) DISTRICT, C-2 (GENERAL COMMERCIAL)
DISTRICT AND O-1.1 (F.M. HIGHWAY 1417) OVERLAY
DISTRICT.**

ACTION TAKEN.
**Motion by Commission Member Jacobs to approve the
exception. Second by Commission Member Atherton.**

**VOTING AYE: MORGAN, DAVIS, ATHERTON, HICKS AND
JACOBS.
VOTING NAY: NONE
MOTION CARRIED
THE COMMISSION FOUND THE REQUEST CONFORMS TO
THE INTENT OF THE ORDINANCE.**

OTHER BUSINESS
No other business came before the board.

OTHER BUSINESS

ADJOURNMENT
**On Motion duly made and carried, the meeting adjourned
at 6:59 p.m.**

ADJOURNMENT

CHAIRMAN _____

**_____
SECRETARY**