

STATE OF TEXAS

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March 20, 2012

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on March 20, 2012.

MEMBERS PRESENT: CHAIRMAN LAWRENCE DAVIS
COMMISSION MEMBERS: HICKS, BARTON, BARBER,
KRECK, GILBERT, AND THORPE

MEMBERS ABSENT: MORGAN 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 February 21, 2012 Meeting. Motion by Commission Member Barber to approve the Minutes as written. Second by Commission Member Hicks. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

WELCOME

Chairman Davis welcomed new Planning and Zoning Commission Members Joe Gilbert and Sam Thorpe.

NEW COMMISSION
MEMBERS GILBERT &
THORPE

BOARD OF ADJUSTMENT

The members of the Board of Adjustment: DAVIS, HICKS, BARBER, KRECK AND GILBERT.

BOARD OF
ADJUSTMENTS

PRELIMINARY PLAT

THE REQUEST OF CREED CANYON PARTNERS LTD. (OWNERS), MATTHEW LOONEY (REPRESENTATIVE), VILBIG AND ASSOCIATES (ENGINEERS) AND SARTIN AND ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 4000-4200 BLOCKS OF NORTH TRAVIS STREET, BEING A 11.11 ACRE TRACT IN THE JOHN JENNINGS SURVEY, ABSTRACT NO. 647, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF CREED CANYON ADDITION

PRELIMINARY PLAT –
CREED CANYON
ADDN.
4000-4200 BLKS N.
TRAVIS
(CREED CANYON
PARTNERS LTD.)

David Vilbig, Vilbig & Associates, 10132 Monroe Dr.,
Dallas, TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 4000-4200 Blocks of North Travis Street; the northeast corner of North Travis and Canyon Grove Road, just west of Wal-Mart. The owners would like to plat the property into two lots for multi-family residential and commercial development 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 Preliminary Plat.

ACTION TAKEN.

Motion by Commission Member Hicks to approve the Preliminary Plat subject to the Staff Review Letter. Second by Commission Member Kreck.

VOTING AYE: DAVIS, BARTON, HICKS, BARBER, GILBERT, THORPE AND KRECK

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE, SITE PLAN & EXCEPTIONS

THE REQUEST OF CREED CANYON PARTNERS LTD. (OWNERS), MATTHEW LOONEY (REPRESENTATIVE), CROSS ARCHITECTS, PLLC (ARCHITECTS), VILBIG & ASSOCIATES (ENGINEERS) AND SARTIN AND ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 4000-4200 BLOCKS OF NORTH TRAVIS STREET, BEING A 9.23 ACRE TRACT IN THE JOHN JENNINGS SURVEY, ABSTRACT NO. 647, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) TO ALLOW A 6' WROUGHT IRON FENCE WITH 7' MASONRY COLUMNS, IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL TO SURROUND THE DEVELOPMENT IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(H) TO ALLOW A 6'X9' MONUMENT SIGN IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

ZONE CHANGE – C-1 TO R-2

SITE PLAN – APARTMENT COMPLEX

EXCEPTION – FENCE

EXCEPTION – SIGN

4000-4200 BLKS. N. TRAVIS (CREED CANYON PARTNERS, LTD)

David Vilbig, Vilbig & Associates, 10132 Monroe Dr., Dallas, TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 4000-4200 Blocks of North Travis Street; the northeast corner of North Travis and Canyon Grove Road, just west of Wal-Mart. A zone change was granted to a C-1 (Retail Business) District at the July 18, 2005, City Council Meeting. The owners would like rezone the property to an R-2 (Multi-Family Residential) District to construct a 192-unit apartment complex. They would like to erect a 6' wrought iron fence with 7' columns to surround the development

and a 6'x9' monument sign along Canyon Grove Road. He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Hicks asked the reason for requesting the exception to the masonry fence.

Mr. Vilbig explained the existing property they are rezoning has a tremendous buffer to the north between the power line and the tract to the north so there is no technical residential adjacency; so it is just a cost issue really, a masonry wall can be very expensive.

Chairman Davis explained in the past when they have had a request for a metal fence, there have been landscaping agreements to cover the area with plants.

Mr. Vilbig explained that would be something easy to do.

Appearing from the audience:

Tom Miller, 313 Forest Creek Dr., Sherman, TX

Mr. Miller explained “three years ago Sherman and the City Council spent many hours, effort and time on developing a City Plan and the City Plan included the zoning to a C-1 (Retail Business) District and now it has been requested to change it to an R-2 (Multi-Family Residential) District; I'm just curious on the purpose of this Master Plan, if we are going to keep changing things? Another question I would have, if this does go through, the traffic on Travis Street and the area there, being a resident of Forest Creek, the limit of visibility as well the increased traffic with a speed limit of 55 mph, just curious of the where the entrance to the complex would be and if there is any kind of plan to expand Travis, to allow for turning lanes, etc..”

Chairman Davis explained “the Master Plan is a plan, it is better to have a plan than not and as things come up and developers have ideas, there is some discretion to decide what the best use of the property and the best interest of the City; there is some room changing the Master Plan depending how it develops, who wants to develop it and what ideas they have.”

Mr. Vilbig explained they have talked to TXDOT about Travis Street and Canyon Grove Road, “it is a troublesome area because of the proximity of the access road to the intersection there. TXDOT plans to make Canyon Grove Road a right-turn in, right-turn out only at Travis Street. There is an agreement with the developer for a future connector down to Highway 82.”

Chairman Davis explained, then, “if you come out of Wal-Mart on Canyon Grove Road to Travis, you will have to turn right.”

Mr. Vilbig explained “they are going to build a road off of

Canyon Grove Road to the Highway 82 access road and install signal lights at the Highway 82 access road and Travis Street; that would be the route you would take if you wanted to go back to the south; TXDOT has this in their plan right now, but I don't know the schedule for that. If there is an additional traffic problem on Travis Street and we see that, there is a possibility we could put a right turn decel lane off Travis, we feel most of that traffic will be coming north on Travis and there will be some turning north on Travis and some coming south and there will be an entrance there and we will have to address that."

Mark Gibson, Director of Engineering and Utilities asked Mr. Vilbig if the Staff Review Letter stated there would be no entrance off of Travis Street. "TXDOT will have to approve any access onto Travis Street."

Mr. Vilbig explained just for the corner lot. He understood TXDOT would have to approve access onto Travis.

Mr. Miller was confused where the main entrance would be for the complex.

Chairman Davis asked "the procedure if the apartment complex is built and traffic is a nightmare out there; who is responsible to solve the problem."

Mark Gibson explained "if there is access off of Travis Street it will have to be constructed or designed in such a manner that it is going to compliment the ultimate solution of Canyon Grove Road and Travis Street, TXDOT has plans to do a right-turn in, right-turn out from the new road going from Canyon Grove over to the Highway 82 access road to compliment that and any improvement or entrances onto Travis Street is going to have to be made so it compliments that or works with it. I would assume you are talking a deceleration lane for a right turn like they did for the apartments towards Knollwood."

Chairman Davis explained then "TXDOT is the responsible party to approve traffic plans."

Mr. Vilbig explained "they will have to request a permit from TXDOT and they will let us know what they want when we request that permit."

Commission Member Hicks asked "if we knew when the Canyon Grove Road and Highway 82 improvements would begin."

Mark Gibson explained "it is being designed now; it is like everything else, when the money comes in, it will be built; there are plans for construction right now."

Commission Member Hicks was very concerned with the traffic, "we have to hold a lot of faith in TXDOT to control

the traffic, I guess they will deal with it as they see fit.”

Clay Barnett, City Engineer explained “the board could require a traffic study as a condition of the approval if that is your desire.”

Mr. Vilbig explained “what that traffic study would address is the issues if we needed a right-turn lane and left-turn lane, whatever it is we needed depending on the number of trips generated along those roads; it is fairly common thing.”

Chairman Davis agreed “traffic is terrible at this location and the apartments will make it even worse, it is unacceptable as it is, I don’t know what a traffic study is but traffic is out of our league, we are not the ones who can say build roads or not build roads, it is the State’s responsible to build the roads to meet the needs; so you may have to do one for them.”

Mr. Vilbig explained “they may require one in this case, I have never had to do one here before on any projects I have done here, but that does not mean they won’t require one, this defiantly has traffic issues, but they can be handled and the way TXDOT is handling it is a good solution. The traffic signal at Highway 82 access road and Travis is going to make a world of difference and that is why to have another traffic signal at Canyon Grove Road is too close, so that is why they are making it right-turn in, right-turn out.”

Matt Looney, 2402 W. Morton, Denison, TX

Mr. Looney explained “it was their understanding that the roads and traffic lights were going to happen whether or not there is an apartment complex there or not, and whether there is an apartment complex or commercial lot, you are going to add traffic to it that it is currently zoned for.”

Scott Shadden, Director of Developmental Services asked Mr. Looney “as a representative of the apartments, you have no problem of putting in the accel and decel lanes.”

Mr. Looney explained “no sir.”

Mr. Vilbig explained “no sir; it’s just a cost issue, like Mark Gibson said at Knollwood, they put a right turn lane in, so it is a fairly common thing to do; it gets the high speed traffic off the road that is turning and the high speed traffic can on by.”

Commission Member Barber explained as far as the traffic study; “all we are doing is the zoning.”

Commission Member Kreck explained “the traffic lights have already been approved, it is really up to TXDOT to

have the traffic study done; I don't see why we should put a condition on the request for a traffic study if the traffic lights have already been approved, I don't know what further steps could be improved from the result of a traffic study.”

Commission Member Hicks explained “they did not plan on having another 382 cars out of an apartment complex to deal with.”

Commission Member Kreck explained “they will have to do a permit for the driveway on Travis and they will address that at that time.”

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

ACTION TAKEN.

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

VOTING AYE: DAVIS, BARTON, HICKS, BARBER, GILBERT, THORPE AND KRECK

VOTING NAY: NONE

MOTION CARRIED

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

Chairman Davis asked if they would agree to plant shrubbery with the wrought iron fence if it is approved.

Mr. Vilbig explained they could plant evergreen type trees that could grow 6'-8' tall to put immediately outside the area to shield from the residential property to the north.

Scott Shadden explained “the last request had a condition to plant Nellie Stevens or Red tip Photonias, 3' apart.”

ACTION TAKEN.

Motion by Commission Member Kreck to approve the exception to allow 6' wrought iron fence with 7' masonry columns, in lieu of the required masonry perimeter wall to surround the development with the condition of planting Nellie Stevens or Red Tip Photonias, 3'-5' apart on the north side of the development. Second by Commission Member Barber.

VOTING AYE: DAVIS, HICKS, BARBER, KRECK AND GILBERT.

VOTING NAY: NONE

MOTION CARRIED

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

ACTION TAKEN.

Motion by Commission Member Hicks to approve the exception to allow a 6'x9' monument sign. Second by Commission Member Kreck.

VOTING AYE: DAVIS, HICKS, BARBER, KRECK AND GILBERT.

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF FIRST TEXOMA NATIONAL BANK, MARK E. BURKES, JASON E. WALL AND LINDA D. LOTT (OWNERS), VILBIG AND ASSOCIATES (ENGINEERS) AND HELVEY AND ASSOCIATES (SURVEYORS) CONCERNING THE PROPERTY LOCATED IN THE 4600-5100 BLOCKS OF NORTH TRAVIS, BEING 30.243 ACRES IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF AUSTIN LANDING ADDITION, PHASE ONE

**REPLAT AUSTIN LANDING ADDITION, PHASE ONE
4600-5100 BLKS N. TRAVIS
(FIRST TEXOMA NATIONAL BANK, MARK BURKES, JASON WALL & LINDA LOTT)**

David Vilbig, Vilbig & Associates, 10132 Monroe Dr., Dallas, TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 4600-5100 Blocks of North Travis Street near the City of Knollwood. Mr. Vilbig explained this development was started several years ago but was never finished because of the economy. The owner has been working with the City to take care of some of the items that need to be finished and the Developers Agreement has been approved by the City Council. They will be putting in a detention basin so they need to replat some lots. They would like to replat the property from 77 lots into 83 lots for residential development. 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 Replat.

ACTION TAKEN.

Motion by Commission Member Hicks to approve the Replat subject to the Staff Review Letter. Second by Commission Member Thorpe.

VOTING AYE: DAVIS, BARTON, HICKS, BARBER, GILBERT, THORPE AND KRECK

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE

THE REQUEST OF FIRST TEXOMA NATIONAL BANK (OWNERS), VILBIG AND ASSOCIATES (ENGINEERS) AND HELVEY AND ASSOCIATES (SURVEYORS) CONCERNING THE PROPERTY AT 4701 CAMP VERDE CIRCLE AND 100 WEST NORTH CREEK DR., BEING LOT 1, BLOCK A AND LOT 1, BLOCK C, AUSTIN LANDING ADDITION, PHASE 1, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN SF1- (SINGLE FAMILY RESIDENTIAL) DISTRICT.

ZONE CHANGE – C-1
TO SF-1
4701 CAMP VERDE CIR
& 100 NORTH CREEK
W.
(FIRST TEXOMA
NATIONAL BANK)

David Vilbig, Vilbig & Associates, 10132 Monroe Dr.,
Dallas, TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located at 4701 Camp Verde Circle and 100 West North Creek Drive off North Travis Street near the City of Knollwood. The property was annexed into the City in 2006 and is located in the Austin Landing Addition. The two lots were approved for a zone change to a C-1 (Retail Business) District at the May 1, 2006, City Council Meeting. The owners would like to rezone the property to an SF-1 (Single Family Residential) District to correspond with the other lots in the subdivision. 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 zone change.

ACTION TAKEN.

Motion by Commission Member Barber to approve the zone change subject to the Staff Review Letter. Second by Commission Member Kreck.

VOTING AYE: DAVIS, BARTON, HICKS, BARBER, GILBERT, THORPE AND KRECK

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 5:38 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY

