

STATE OF TEXAS

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September 18, 2012

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on September 18, 2012.

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

MEMBERS ABSENT: MORGAN

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 August 21, 2012 Meeting. Motion by Commission Member Tankersley to approve the Minutes as written. Second by Commission Member Kreck. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

SITE PLAN

THE REQUEST OF A-S 71 SHERMAN, PHASE III, LP (OWNERS), PATRICIA HILL, ADAMS HILL DEVELOPMENT CONSULTING, LLC (REPRESENTATIVE), AND OSBORN & VANE ARCHITECTS, INC. (ARCHITECT) CONCERNING THE PROPERTY AT 613, 617 AND 621 E. NORTH CREEK DRIVE, BEING LOT 5, BLOCK 1, SHERMAN TOWN CENTER, SECTION TWO, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A RETAIL SHOPPING CENTER.

SITE PLAN – RETAIL
SHOPPING CENTER

613, 617 & 621 E.
NORTH CREEK DR

(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 613, 617 and 621 East North Creek Drive in the Sherman Town Center Addition. The owners would like to build a 6,400 square foot shell building with three lease spaces for retail development. They had seen the Staff Review Letter and would abide by the Recommendations.

ACTION TAKEN.

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

VOTING AYE: HICKS, TANKERSLEY, BARTON, GILBERT,
DUTTON, KRECK, BARBER AND THORPE

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO

THE INTENT OF THE ORDINANCE.

SITE PLAN

THE REQUEST OF KELLY SQUARE INC. (OWNERS) AND ROBERT MINSHEW (REPRESENTATIVE) CONCERNING THE PROPERTY AT 115 SOUTH TRAVIS STREET, BEING LOTS 4 & 5, BLOCK 5, OTP SHERMAN, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL TO REPLACE AWNINGS WITH EXTERIOR BALCONIES AT KELLY SQUARE.

**SITE PLAN – EXTERIOR
BALCONIES**

**115 S. TRAVIS
(KELLY SQUARE INC.)**

Robert Minshew, 115 S. Travis, Sherman, TX

Mr. Minshew appeared to represent the request and answer any questions. The property is located at 115 South Travis Street; Kelly Square. The property is zoned a C-1 (Retail Business) District and is located in the Central Business District. Mr. Minshew explained he and his wife own Kelly Square; “it has been open since 1984 and it has always had one or two restaurants there since it opened. The restaurant that is in there now, Fulbelli’s has done a very good job and has expanded to the west and they want to open a piano lounge in the mezzanine level. They have asked if I would replace the two existing awnings on the exterior of the building with New Orleans’ type balconies where people could go out of the lounge onto the balconies. We have located some pretty ornate wrought iron from a New Orleans balcony that we have available. An encroachment easement to construct two 8’x11’ balconies that would encroach 8’ over the City’s sidewalk was granted at the September 17, 2012, City Council Meeting. The balconies will be anchored into the sidewalk for safety reasons, so if you have fifteen people out there watching the Christmas Parade, it’s not going to collapse. We will do most of the work from the outside, build them and attach them from the outside and put exterior doors coming from the lounge to the balcony.” He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Thorpe asked if the parking would be changed around the square, “is it going to be angled parking. If someone would pull too far and hit one of the piers, are they going to put some kind of blockage to prevent that.”

Mr. Minshew explained “the post will be put back four feet from the curb and we checked to see that nobody hangs over four feet.”

Commission Member Thorpe understood, “but there is not a whole lot of curb there and if they jump the curb and knock out a post; it is a safety concern.”

Mr. Minshew explained “they cannot knock but one post out if they jump the curb, there will be another post holding it up; it’s not going to fall, you would have to have two cars

jump the curb at the same time to have the two posts taken out.”

Commission Member Thorpe asked “if you take out one corner, it’s not going to fall; is it going to be cantilevered.”

Mr. Minshew responded “cantilever will not work because the building is old and we are afraid the cantilever would not hold in the brick, the brick was put up in 1919 and we are afraid it would not be enough to anchor the cantilever, so that is why we are having the post for safety, but it will be engineered and it will be a steel structure so that one post will hold it up, we wouldn’t want to leave it that way, but it wouldn’t fall either if one post got knocked out.”

David Key, 1700 Northbrook Lane, Sherman, TX

Mr. Key explained his wife owns a business in Kelly Square and he was concerned where the post that hold up the balconies would be located, “where will they be anchored in the concrete; is it going to be right in front of the door of his wife’s business.”

Mr. Minshew explained “the balconies will not extend down to his wife’s business.”

Mr. Key was given a copy of the site plan and after reviewing the plan he did not have an issue with the request.

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

ACTION TAKEN.

Motion by Commission Member Barber to approve the site plan subject to the Staff Review Letter. Second by Commission Member Kreck.

VOTING AYE: HICKS, TANKERSLEY, BARTON, GILBERT, DUTTON, KRECK, BARBER AND THORPE

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF WALT DERONDE (OWNER), GREG EDWARDS ENGINEERING SERVICES, INC. (ENGINEER) AND COX LAND SURVEYING COMPANY (SURVEYORS) CONCERNING THE PROPERTY IN THE 1900 BLOCK OF CREEKSIDE AVENUE AND THE 3700 BLOCK OF WEST PARK AVENUE, BEING LOTS 3 & 4, PARK PLAZA ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 3 & 4, PARK PLAZA ADDITION.

**REPLAT LOTS 3 & 4,
PARK PLAZA ADDN.**

**1900 BLK CREEKSIDE
AVE. & 3700 BLK W.
PARK AVE.**

**SUP & SITE PLAN –
DUPLEXES
1900 BLK CREEKSIDE
AVE.**

THE REQUEST OF WALT DERONDE (OWNER), GREG EDWARDS ENGINEERING SERVICES, INC. (ENGINEER) AND COX LAND SURVEYING COMPANY (SURVEYORS) CONCERNING THE PROPERTY IN THE 1900 BLOCKS OF CREEKSIDE AVENUE, BEING LOTS 3 & 4, PARK PLAZA ADDITION, AND PROPOSED LOTS 3R-1 THRU 3R-4 OF THE REPLAT OF LOTS 3&4, PARK PLAZA ADDITION, AS FOLLOWS:

(WALT DERONDE)

(WITHDRAWN)

**PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL
UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION
(5)(A) TO ALLOW TWO-FAMILY DWELLINGS (DUPLEXES)
IN A C-1 (RETAIL BUSINESS) DISTRICT.**

Greg Edwards, Greg Edwards Engineering Services, 1621
Amanda Ct., Ponder, TX

Mr. Edwards appeared to represent the request and answer any questions. The property is located in the 1900 Block of Creekside Avenue and the 3700 Block of West Park Avenue in the Pebblebrook Subdivision off of FM 1417 South. The property is zoned a C-1 (Retail Business) District. The owner would like to replat the two commercial lots into five lots to build four duplexes on the lots along Creekside Avenue; screening will be provided with a privacy fence. They had seen the Staff Review Letter and would abide by the Recommendations.

James Penton, 1600 Timberline Lane, Sherman, TX

Mr. Penton explained he understood these lots are commercial and they are replatting the lots into smaller portions and from a value standpoint of that property; “would it be worth more as one large tract or less broken up into smaller pieces.” Mr. Penton explained “the people that live in Pebblebrook bought their property knowing the property was commercial and they based their decisions on their home purchases on some percentage of that.”

Commission Member Barton explained “that is in the eyes of the buyer.”

Joe Harris, 1932 Pebblebrook Lane, Sherman, TX

Mr. Harris displayed some pictures of the entrance to the Pebblebrook Subdivision. He explained “when you come into the development there are twenty one trees lining the street that they want to take out on the north side of Park Avenue. That’s our home, we are proud of where we live, we don’t want to have homes butting up there and driveways taking out trees and all the room it is going to take; this is going to take away the beauty, it is going to decrease the value of our homes. There has to be hundreds of other places this gentleman can build. North of our entrance there is Park Manor Senior Community Center, they have twenty six buildings with one hundred ninety six apartments for 55 and over. South about four tenths of a mile from our entrance they have Steeplechase Farms Apartments, a HUD assisted living facility with over

one hundred sixty apartments, they have two three-story buildings and five two-story buildings, so why do they have to build it in the middle of our addition. We are proud of where we live; we pay money knowing where we are going to live.”

Mr. Edwards wanted to clarify the information on Park Avenue; “the Staff Review Letter comments prohibit driveways on Park Avenue, we are not proposing any driveway along Park Avenue, the trees that are there shall remain, the driveways will be off of Creekside Avenue. The property Mr. DeRonde owns is zoned commercial, he is trying to take advantage of some financing opportunities and that kind of stuff and provide some housing in this area. Our intent is to provide an additional buffer between the existing single family residences in Pebblebrook and the property currently zoned commercial and future commercial uses that can be on the property. All the residential duplexes will face Creekside Avenue; we will provide screening at the rear of the property so the commercial properties will not have to provide any additional screening when they develop that property. It was not our intent to overly concern the neighbors; we feel the products that will be going in are going to provide that buffer between the single family residences and the commercial properties.”

Commission Member Gilbert asked if there were any deed restrictions in place for the proposed duplex dwellings, “will they conform to the same exterior standards, masonry construction and that sort of issues.”

Mr. Edwards explained “there are not any deed restrictions in place but the Staff Review Letter has requirements for masonry exteriors and are more stringent than deed restrictions.”

Commission Member Kreck asked the plan for the middle lot behind the proposed duplexes, “there is no access to that lot; what would the effects be from the duplexes and the replat, how will that affect the viability of the middle lot or the value of that lot.”

Commission Member Barber explained “that is zoned commercial, so the trees do not come into play, if his development does not go through and they want to put in a coffee shop or something else all those trees can go and they can develop it with any commercial use and have access off of Park Avenue.”

Mr. Edwards explained “the middle lot, Lot 4, the replat for the residential lots does not take up all of Lot 3, so we are putting the remainder of that lot into Lot 4, it will remain commercial zoning, it will have access off of Park Avenue and depending on the future development of that area and if we can have reciprocal access and limit the number of

driveways we have, we are assuming we will have driveways off of Park Avenue to develop the commercial property that is remaining outside the request of the Specific Use Permit.”

James Eddy, 1916 Southridge Lane, Sherman, TX

Mr. Eddy explained he would like to see a picture of what the request involves so that we may see how the development is suppose to go, “how the lots are going to be laid out; we are in the dark. It’s a shame you didn’t have a handout with a picture as you were talking so we could follow you and better understand and have a more productive meeting. I moved here from out of state, retired, this neighborhood is very family oriented, a lot of kids, I have met a lot of police officers from many cities around here that all moved there for all the same reason because it is a great neighborhood to have kids in and everything and I am concerned with what we are going to end up with. If it is a retirement thing that is going to carry forward that is over there now for 55 and older, maybe that is not a bad thing, but if you put low income there, every police officer I talked to said we will have a lot of crime in the neighborhood, if they put low income duplexes in there; that’s a big concern I have and I’m sure many people here have that same concern.”

James Penton, 1600 Timberline, Sherman, TX

“If you allow this and it is low income, and we don’t have that question answered yet, but you allow those property values to go down, it is going to get in the pocket of the city, county and schools because those revenues are going to go down too. You need to think about this decision; it is not just about these duplexes.”

Donald Blakey, 3402 Sherbrooke, Sherman, TX

“We bought our house eight years ago, we knew the land on Park Avenue was commercial property when we bought it hoping they would build a grocery store or something there and that is why we bought out there, and for it to be single family homes. They just built apartments down the road from us which we understood when they built them was going to be another senior citizen community and it ended up just being another apartment complex; we have plenty apartments down 1417; we don’t need any more.”

David Judkins, 1825 Southridge, Sherman, TX

“My biggest concern is if you build four now, they will be back in three months wanting four more. The guy that owns that property owns the whole property from 1417 all the way down. When someone says they are going to take advantage of some money that is available, that tells me there is going to be some kind of government money running this thing, we don’t need that out there, we bought our houses for what we bought them for, there are other places that he can build those at; he is trying to get rid of some of his land because he doesn’t have any commercial

units coming out there; no one shows interest at this time and it may not be ten to fifteen years before they do. Most of the people bought their homes for the purpose of having their home where it is and I don't care about having duplexes over there on Creekside."

Mr. Edwards explained he felt one of the big problems is the people in the audience do not know what is going on, he had talked to the owner and they would like to table the request to give them a chance to meet with the property owners to show them what they are planning and answer their questions and come back at a later time.

Walt DeRonde, 1600 Shady Oaks, Corinth, TX

Mr. DeRonde asked the board to withdraw the request.

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

ACTION TAKEN.

Motion by Commission Member Thorpe to withdraw the request. Second by Commission Member Barton.

VOTING AYE: HICKS, TANKERSLEY, BARTON, GILBERT, DUTTON, KRECK, BARBER AND THORPE

VOTING NAY: NONE

MOTION CARRIED

REPLAT

THE REQUEST OF LLOYD & DOROTHY PERKINS, JAMES & HENRIETTA FULLENWIDER, MIKEAL TRENT & MARRIANNE GRAHAM, JOHN & KATHY GALVAN, AND DAN & SHARON ANDERSON (OWNERS), KATHY GALVAN (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYORS) CONCERNING THE PROPERTY AT 1702, 1706, 1710, AND 1714 RIDGEWAY DRIVE AND 1813 GLENWAY DRIVE, BEING LOTS 10-11, BLOCK 1, PEPPERTREE ADDITION AND LOTS 1-4, BLOCK 5, WESTERN HILLS ADDITION, SECTION 4, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF PERKINS ADDITION, A REPLAT OF LOTS 10-11, BLOCK 1, PEPPERTREE ADDITION AND LOTS 1-4, BLOCK 5, WESTERN HILLS ADDITION, SECTION 4

Jason Armstrong, Underwood Drafting and Surveying, 3404 Interurban Rd., Denison, TX

Mr. Armstrong appeared to represent the request and answer any questions. The properties are located at 1702, 1706, 1710, and 1714 Ridgeway Drive and 1813 Glenway Drive. He explained Mr. and Mrs. Perkins own a strip of land behind four lots along Ridgeway Drive, it is their intent to give the land to the neighbors to extend their lot lines to the west, the land is not developable land, it is in a power line easement. The Replat involves replatting the

REPLAT – PERKINS ADDN., A REPLAT OF LOTS 10-11, BLOCK 1, PEPPERTREE ADDITION AND LOTS 1-4, BLOCK 5, WESTERN HILLS ADDITION, SECTION 4

1702, 1706, 1710, & 1714 RIDGEWAY DR. & 1813 GLENWAY DR.

(LLOYD & DOROTHY PERKINS, JAMES & HENRIETTA FULLENWIDER, MIKEAL TRENT & MARRIANNE GRAHAM, JOHN & KATHY GALVAN, AND DAN & SHARON ANDERSON)

property into five lots. They had seen the Staff Review Letter and would abide by the Recommendations.

Brady McGuire, 1605 Skyline, Sherman, TX

Mr. McGuire explained “there are six houses on this block and there are only four houses involved; does the land not extend behind the other two houses.”

Mr. Perkins, 1702 Glenway, Sherman, TX

Mr. Perkins explained “the land did not extend behind the other two houses.”

Mr. McGuire was shown a copy of the Replat.

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

ACTION TAKEN.

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

VOTING AYE: HICKS, TANKERSLEY, BARTON, GILBERT, DUTTON, KRECK, BARBER AND THORPE

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 5:50 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY