

STATE OF TEXAS §
COUNTY OF GRAYSON §

November 21, 2017

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustments of the City of Sherman, was begun and held on November 21, 2017.

MEMBERS PRESENT: CHAIRMAN MAHONE
 COMMISSION MEMBERS: GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

MEMBERS ABSENT: BRIDGES AND ADAMS

CALL TO ORDER

Chairman Mahone 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 October 17, 2017 regular meeting. Motion by Commission Member Downtain to approve the Minutes as written. Second by Commission Member Davis. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

**BOARD OF
ADJUSTMENTS**

CONSENT AGENDA (ITEMS 7, 10, 12, 14, 15 & 16)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Consent Agenda as written, subject to the Staff Review Letters. Second by Commission Member Elliott. All present voted AYE.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF 300 SHERMAN, LP (OWNER), GREG EDWARDS ENGINEERING SERVICES, INC. (CIVIL ENGINEER) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1100-1300 BLOCKS OF SOUTH FRIENDSHIP ROAD, THE 4500-4600 BLOCKS OF QUAIL RUN ROAD AND THE 4600 BLOCK OF CORMORANT DRIVE, BEING 75.732 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND

PRELIMINARY PLAT
– QUAIL RUN
ESTATES
1100-1300 BLKS. S.
FRIENDSHIP ROAD,
4500-4600 BLKS.
QUAIL RUN ROAD &
4600 BLK.
CORMORANT DIRVE

JASON STAMPS SURVEY, ABSTRACT NO. 1115, AS FOLLOWS:

(300 SHERMAN, LP)

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF QUAIL RUN ESTATES

The property is located in the 1100-1300 Blocks of South Friendship Road, the 4500-4600 Blocks of Quail Run Road and the 4600 Block of Cormorant Drive. The property is zoned an R-1 (One Family Residential) District and SF-1 (Single Family Residential) District. The owners would like to plat the property into 330 single family residential lots with five open spaces. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNERS), JNPHM DEVELOPMENT, LLC (DEVELOPER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1305 SOUTH FM 1417 (HERITAGE PARKWAY), BEING 6.423 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF THE BROOKS ON HERITAGE PARKWAY ADDITION

**PRELIMINARY PLAT
– THE BROOKS ON
HERITAGE
PARKWAY ADDITION
1305 S. FM 1417
(HERITAGE
PARKWAY)
(SSCGC HOLDINGS,
LLC)**

The property is located at 1305 South FM 1417 (Heritage Parkway) between Quail Run Road and West Park Avenue. The property is zoned an R-2 (Multi-Family Residential) District and also located in the O-1.1 (FM 1417 Overlay) District. The prospective buyer would like to plat the property into one lot for residential development of an apartment complex (The Brooks on Heritage Parkway). They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNER), JOE GILBERT CONSTRUCTION, LLC (PROSPECTIVE BUYER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1400-1600 BLOCKS OF SOUTH FM 1417 (HERITAGE PARKWAY), BEING 4.085 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF BROOKSTONE GARDEN HOMES ADDITION

**FINAL PLAT –
BROOKSTONE
GARDEN HOMES
ADDITION
1400-1600 BLKS. S.
FM 1417 (HERITAGE
PARKWAY)
(SSCGC Holdings,
LLC)**

The property is located in the 1400-1600 blocks of South FM 1417 (Heritage Parkway) between Quail Run Road and West Park Avenue. The prospective buyer would like to plat the

property into twenty-four (24) lots for residential development of patio homes. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF RISEN PROPERTIES (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1600 WEST WASHINGTON STREET, BEING 4.742 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING BOARD

FINAL PLAT APPROVAL OF SUNSET CROSSING

**FINAL PLAT –
SUNSET CROSSING
1600 W.
WASHINGTON
(RISEN
PROPERTIES)**

The property is located at 1600 West Washington Street, the southwest corner of Washington and Sunset Boulevard; it is bound by Washington Street, Sunset Boulevard and Blanton Drive. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into nineteen (19) lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ROBERT PERRY AND DINESH SRIPERAMBUDUR (OWNERS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1545 BENNETT ROAD, BEING 8.974 ACRES IN THE ELIZABETH REHORSE SURVEY, ABSTRACT NO. 1000 AND THE H.H. TUCKER SURVEY, ABSTRACT NO. 1217, AS FOLLOWS:

PLANNING AND ZONING BOARD

FINAL PLAT APPROVAL OF TERRA BONITA SUBDIVISION LOCATED IN THE EXTRA TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF SHERMAN

**FINAL PLAT –
TERRA BONITA
SUBDIVISION (ETJ)
1545 BENNETT RD.
(ROBERT PERRY &
DINESH
SRIPERAMBUDUR)**

The property is located at 1545 Bennett Road in southeast Sherman in the City of Sherman extra territorial jurisdiction (ETJ). The owners would like to plat the property into four (4) lots. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNERS) AND BROCKETTE/DAVIS/DRAKE, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2800-3600 BLOCKS OF SOUTH U.S. HIGHWAY 75, BEING 21.5528 ACRES IN THE PRESTON KITCHEN SURVEY,

**FINAL PLAT –
SHERMAN
CROSSROADS,
PHASE II
2800-3600 BLKS. S.
U.S. HIGHWAY 75**

ABSTRACT NO. 667, AS FOLLOWS:
PLANNING AND ZONING BOARD
FINAL PLAT APPROVAL OF SHERMAN CROSSROADS,
PHASE II

(SHERMAN
CROSSROADS, LTD)

The property is located in the 2800-3600 Blocks of South U.S. Highway 75, the northwest corner of Highway 75 and FM 1417 West; just south of the new West Travis Street extension. This is the second phase of the Sherman Crossroads development and the owners would like to plat the property into one lot for commercial development and dedicate a new street (Crossroads Boulevard). They had seen the Staff Review Letter and would abide by the Recommendations.

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

EXCEPTION

THE REQUEST OF JESS TROWBRIDGE (OWNER) CONCERNING THE PROPERTY AT 1434 SOUTH RAVEN DRIVE, BEING LOT 22, BLOCK 4, COUNTRY RIDGE ESTATES NO. 4, AS FOLLOWS;

BOARD OF ADJUSTMENTS

AMENDING AN EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H)(2) TO ALLOW AN 8' PRIVACY FENCE ON THE PROPERTY LINE ON A CORNER LOT IN LIEU OF THE PREVIOUSLY APPROVED 6' IN HEIGHT EXTENDING CLOSER THAN 25' TO A FRONT LINE STREET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION – FENCE
1434 S. RAVEN
(JESS
TROWBRIDGE)

Jess Trowbridge, 1434 S. Raven Drive, Sherman, TX

Mr. Trowbridge appeared to represent the request and answer any questions. The property is located at 1434 South Raven Drive; the northwest corner of South Raven Drive and West Raven Drive. An exception to allow a 6' privacy fence on the property line on a corner lot in lieu of the permitted 4' in height extending closer than 25' to a front line street was approved at the May 19, 2015, Planning and Zoning Commission Meeting.

Mr. Trowbridge explained “we are requesting an exception to allow an 8' privacy fence on the property line due to the slope of the yard on the corner of South Raven Drive and West Raven Drive. When we bought the house, it had a six foot privacy fence and it came to the top of our back patio, so anyone walking or driving could see into the back of the house; having an eight foot fence would allow a little bit more privacy.”

“We decided to the replace the six foot fence because of wind damage; the fence was falling down.” A permit was approved to replace a 6' privacy fence on October 9, 2017, the contractor erected an eight foot fence and the owner is requesting approval for the fence to remain.

Josh Cole, 1905 Jamaica, Sherman, TX

Mr. Cole explained he was the contractor that replaced the fence. “There is thirty-five foot that is eight foot tall; it is a 5 ½ foot drop from the foundation of his house verses the bottom of his fence. We spoke to the Homeowners Association and received approval from them and then applied for the permit with the City.”

They had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Gilbert to approve the exception to allow an 8’ privacy fence on the property line on a corner lot at 1434 South Raven Drive subject to the Staff Review Letter. Second by Commission Member Elliott.

VOTING AYE: MAHONE, GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF EMR REAL ESTATE, LLC (OWNERS) AND DAVID GIBSON (REPRESENTATIVE) CONCERNING THE PROPERTY AT 411 NORTH RICKETTS STREET, BEING LOT 2, BLOCK A, REPLAT OF LOTS 1 THRU 4, BLOCK A, GREENMOUNT 2ND ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

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

VARIANCE – FRONT
SETBACK
411 N. RICKETTS
(EMR REAL ESTATE,
LLC)

David Gibson, EMR Real Estate, 218 Meyers, Sherman, TX

Mr. Gibson appeared to represent the request and answer any questions. The property is located at 411 North Ricketts Street between Pecan Street and Hillcrest Drive and is zoned an R-1 (One Family Residential) District. A portion of the property is located in the floodplain.

Mr. Gibson explained “we would like to build a new house at this location. There is a 100 year floodplain that prevents us from moving the house back. There are two houses on the south side of this lot that are ten foot from the front property line. There will not be a house on the north side because of the creek.” He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked Scott Shadden if the other two

houses were granted variances.

Scott Shadden, Director of Development Services explained “they have been there quite a long time and could have been there before the floodplain came.”

Commission Member Davis explained “the City just purchased a lot of houses a block away; I’m guessing because of the flood; are we setting ourselves up to buy more houses.”

Scott Shadden explained “they did not buy this lot; the house will be out of the floodplain.”

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the variance to allow a 15’ front setback for a residential dwelling in an R-1 (One Family Residential) District for the property at 411 North Ricketts Street. Second by Commission Member Elliott.

VOTING AYE: MAHONE, GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE & AMENDING SPECIFICE USE PERMIT

THE REQUEST OF ROCK ROYALTY, INC. (OWNER), AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC., SKIP RATH (PROSPECTIVE BUYER/REPRESENTATIVE) AND DEAN GILBERT (REPRESENTATIVE) CONCERNING THE PROPERTY AT 2403 NORTH TRAVIS STREET, BEING 0.055 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.
- AMENDING A SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW CONSTRUCTION EQUIPMENT SALES, RENTAL, SERVICE AND REPAIR FOR ABC SUPPLY IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

ZONE CHANGE – R-1
TO C-2

SUP –
CONSTRUCTION
EQUIPMENT SALES,
RENTAL, SERVICE &
REPAIR
2403 N. TRAVIS
(ABC SUPPLY)

Dean Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located at 2403 North Travis Street, north of ABC Supply. The property is zoned an R-1 (One Family Residential) District and the prospective buyer

(ABC Supply Company) would like to change the zoning on the property to a C-2 (General Commercial) District and also amend their Specific Permit to allow construction equipment sales, rental, service and repair to include this property. The lot will be used for parking for ABC Supply employees and customers.

Mr. Gilbert explained “this lot sits out in front of ABC Supply Company on North Travis Street. The lot has been skipped over, everything around this is zoned commercial; there is no residential in the area. When it was annexed into the City, it came in as residential. This property has been in the hands of Lone Star Gas since 1933; in 2002, Rock Royalty acquired it. With the widening of Travis Street and the taking of some of ABC’s land, they need additional parking and that is the basis of this request.” 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 or Specific Use Permit.

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and Specific Use Permit and site plan to allow construction equipment sales, rental, service and repair for ABC Supply in a C-2 (General Commercial) District for the property at 2403 North Travis Street subject to the Staff Review Letter. Second by Commission Member Downtain.

VOTING AYE: MAHONE, GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION & SPECIFIC USE PERMIT

THE REQUEST OF JOE WILSON (OWNER) AND VILBIG AND ASSOCIATES, PLLC (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3500-3600 BLOCKS OF NORTH FM 1417 (HERITAGE PARKWAY), BEING 28.86 ACRES IN THE URIA H BURNS SURVEY, ABSTRACT NO. 121, AS FOLLOWS:

PLANNING AND ZONING BOARD

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

Bill Magers, 4 Timber Creek, Sherman, TX

Mr. Magers appeared to represent the request and answer any questions. The property is located at 601, 605, 609, 613 &

**EXCEPTION –
GARAGES**

AMENDING SUP –
TWO-FAMILY PATIO
HOMES
601, 605, 609, 613 &
617 E. CARTER &
800, 802, 804 & 806
N. THROCKMORTON
(LAZY L
ENTERPRISES)

617 East Carter Street and 800, 802, 804 & 806 North Throckmorton Street, the northwest corner of Carter Street and Throckmorton Street. The property is zoned an R-1 (One Family Residential) District and also located in the College Park Overlay District. A Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District was approved in 2009 and 2014. Variances have been approved to allow zero setbacks to be adjacent with no more than two patio homes attached in one grouping and to allow zero foot side yard setbacks in lieu of the required 10' at the July 21, 2009, Planning and Zoning Commission Meeting.

Mr. Magers explained “there are two parts to this, first to build houses with front entry garages in the College Park Overlay District. In the College Park Overlay you have to have side entry garages, the problem with that is you have forty and fifty foot lots; you have to request a variance to have a garage. The second part. is to modify a previously approved Specific Use Permit for patio homes. We will build a smaller home that will fit much better on the lots that were previously approved for the Specific Use Permit. The houses will front Carter Street, which dead ends to the railroad tracks. There is a large lot across the street with one house that is uninhabitable. On Throckmorton Street, we are asking to allow front entry garages verses no garage.” He had seen the Staff Review Letter and would abide by the Recommendations.

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

Letters were received from:

Councilman Terrence R. Steele, Workforce Solutions, 5904 Texoma Parkway, Sherman, TX

“I am writing to express my support for Lazy L. Enterprises request for the development of garden homes with front entry garages in the College Park Overlay District. The developer has previously re-platted eight lots for garden homes development in the same block. As a member of the Sherman City Council when the overlay district was formed, I am confident that this development will benefit the neighborhood and support the City’s ongoing efforts to improve the quality of housing in District 2.”

Austin College, Steven P. O’Day, 900 N. Grand, Sherman, TX

“I am writing to express Austin College’s support of the request for the development of garden homes with front entry garages in the College Park Overlay District. The developer has previously re-platted eight lots for garden home development in the same block. The College has a long-standing relationship with the developer and is confident that the re-development of this area will benefit the neighborhood and support our own efforts to improve the quality of housing surrounding the campus.”

BOARD OF ADJUSTMENTS

ACTION TAKEN.

Motion by Commission Member Elliott to approve the exception to allow front entry garages for six two-family patio homes in an R-1 (One Family Residential) District/College Park Overlay District for the property at 601, 605, 609, 613 & 617 East Carter Street and 800, 802, 804 & 806 North Throckmorton Street subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

PLANNING & ZONING COMMISSION

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow two-family, single-story patio homes with no more than two structures attached in a grouping for Lots 4,5,6,7, Block A, Austin Park Addition, a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition in an R-1 (One Family Residential) District/College Park Overlay District for the property at 605, 609, 613 & 617 East Carter Street subject to the Staff Review Letter. Second by Commission Member Elliott.

VOTING AYE: MAHONE, GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPITONS, VARIANCE & SITE PLAN

THE REQUEST OF SSCGC HOLDINGS, LLC (OWNERS), JNPHM DEVELOPMENT, LLC (DEVELOPER), KENT HUGHLETT, ARCHITECT, PLLC (ARCHITECT) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1305 SOUTH FM 1417 (HERITAGE PARKWAY), BEING 6.423 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (6) TO ALLOW 55% MASONRY AND 45% HARDY BOARD SIDING IN LIEU OF THE REQUIRED MASONRY OR MASONRY VENEER FOR AN APARTMENT COMPLEX IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) TO ALLOW AN 8' WOOD FENCE ON THE SOUTH PROPERTY LINE, 6' MASONRY COLUMNS WITH WROUGHT IRON FENCE ON THE WEST PROPERTY LINE AND 6' WROUGHT IRON FENCE WITH RED TIPPED PHOTINIA ON THE EAST

EXCEPTION –
FAÇADE

EXCEPTION –
SCREENING

VARIANCE – SIDE
SETBACK FOR
GARAGES

SITE PLAN – THE
BROOKS ON
HERITAGE PARKWAY
1305 S. FM 1417
(HERITAGE
PARKWAY)
(SSCGC HOLDINGS,
LLC)

AND NORTH PROPERTY LINES SURROUNDING THE APARTMENT COMPLEX IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT

- VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW DETACHED GARAGES FOR AN APARTMENT COMPLEX 3' FROM THE NORTH AND SOUTH PROPERTY LINES IN LIEU OF THE REQUIRED 7' IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR THE BROOKS ON HERITAGE PARKWAY APARTMENTS

Commission Member Gilbert abstained from this request because of a conflict of interest.

Kent Hughlett, 529 S. Crockett, Sherman, TX

Mr. Hughlett appeared to represent the request and answer any questions. The property is located at 1305 South FM 1417 (Heritage Parkway) between Quail Run Road and West Park Avenue. The property is zoned an R-2 (Multi-Family Residential) District and also located in the O-1.1 (FM 1417 Overlay) District.

Mr. Hughlett explained “the prospective buyer would like to build an apartment complex (The Brooks on Heritage Parkway) at this location, with an entrance off South FM 1417 (Heritage Parkway). There will be two (2) three-story, 36-unit buildings, one (1) three-story, 12-unit building, and four (4) two-story, 16-unit buildings; for a total of 148 dwelling units. They are requesting an exception to allow the exterior facade to be (55) fifty-five percent masonry with (45) forty-five percent hardy board siding. We wanted to soften the look a little bit like some of the other apartment complexes in the area.”

“Parking will be provided for 298 spaces including ten (10) covered parking garages. We have talked to the Fire Marshal about the requirements of the fire lane.”

“We are also requesting an exception to allow an 8' wood privacy fence on the south side abutting residential with a buffer so if there is any issues with parking in the backyard area, in the front a 6' masonry columns with wrought iron fence on the west side and 6' wrought iron fence with shrubs (red tipped photinia) on the north and east property lines.” They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked if they had looked at anything other than hardy board siding.

Mr. Hughlett responded “not really, we want something that

looks somewhat like a farmhouse style, a soft look, not something that looks inexpensive, something that has some texture to it and would give a residential type feel.”

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

A letter was received from:

Bill Magers, 4 Timber Creek, Sherman, TX

“SSCGC Holdings, LLC fully supports the proposed multi-family project and believes it to be an asset to the community. It addresses a very important need for housing in the area and complements the other proposed development. We have reviewed the site plan and elevations in detail and have no problems with any of the requests.”

BOARD OF ADJUSTMENTS

ACTION TAKEN.

Motion by Commission Member Elliott to approve the exception to allow 55% masonry and 45% hardy board siding in lieu of the required masonry or masonry veneer, to allow an 8’ wood fence on the south property line, 6’ masonry columns with wrought iron fence on the west property line and 6’ wrought iron fence with red tipped Photinia on the east and north property lines surrounding the apartment complex in lieu of the required masonry perimeter wall for an apartment complex and detached garages for an apartment complex 3’ from the north and south property lines in lieu of the required 7’ in an R-2 (Multi-family Residential) District/O-1.1 (FM 1417 Overlay) District subject to the Staff Review Letter for the property at 1305 South FM 1417 (Heritage Parkway). Second by Commission Member Downtain.

VOTING AYE: MAHONE, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

ABSTAIN: GILBERT

MOTION CARRIED

PLANNING & ZONING COMMISSION

ACTION TAKEN.

Motion by Commission Member Davis to approve the site plan for The Brooks on Heritage Parkway Apartments subject to the Staff Review Letter for the property at 1305 South FM 1417 (Heritage Parkway). Second by Commission Member Downtain.

VOTING AYE: MAHONE, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

ABSTAIN: GILBERT

MOTION CARRIED

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF JADE & WESLEY DEVALK (OWNERS) JW ASSISTED LIVING, LLC (TENANTS) AND ROBERT DURRANT

SUP & SITE PLAN –
ASSISTED CARE
FACILITY

RESIDENTIAL DESIGN, LLC (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2402 NANTUCKET DRIVE, BEING LOT 1, BLOCK 4, CANYON CREEK ADDITION, SECTION 1-B, AS FOLLOWS:

2402 NANTUCKET DR.
(JADE & WESLEY DEVALK)

PLANNING AND ZONING BOARD

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN ASSISTED CARE FACILITY (HOUSEHOLD CARE HOME) IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

(DENIED)

Jade Devalk, PO Box 3206, McKinney, TX and Bob Durrant, 8604 Prescott Circle, Frisco, TX

Mrs. Devalk and Mr. Durrant appeared to represent the request and answer any questions. The property is located at 2402 Nantucket Drive, the southwest corner of Nantucket and Lamberth Road and is zoned an R-1 (One Family Residential) District. They are requesting a Specific Use Permit to allow an assisted care facility at this location.

Mrs. Devalk explained “my parents are inflicted with dementia and have searched for care facilities to place them but have run into problems because of cost, level of care, and overall conditions of those types of facilities. They also have the added issue that they are from another country and at their current status, have a hard time communicating with people in their native language. At a time when their confusion is at an all-time high and when their health including weight is of concern; they’re not accustomed to the food and general ways of a typical big box facility and the caregivers that are there.”

“We have decided to try to solve the problem by creating their own space to care for them and others like them; the idea of living out their days in a home environment instead of a commercial facility. We would like to remodel an existing home to house several senior peers, provide top level, round the clock care, in a comfortable home. We would like to construct an addition to the home to create six bedrooms, providing care for a maximum of nine seniors. I will be there on a daily basis with two employees.”

Mrs. Devalk explained “I wanted to clarify some of the big topic issues I have been hearing regarding home values and traffic. In my opinion, I think the home values would improve verses decreasing because I will be upgrading the house inside and out, the landscape will be professional and will look very nice.”

“Traffic issues, there shouldn’t be any increase in traffic, most of the residents there don’t drive; so I don’t see the traffic issues being any more than what is already now. Visiting family members, I visit my parents maybe an hour or so, I go quite often, but some will only visit maybe once a week; it would not be any different than you having visitors at your home for short visits. Parking will be provided for six spaces off of Lamberth Road. There should not be an

increase in noise; seniors are low impact. Handicap accessible ramps will be provided as they would anywhere else; I don't think it is unsightly, it is what it is and I think they should be able to have it. Those are the concerns I have been hearing and I wanted to address those issues up front." She had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Durrant explained "we will be providing four new parking spaces beside the garage for a total of six spaces."

Mr. Shadden explained "parking on private property, a commercial use backing into the right of way would require the Engineering Department to approve that."

Mrs. Devalk explained "as far as signage; there will be no signage. There would be no change to the outside of the home other than landscaping; it may look better."

Mr. Durrant explained "our goal is to not make any changes to the residential home; the addition will still have the residential look and feel, you would not even know that it is there."

Mrs. Devalk explained "in my original package I added some examples of Plano, Allen, McKinney and Frisco, all doing the same thing allowing for an R-2 (Multi-family Residential) District for example for residential assisted living."

Appearing from the audience:

Ralph Courtney, Jr., 4422 Fannin Ave., Denison, TX

Mr. Courtney explained he is representing Roger and Lena Flexer; they live at 2410 Nantucket Drive just one house away from this proposed business. "Twenty years ago they bought this house in a residential neighborhood and they expected it to stay that way and now a business is trying to move in. Besides the increased traffic and commotion this is going to cause, there are serious safety concerns with Lamberth Road, where these cars are going to be backing into the traffic. I went down there and looked and there's curves there, there's no long sight lines, there is a bridge right there and even though there are speed limits 30 mph, I wasn't there five minutes until I saw a couple of cars coming by, that were going forty plus mph. We are asking that you deny this request and maintain the current zoning."

Mike Wiggins, 1611 Lamberth Circle, Sherman, TX

"I live directly across the street from this property and have lived there for four years. When we moved here we looked for a quiet residential neighborhood, our neighborhood is quiet and our property values have gone up consistently; there is a lot of concern with the property values decreasing if this is approved. Our kitchen window faces the parking area of this property, our concern is where the trash will be located since this will be a commercial type use and the trash will increase with six residents. This is an investment

for us; it is our home and we would like the neighborhood to remain the same.”

Ann May, 1601 Lamberth Circle, Sherman, TX

“My husband and I built our home in 1986, next year I will have been there forty years. That property has always been residential and I feel they need to find another area that is zoned properly and not rezone ours. Usually a home is a person’s greatest investment and I do feel like there would be a negative effect to our home there. The traffic on Lamberth Road, you can go anytime, day or night and there is solid traffic on that road and I understand they will be adding parking spaces which will enter and exit from Lamberth Road. If you are going west on Lamberth Road, there is a curve that is pretty severe right there and once you turn, that property that we are speaking about is right there. I know the speed limit is 30 mph, but I can tell you a lot of people go more than 30 mph. If this is approved, I think that you are opening it up for other things to come in there. My mother is ninety-eight years old and I have no problem with assisted living, I think it is a wonderful thing, but I think it needs to be in another area besides a residential area.”

Ginger White, 2518 Nantucket, Sherman, TX

“Coming out of Nantucket Drive, when that house had a lot of renters there and parking on the side of the road, you cannot get cars down the road. If you have people parking in front of the house and across the street, you can barely fit one car through. When you have the ambulances and the fire trucks there to help the patients, we also have school buses going in and out of the Lamberth and Nantucket; it’s dangerous.”

Lynwood Jostes, 2406 Nantucket, Sherman, TX

“Parking is going to be an issue, there are two in the garage and four backed up to the garage; are they going to have a fight to shuffle out of the garage and want to leave. I think Nantucket will pick up most of the parking.”

Alan White, 2507 Nantucket, Sherman, TX

“I am concerned with what happens afterwards. We are talking about elderly parents, I went through this with my parents and I know there are some very nice assisted living facilities. She gave her address on Nantucket, I know that is not where she is living right now; I don’t know if she is a Sherman resident or not but would she like this in her neighborhood. I am worried about what happens afterwards, will this become a halfway house later, it will have all the bedrooms, someone will do something different with it.”

Diane Lorensen, 2526 Nantucket, Sherman, TX

“I am on the nursing side; I work in long term care and rehab facilities. There is always going to be negativity, but we look at safety. There is a creek behind this house, 10-15 foot drop with that bridge. Where I am, people have a right to leave the facility, they have a right to fall also; we can’t restrain them.

This will be their home, will they restrain them, will they be able to go on a walk and possibly fall down the creek. She said these people are able to live on their own and function on their own, if someone has a cane or walker and they trip on the walker or cane and fall into oncoming traffic.”

Ron Woodworth, 2917 Redbud Trl., Sherman, TX

“I am a trustee for Grace United Methodist Church, I am representing the church. Too many neighbors are already divided and over-run with businesses and traffic. Rex Cruse is just around the corner, we let several patio homes built and we did not allow for enough traffic or parking and now people park in the ditch and that jams up Rex Cruse. Traffic is really getting bad in Sherman.”

Sheri Scribner, 2405 Nantucket, Sherman, TX

“We live right across the street and we back out onto Nantucket from our driveway and the road is narrow enough that if anyone is parked there, you are not going to get out of our driveway. If there are increased residents there, family members coming and with the assisted living homes comes your home health facilities that may come in and help take care of these patients which are going to increase traffic on that street. If you have your trash containers out, you are dodging those to get down the street, your post office vehicles coming through there and your ambulance and fire trucks cannot even turn on that street if you are sitting at a stop sign.”

Claude Edwards, 2625 Sherwood, Sherman, TX

“When you go into Nantucket, there is only one other exit to get out of the neighborhood and that is on Sherwood Drive, so if you come in on Nantucket, you are having to go up Nantucket, across on Vancouver and down on Sherwood to get out of the neighborhood. There will be increased traffic all the way around this. The streets are not wider, you can put a car on each side and there is basically room to get one car down the street. Also, I walk this area every night with my dog and my flashlight so that everybody sees me, there is not a lot of traffic, so everyone usually slows down, occasionally someone doesn't and if they don't know the layout of the streets; there is going to be a problem with any pedestrian type situation, because there are no sidewalks, you have to walk in the street.”

Vicky Lindsey, 2530 Nantucket, Sherman, TX

“I have worked in the mental health field for twenty years and as their disease progresses, they do tend to wander more and their disease becomes more acute so the emergency home health traffic will increase.”

Bert Bond, 2301 Canyon Creek Dr., Sherman, TX

“I have to back out onto Lamberth every day, usually I get honked at, I get the No. 1 guy in Sherman sign, but the traffic there, no one does the 30 miles (per hour), its 40 or 45 miles per hour. Trying to back out, the way the bridge is situated, if

you are coming either east or west on Lamberth, it's probably the second or third most traveled street in Sherman other than Highway 56 or 82. You cannot back out onto Lamberth, no one slows down for you, I don't care how far you are out into the street, so there is a problem with people backing out onto Lamberth Road in the residential area there; people coming to visit will have a problem."

"My property backs up to this property and the edge of my carport is the edge of the flood zone, so this property has to be in the flood zone and if there are any additions to the property, parking lots or whatever; I think that needs to be addressed as well."

Tom Howell, 2605 Nantucket, Sherman, TX

"Traffic increases, businesses in a residential area have already been discussed. Parking on the street is a problem, flooding is one of my most concerns. Right across the street and diagonally have been flooded three times. There is building going up the street, new additions going in; the City needs to consider floodplains because any building upstream will add to the problem and the City already has a big problem."

Frances Harris, 2608 Nantucket, Sherman, TX

"This is an older established neighborhood and most of the folks have been there a good long while. It's single family, it's a nice quiet easy place to live and most of us want to keep it that way. The traffic will increase; it will be difficult. My neighbor flooded, eighteen inches into their house with this last flood, so anything that is built around there that puts cement on the ground will increase the flood problems. All of the problems and the inconvenience will cause all the neighbors to be upset about it and it will also lower the property values of our homes."

Bart Haddock, 1608 Lamberth Circle, Sherman, TX

"My biggest concern is what is this going to become five years from now, ten years from now, two years from now, when this venture goes south. My neighbors and I are here to stay. I strongly urge you to vote NO."

Jack Burley, 1602 Lambeth Circle, Sherman, TX

"I think this property should stay an R-1 (One Family Residential) District."

Warren Essin, 2508 Shoreline Dr., Sherman, TX

"I live on the corner of Shoreline and Sherwood. We all have grandchildren and great grandchildren, they come and visit us; I don't want to see an increase in traffic anywhere in my neighborhood because I want to see my children protected. I moved there over thirty-two years ago to raise a family which I have done successfully. My wife and I have worked hard to do that and we want to maintain this residence where we live; we don't want to go anywhere else. Like everyone else here, we are just as concerned about keeping it the way it

is.”

Chris Faulkner, 2517 Nantucket, Sherman, TX

“If this business goes out of business, will a halfway house fall under the same type of situation?”

Chairman Mahone explained “it is not a request to change the zoning; it is a request for a Specific Use Permit in the existing zoning for an assisted living home. If another business wanted to come in later, they would have to ask for a new permit that pertains to that business.”

Mrs. Devalk explained “I have owned the property for two years, I’m an investor, I pay property taxes just like everyone else. I try to keep the property clean, I have tenants, I rent to individuals, I have contracts with them, I try to keep the noise down, I have typical tenant issues. I have addressed my neighbors across the street and next to me, giving them my business card, saying to them if ever my tenants act up in any sort of way, let me know and I will handle it. I have had no problems since I have owned the property. I’m a responsible landlord. I have never had anything addressed to me; I can’t handle things that I don’t know about. “

Chairman Mahone asked about floodplain.

Clint Philpott, Director of Engineering explained “there is a floodplain on the back side of this property. Any building that they do, they would have to be approved by the Engineering Department to clarify that they would not have any negative effect on the property upstream or downstream per our Floodplain Ordinance.”

Chairman Mahone asked about “the safety of the people that will be living there or to what extent you are going to house people there. I think in long term care facilities, aren’t there different levels of facilities.”

Mrs. Devalk explained “the State categorizes it like Type A, Type B, for instance your independent living facilities are apartment where they can get around ok and everything like that. My facility would be Type B, which is a semi-active senior who may have walkers or wheelchairs and need assistance with daily living stuff.”

Chairman Mahone asked if “people with dementia would be considered Type B.”

Mrs. Devalk explained “the facility would have to get specific designation for dementia or Alzheimer’s care, the only reason I bring up dementia is because they are my parents. I would prefer to have residents that are not in that phase. I have been taking care of my parents for nine months. At some point there will be a time when they are past a level that our home can care for them and I would recommend they go to a nursing home.”

“I think there are a Type C and D level; a type D would go to a nursing home or hospice care.”

Chairman Mahone asked about the parking; “it does look like the garage is blocked by the other four parking spaces and those spots would either have to back in or back out onto Lamberth Road.”

Mrs. Devalk explained “traffic has been a reoccurring issue and I think Lamberth has been this way with or without me. These residents don’t drive anyway, so the increase in traffic is one member, two family members to visit; that shouldn’t be any different than your house with people coming to visit you. I am not trying to destroy this neighborhood or make enemies of my neighbors; it’s just something that I thought could help my parents and others.”

Chairman Mahone stated “someone mentioned about trash that would be generated, could you respond to that issue.”

Mrs. Devalk explained “trash would be like a regular residential trash bins; two on the side of the garage inside the fence.”

Mrs. Devalk gave some handout examples of these types of homes in other cities.

Commission Member Davis asked if she is aware of the State requirements for this type of facility.

Mrs. Devalk explained “the State allows a maximum of sixteen residents per home. As far as wandering goes, you can have a senior living in your own home. My home would have keypad locks that are accessible through only knowing the code with my staff complying.”

Chairman Mahone asked if that security is regulated by being a Level B home.

Mrs. Devalk explained “that is required for dementia or Alzheimer’s certified homes; that are just my preference for safety.”

Mr. Shadden asked “you would have keypad locks to get to the outside.”

Mrs. Devalk responded “yes, sir.”

Mr. Shadden asked “what if you had a fire that goes through there burning.”

Mrs. Devalk explained “we have the caregivers that are there twenty-four hours, what I am proposing is twelve hour shifts; they would be there and some of these people will need assistance to go anywhere, so it would be the same if there was a fire, the caregiver would be responsible for exiting

everyone.”

Mr. Shadden explained “you would probably have to have fire sprinklers.”

Mrs. Devalk responded “yes, sir, I plan to do that and will talk to the Fire Marshal to determine what exactly I need.”

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

Letters were received from:

Betty Russell, 219 W. Wilson St., Sherman, TX

“A nursing home in a one family residential district would be peculiar/strange and also would reduce the value of the family resident’s homes – it should not be allowed.”

Leslie & Philip Schuster, 2544 Sherwood Drive, Sherman, TX

“We live on Sherwood and Vancouver. We have received a notice of the intent of creating an assisted living business in our neighborhood. We have lived here and raised our family for 32 years and we are opposed to having a commercial business in our neighborhood. We feel it would create more traffic in this area plus the issues that are associated with assisted living residents. There is a high turnover in employees which brings transients into our neighborhoods. Property maintenance is an issue also. It affects the property values of our homes. Not to mention that if you open the door to one others will follow. This is where we live, we all bought our homes here with the understanding that this is and always be a family neighborhood not a commercial business center. It has been a wonderful experience living here as we know our neighbors and feel this area is safe. We know who should be here and who shouldn’t. This is a residential area and not a commercial business neighborhood. If they want to run a business it shouldn’t be here. There are plenty of developed areas that are zoned commercial and that’s where a business should be; not in a residentially zoned area.”

Judy & Ben Mandeville, 2600 Sherwood Dr., Sherman, TX

“This letter is about the purchase of the property at 2402 Nantucket. First of all this is residential property, not commercial. Turning this property into an assisted living business would cause many problems.

This property is on a very busy corner (Nantucket & Lambert), the back side of the property is in a floodplain, and would have to have approved parking. With shift workers 24 hours a day, 7 days a week usually means more noise and higher crime rate. I bought my home in this area 30 years ago. This has been a great neighborhood to live in and raise a family. This is not an area to put a commercial business in. I for one DO NOT WANT THIS zoned commercial.”

Linda Jones, 2540 Sherwood Dr., Sherman, TX

“It has come to my attention that yet another business is trying to come into my neighborhood, at 2402 Nantucket. I have had to personally get an air conditioning business stopped here, where we had semi-trucks coming in for delivery. I am totally against any commercial business starting up in our beautiful, quiet neighborhood, as this will open the door for others. There is plenty of commercial property available here for business.”

Ron Lorensen, 2526 Nantucket Dr., Sherman, TX

“We have been residents at 2526 Nantucket Drive, Sherman TX for 22 years. This is a great family neighborhood and should remain that way. We don’t feel a business like this is appropriate for this neighborhood. There are other locations more suitable for this type of establishment. If this business were to be allowed in this neighborhood, what would be next multi-family low income housing?”

Lynwood & SuAlice Jostes, 2406 Nantucket, Sherman, TX

“The petitioners’ request for a specific use permit at 2402 Nantucket, if approved, will impose a disruption in the traditional lifestyle of a neighborhood that was assumed to remain one-family residential. This change will impose a degradation to the financial and emotional investment of families who seek to enjoy what is a typically viewed as a small-town residential neighborhood. The proposed change imposes a burden on many by two entrepreneurial, out-of-town individuals.

Specific complaints, opposition and questions regarding this request are as follows:

- Do the petitioners have the required licensing for this type of facility in hand, or are we going through this process just in case they succeed in the permitting process?
- Do the petitioners have experience operating such a business or the neighbors going to be guinea pigs while they figure out that this type of business isn't an 8 to 5 operation. Hey folks, it is a NEIGHBORHOOD?
- Can the petitioners predict the nature of afflictions of their clientele, i.e., will the clients wander the neighborhood and create disturbances in a traditionally quiet neighborhood?
- The six parking spaces will require backing onto busy Lamberth which will present a traffic hazard.
- Inevitably there will be increased parking (care givers, visitors, staff) on Nantucket Drive. Nantucket almost becomes a one-way street when there are parked cars.
- It is likely there is a deed restriction on this property. Following is an excerpt from the pertinent Restrictive

Covenants and Conditions.

Land Use and Building Type:

"No residential lot shall be used, except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot, other than one detached family dwelling not to exceed two (2) stories in height and a private garage or carport for less than two cars."

It is obvious that this lot was intended to remain a one family residence, NOT commercial residence housing six unrelated individuals who need professional 24-hour care.

- The allowance of a commercial operation will decrease the property values of the surrounding residential property.

We request that the Board deny this Request."

Tom Howell, 2605 Nantucket, Sherman, TX

"I am writing against the rezoning of 2402 Nantucket Drive for the following reasons:

1. The traffic on Lamberth continues to exceed the speed limit of 30 mph so that is often hard to get onto Lamberth from Nantucket and with the traffic backing out from the proposed parking it would be dangerous.
2. Lamberth has a road curve going both directions toward 2402 Nantucket and reduces the driver visibility which is an increased hazard.
3. Putting a business in a residential neighborhood impacts the value of our home.

My desire is for this area to remain a residential neighborhood."

Willard VonGonten, 2401 Nantucket, Sherman, TX

"We live at 2401 Nantucket Drive, directly across from afore mentioned property. We have several concerns regarding this request for an assisted care facility. This is a beautiful older single family neighborhood and we would prefer it remain that way. There are too many unknown variables for us to be comfortable with these changes.

One safety issue that needs to be addressed is the location of the afore mentioned property. Any vehicle exiting Nantucket onto Lamberth has to view oncoming vehicles from both directions and there are curved roadways in both directions. Our concern is that if you have six vehicles and possibly an ambulance backing out of the parking arrangement as proposed for this facility it would disrupt the flow of traffic on Lamberth. This could cause more accidents and create unsafe conditions. Plus if ambulances were called to this facility on any regular routine and the ambulances park on Nantucket with lights flashing it would be another nuisance. Thank you for your help with this."

Laureen Pfeiffer, 2514 Nantucket Dr., Sherman, TX

"I am writing in opposition to the request for a Specific Use Permit under Ordinance 2280, Section 8, Subsection (5)(a) to allow an assisted care facility in an R-1 District. I respectfully request the Planning & Zoning Commission deny this specific use permit for the following reasons:

The Canyon Creek subdivision was developed as a single-family residential subdivision and it should remain that way. Granting a specific use permit for a different use other than single-family residential opens the door for other variations. Converting an existing home into an assisted care facility will increase traffic and noise from the emergency services vehicles associated with elder care.

Although the zoning would require all parking on private property and one parking place per bedroom, there will inevitably be parking along Nantucket Drive. With the house on the corner it will impede visibility and cause congestion when turning at Nantucket Drive and Lamberth Road.

As a resident at this location since the mid 1970's I have always valued the aesthetics of Nantucket Drive. We all take pride in our homes and do our best to maintain them. If this specific use permit is granted, we will now be greeted with a small parking lot and several cars instead of a single-family residential home. The aesthetics and charm of our street will be tainted by the look of a small commercial business. I ask that the Commission deny the specific use permit for this location."

Bart & Candace Haddock, 1608 Lamberth Circle, Sherman, TX

"We at 1608 Lambeth Circle strongly oppose the request of an assisted care facility in our neighborhood. Negative impact would cause property values to decrease, traffic problems on a curved road already problematic, not knowing the quality of care of half a dozen of our most vulnerable citizens is receiving will cause undue mental stress to our family and our neighborhood. Please deny this request."

Jack & Roberta Burley, 1602 Lamberth Circle, Sherman, TX

"We would like to protest the proposed assisted living (care) project on the northwest corner of West Lamberth Road and Nantucket (2402 Nantucket Drive). This is a very busy intersection now, and this would add additional traffic to this corner. Also, there are young children that are just across Lamberth Road on both corners of the intersection. We believe that there are other locations more suitable than this for a business such as this. We respectfully request that this Specific use Permit be denied for this residential location."

David Strasner, 2519 Sherwood Drive, Sherman, TX

"Please accept this letter as my stated opposition to the zoning change requested at 2402 Nantucket, Sherman. We

have had exclusively one family homes in this neighborhood since this area was established in the mid '70's. I have lived at my current address since 1985. In speaking with neighbors, an assisted living facility would 1) increase traffic in our quiet neighborhood (6 additional parking spaces), and 2) open the door for similar changes to our residential zoning. Approving of this zoning change would make it difficult to deny any future similar commercial zoning request. Please leave our neighborhood business free."

Don & Bobbi Hays, 2409 Nantucket Dr., Sherman, TX

"Granting the Specific Use Permit to allow a commercial enterprise at 2402 Nantucket Drive in the historically One Family Residential District of Lamberth Road and Nantucket Drive is a bad idea for a number of reasons:

1. A commercial enterprise will devalue surrounding property.
2. Nantucket Drive is a narrow residential street that cannot safely accommodate parking on the street, an inevitable result of commerce on the block.
3. The on-site parking plan would require visitors to back their vehicles out onto a busy thoroughfare (Lamberth Road) introducing a safety hazard.
4. During rain storms, flooding has occurred in the houses backing onto the creek creating a danger for residents at that address.
5. Three cul-de-sacs are located in the neighborhood drawing many walkers. Heightened traffic, particularly vehicles turning into and out of driveways since Nantucket is not a through road, would threaten such leisure activity.
6. We and all the neighbors we have contacted love the slow pace and the peace of this residential place and do not want the change.

For all of these reasons we urge you to deny the petitioners' request."

ACTION TAKEN.

Motion by Commission Member Downtain to deny the request based on the discussion that we have heard.

Second by Commission Member Davis.

VOTING AYE: MAHONE, GILBERT, DAVIS, ELLIOTT AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:20 p.m.

ADJOURNMENT

CHAIRMAN

SECRETARY