

STATE OF TEXAS

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October 16, 2012

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on October 16, 2012.

MEMBERS PRESENT: CHAIRMAN DON HICKS
COMMISSION MEMBERS: TANKERSLEY, BARTON,
GILBERT AND DUTTON

MEMBERS ABSENT: MORGAN, BARBER, KRECK AND THORPE

CALL TO ORDER

Chairman Hicks 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 September 18, 2012 Meeting. Motion by Commission Member Barton to approve the Minutes as written. Second by Commission Member Tankersley. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

BOARD OF ADJUSTMENT

The members of the Board of Adjustment: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

BOARD OF
ADJUSTMENTS

EXCEPTION

THE REQUEST OF DONNIE & KATHRYN KELTON (OWNERS) AND BRYAN ROCKWELL, BLUESTONE PARTNERS, LLC (CONTRACTOR/REPRESENTATIVE) CONCERNING THE PROPERTY AT 2520 RIATA DRIVE, BEING LOT 5, BLOCK 3, O'HANLON RANCH ADDITION, PHASE 3, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13H) TO ALLOW AN 8' FENCE IN THE SIDE YARD IN LIEU OF THE PERMITTED 6' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION – FENCE
2520 RIATA
(DONNIE & KATHRYN
KELTON)

Bryan Rockwell, Bluestone Partners, LLC, 2913 Overland Trail, Ste. 100, Sherman, TX, TX

Mr. Rockwell appeared to represent the request and answer any questions. The property is located at 2520 Riata Drive in the O'Hanlon Ranch Addition off F.M. 1417 North. The property is zoned an R-1 (One Family Residential) District. The owners wanted the exception for an 8' fence with a gate going to the south side yard property line joining the existing neighbors 8' and side yard fence.

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

ACTION TAKEN.

Motion by Commission Member Gilbert to approve the exception. Second by Commission Member Tankersley.

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF Z. JOHN BAIG (OWNER) AND RUSTY LYNCH, LOWE'S HOME IMPROVEMENT (CONTRACTOR/REPRESENTATIVE) CONCERNING THE PROPERTY AT 2108 BOIS' D ARC DRIVE, BEING LOT 3, BLOCK A, TURTLE CREEK WEST ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H) TO ALLOW A 19' SIDE YARD SETBACK ON A CORNER LOT FOR A 6' VINYL FENCE IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – FENCE
2108 BOIS' D ARC
(Z. JOHN BAIG)

John Baig, 2108 Bois' D Arc, Sherman, TX

Mr. Baig appeared to represent the request and answer any questions. The property is located at 2108 Bois' D Arc Drive; the southwest corner of Bois' D Arc and Alpine. The property is zoned an R-1 (One Family Residential) District. The owner requested to install a 6' vinyl fence, 19' from the side street property line to include the garage so that when you open the door, animals and children will not go out into the street. The fence will go across the driveway connecting to the fence in the rear of the property.

Vanessa Hathaway, 1800 Alpine, Sherman, TX

Mrs. Hathaway explained she lives adjacent to the property and she was concerned with the height of the fence, she wanted it to be low enough that she could see oncoming traffic when she backs out of her driveway. She did not want a vinyl fence since everyone else in the neighborhood had wood fences. She explained the fence needed to be replaced and understood the owner would like to improve the property; she did not have a problem with that, as long as the fence was not going to be 8' tall.

Mr. Baig explained he would agree to work with Mrs. Hathaway; "if she wants the changes, we will do it."

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

Letters were received from:

Gorlyn & Jane Bronstad, 1805 Alpine, Sherman, TX

They objected to the 6' vinyl fence. "The entire

neighborhood is 6' wood, this will not meet the décor of the neighborhood.”

Mirza A & Mirza Z Baig, 2104 Bois' D Arc, Sherman, TX
They did not have a problem with the request. “Fence good for neighborhood, good neighbors.”

ACTION TAKEN.

Motion by Commission Member Barton to approve the variance. Second by Commission Member Gilbert.

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF CREED CANYON PARTNERS (OWNER) AND VILBIG & ASSOCIATES. PLLC (ARCHITECT) CONCERNING THE PROPERTY LOCATED IN THE 4000-4200 BLOCKS OF NORTH TRAVIS STREET AND THE 100-200 BLOCKS OF EAST CANYON GROVE ROAD, BEING A 9.23 ACRE TRACT IN THE JOHN JENNINGS SURVEY, ABSTRACT NO. 647, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

VARIANCE UNDER ORDINANCE NO. 2684, SECTION 26 (A) TO NOT REQUIRE THE DEVELOPER TO BE RESPONSIBLE FOR PAYMENT OF ESCROW FUNDS FOR THE FUTURE IMPROVEMENTS OF CANYON GROVE ROAD AS REQUIRED WITH THE DEVELOPMENT OF CREED CANYON APARTMENTS IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

A letter was received from David Vilbig, Vilbig and Associates, 10132 Monroe, Dallas, TX requesting to withdraw this request.

THE REQUEST WAS WITHDRAWN.

VARIANCE

THE REQUEST OF CRUTCHFIELD HEIGHTS BAPTIST CHURCH (OWNER), CHRIS WILLIAMS (GENERAL CONTRACTOR) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY AT 600 SOUTH DEWEY AVENUE, BEING LOTS 3-10, BLOCK 4, J.C. LINNSTEAD ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5) TO ALLOW A 2' SIDE STREET SETBACK FOR AN ATTACHED COVERED AWNING IN LIEU OF 10' REQUIRED IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT WITH A SPECIFIC USE PERMIT TO ALLOW A CHURCH.

VARIANCE – ESCROW FUNDS

4000-4200 BLKS. N. TRAVIS & 100-200 BLKS. E. CANYON GROVE RD. (CREED CANYON PARTNERS)

(WITHDRAWN)

VARIANCE – SIDE STREET SETBACK SITE PLAN - AWNING

600 S. DEWEY (CRUTCHFIELD HEIGHTS BAPTIST CHURCH)

**PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR AN ADDITION TO AN
ATTACHED COVERED AWNING.**

Chris Williams, 1140 Bethel Cannon Road, Whitewright, TX
Mr. Williams appeared to represent the request and answer any questions. The property is located at 600 South Dewey Avenue, between King and Wells; Crutchfield Heights Baptist Church is the tenant. The property is zoned an R-1 (One Family Residential) District with a Specific Use Permit to allow a church. Crutchfield Heights Baptist Church proposed to raise the existing aluminum awning approximately two feet and extend it two feet closer to the street to accommodate the church's new van. The awning would be located 2' from the side street property line along Wells Avenue.

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

ACTION TAKEN.
Motion by Commission Member Tankersley to approve the variance and site plan. Second by Commission Member Barton.

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.
VOTING NAY: NONE
MOTION CARRIED

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

SITE PLAN
THE REQUEST OF A-S 71 SHERMAN, PHASE III, LP (OWNERS), CHARLIE MEYER (REPRESENTATIVE), AND OSBORN & VANE ARCHITECTS, INC. (ARCHITECT) CONCERNING THE PROPERTY AT 4114 U.S. HIGHWAY 75 NORTH, BEING LOT 1, BLOCK 2, SHERMAN TOWN CENTER, SECTION TWO, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A RETAIL CENTER.

**SITE PLAN – RETAIL SHELL
4114 HWY. 75 N.

(A-S 71 SHERMAN, PHASE III, LP)**

Brian Wechsler, 4445 Alpha Rd., Dallas, TX
Mr. Wechsler appeared to represent the request and answer any questions. The property is located at 4114 U.S. Highway 75 North in the Sherman Town Center Addition; the lot adjacent to Wendy's Restaurant. The property is zoned a C-1 (Retail Business) District and is located in the O-1 (75 & 82) Overlay District. They are proposing to construct a 6,000 square foot retail shell building for three future tenants. The building would conform architecturally with the surrounding shopping center. Mr. Wechsler explained there are a couple of soft goods retailers and possibly a burger concept for the drive-thru endcap. 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 site plan.

ACTION TAKEN.

Motion by Commission Member Gilbert to approve the site plan subject to the Staff Review Letter. Second by Commission Member Tankersley.

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

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

SITE PLAN

THE REQUEST OF BILL MCCOWN (OWNER), DONNIE SNIDER, HOPE CONCRETE COMPANY (APPLICANT) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 320 PROGRESS DRIVE, BEING LOT 4, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION REPLAT AND BEING IN TRACT 2 OF BLALOCK INDUSTRIAL PARK, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410(2)(B) TO ALLOW A TEMPORARY CONCRETE BATCH PLANT FOR A PERIOD OF ONE YEAR IN THE BLALOCK INDUSTRIAL PARK DISTRICT.

**SITE PLAN –
TEMPORARY
CONCRETE BATCH
PLANT
320 PROGRESS DR.
(BILL MCCOWN)**

Donnie Snider, Hope Concrete Company, Bonham, TX

Mr. Snider appeared to represent the request and answer any questions. The property is located at 320 Progress Drive, the southwest corner of Progress Drive and Howe Drive; Power Lift Foundation Repair is located on the same lot, in the Blalock Industrial Park. Hope Concrete Company is a locally owned and operated and they would like to locate a temporary concrete batch plant on the lot for a period of one year to supply materials to the Panda Energy project on Progress Drive that is currently under construction. Mr. Snider explained the current demands exceed the limits of the concrete plant located at 5815 North Travis Street. The proposed temporary concrete batch plant would only subsidize the Panda Energy Plant. They are expecting to be finished with the concrete work by June or July of 2013. The majority of their big pours will be a couple hundred trucks so their intent is to reduce wear and tear on city streets and heavy truck traffic along the southern part of the City going to and from the existing batch plant in north Sherman. 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 site plan.

ACTION TAKEN.

Motion by Commission Member Tankersley to approve the site plan subject to the Staff Review Letter. Second by Commission Member Barton.

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

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

CONCEPT PLAN, PRELIMINARY & FINAL PLATS

THE REQUEST OF WESTFIELD ESTATES, LP (OWNER), JOHN SZABUNIEWICZ (REPRESENTATIVE), ROGER ALLRED (GENERAL CONTRACTOR) AND HARLAN LAND SURVEYING, INC. (SURVEYORS) CONCERNING THE PROPERTY IN THE 200 BLOCK OF SHADY OAKS LANE, BEING 111.56 ACRES IN THE JAMES H. VADEN SURVEY, ABSTRACT NO. 1288, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

CONCEPT PLAN OF CANYON CREEK ESTATES

PLANNING AND ZONING COMMISSION

PRELIMINARY & FINAL PLATS – WEST CANYON CREEK OAKS ESTATES, SECTION 1, BEING 1.626 ACRES IN THE JAMES H. VADEN SURVEY, ABSTRACT NO. 1288

CONCEPT PLAN – CANYON CREEK ESTATES

PRELIMINARY & FINAL – WEST CANYON CREEK OAKS ESTATES, SECTION 1

200 BLK. SHADY OAKS LANE (WESTFIELD ESTATES, LP)

Roger Allred, 120 W. Belden, Sherman, TX

Mr. Allred appeared to represent the request and answer any questions. The property is located in the 200 Block of Shady Oaks Lane off of West Lamberth Road; the property was formerly the County Farm, which was annexed into the City in 2003. An overall concept plan and preliminary and final plat dividing a portion of the tract into seven lots for residential development is proposed. The Concept Plan, Preliminary and Final Plat was submitted at the August 21, 2012, Planning and Zoning Commission meeting, but was withdrawn to allow time to research and get approval for a fire protection plan for the development. Mr. Allred explained he met with Fire Chief Jones and he gave him the requirements for the turn-around; 24' wide and 12' long, as well as a fire hydrant on the north property line of Lot 6. They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Gilbert asked if there was a 20' utility easement to the north of Lot 7 on the plat. If they require a 24' easement for the fire truck, will that be taken off Lot 7?

Mr. Allred explained yes, it would be changed on the final plat or prior to construction. Lot 7 will not be built right now until Shady Oaks Lane is extended.

Commission Member Gilbert asked if the City had plans to extend Shady Oaks Lane.

Lisa Whitfield, Engineering and Development Coordinator explained it is on the City's Thoroughfare Plan but she was unsure when the road would be extended.

Chairman Hicks asked if the "T" turn-around area was on City owned property; "are they donating that for the fire truck turn-around, everyone is calling it temporary but it sounds pretty permanent."

Clay Barnett, City Engineer explained "it is the east side of Pecan Grove Park and what he understood from the Parks Director, he is excited about having an area to access."

Commission Member Hicks explained on Lots 1-7 along Shady Oaks Lane, if Lot 7 is not going to be developable until the future extension of Shady Oaks Lane, then that might give an opportunity to make those lots a little bit larger than the minimum required by the City.

Mr. Allred explained it could, yes; it would be easy to add 8 or 9 foot per lot.

No other citizens appeared before the Planning and Zoning Commission to discuss the Concept Plan, Preliminary or Final Plats.

ACTION TAKEN.

Motion by Commission Member Gilbert to approve the Concept Plan subject to the Staff Review Letter. Second by Commission Member Barton.

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

ACTION TAKEN.

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

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

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

SITE PLAN

THE REQUEST OF SHERMAN COMMONS, LP (OWNERS), FOUR PARTNERS, LLC, DBA UCR ASSET SERVICES (AGENT), AND VILBIG & ASSOCIATES. PLLC (ENGINEER),

**SITE PLAN – RETAIL SHELL
4015 HWY. 75 N.**

AS FOLLOW:

PLANNING AND ZONING COMMISSION

- 1) TRACT 1 - 4015 U.S. HIGHWAY 75 NORTH, BEING LOT 3, BLOCK A, SHERMAN COMMONS ADDITION - SITE PLAN APPROVAL FOR A RETAIL SHELL BUILDING.
- 2) TRACT 2 - 3800-4100 BLOCKS OF U.S. HIGHWAY 75 NORTH, BEING LOTS 1-5, BLOCK A, SHERMAN COMMONS ADDITION - SITE PLAN APPROVAL FOR PAVING AND LANDSCAPING IMPROVEMENTS TO SHERMAN COMMONS SHOPPING CENTER

**SITE PLAN – PAVING &
LANDSCAPING PLAN
3800-4100 BLKS U.S.
HWY 75 N**

**(SHERMAN
COMMONS, LP)**

David Vilbig, Vilbig and Associates, 10132 Monroe, Dallas,
TX

Mr. Vilbig appeared to represent the request and answer any questions. The properties are located in the Sherman Commons Shopping Center; the northeast corner of Highway 75 and Loy Lake Road. The property is zoned a C-1 (Retail Business) District and is located in the O-1 (75 & 82) Overlay District.

Tract 1- 4015 U.S. Highway 75 North is the lot between Kohl's Department Store and Academy Sports and Outdoors. The owners would like to construct a 15,230 square foot retail shell building for a future tenant on the lot; the building will conform architecturally to the buildings surrounding the shopping center.

Tract 2 - 3800-4100 Blocks of U.S. Highway 75 North entails all the lots in Block A, for proposed installation of paving and landscaping improvements to the parking lot creating drive aisles to Loy Lake Road and Sara Swamy Drive. Mr. Vilbig explained they will put concrete curbed islands with landscaping; the electrical vault with bollards will be in an island so that it is out of the way. The parking will be redone and they plan to dress up the center of the shopping center.

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 site plan.

ACTION TAKEN.

Motion by Commission Member Barton to approve the site plan subject to the Staff Review Letter. Second by Commission Member Tankersley.

VOTING AYE: HICKS, BARTON, TANKERSLEY, GILBERT AND DUTTON.

VOTING NAY: NONE

MOTION CARRIED

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

PLANNING & ZONING COMMISSION MINUTES – OCTOBER 16, 2012

OTHER BUSINESS

No other business came before the board.

OTHER BUSINESS

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:41 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY