

STATE OF TEXAS

§

November 16, 2021

COUNTY OF GRAYSON

§

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 16, 2021.

MEMBERS PRESENT:

CHAIRMAN MAHONE

COMMISSION MEMBERS: SIMS, DAVIS, WHITAKER AND
BLAGG

ALTERNATE:

COMMISSION MEMBER VANDERVEER

MEMBERS ABSENT:

VICE-CHAIRMAN DOWNTAIN

STAFF PRESENT:

ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES,
PATSY REEVES, DEVELOPMENT SERVICES
COORDINATOR, KERRI TURNER, DEVELOPMENT
SERVICES ADMINISTRATIVE ASSISTANT AND WAYNE
LEE, DIRECTOR OF ENGINEERING.

CITY ATTORNEY:

REBECCA BRADLEY

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:01 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the October 19, 2021 regular meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Whitaker. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

ANNOUNCEMENTS

Rob Rae, Director of Development Services, informed the Board that the meeting on December 14, 2021 will start at 4:00 PM for the Capital Improvements Advisory Committee (CIAC) meeting. This is the impact fee committee that is required to meet every 6 months.

ANNOUNCEMENTS

Chairman Mahone announced that the Commission is using iPads and going through the packets electronically rather than paper and asked for the patience of the audience.

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, SIMS, DAVIS, WHITAKER AND BLAGG.

BOARD OF
ADJUSTMENTS

CITIZEN COMMENTS

There were no citizen comments.

CITIZEN COMMENTS

CONSENT AGENDA (ITEMS 10, 11, 13, 16, 17, 19, 20, 23, 24, 25 & 27)

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

An email was received from Mary Hendrickson, on November 15, 2021 at 4:33 PM requesting to table item 13, the request of a preliminary plat approval at 409 Wanda Drive.

The Commission reviewed the Consent Agenda. Commission Member Vanderveer moved to remove item 13 and approve the items 10, 11, 16, 17, 19, 20, 23, 24, 25 and 27 on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Davis. All present voted AYE.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF THE DURHAM GROUP, LLC AND KATELYN DAVIS, LLC (OWNERS) ELD ENGINEERING, INC. (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY AT 1808 NORTH LOCKHART STREET, BEING LOTS 57 AND 59, BLOCK F, MAXEY ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF L.R. KANE ADDITION, LOTS 1 & 2, BLOCK A, BEING A REPLAT OF LOTS 57 & 59, BLOCK F, MAXEY ADDITION.

The property is located at 1808 North Lockhart Street, the southwest corner of Taylor and Lockhart Streets, across the street from Fairview Elementary School and is zoned an R-1 (One-Family Residential) District. The owner would like to Plat the property into two 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF JAMES GARZA (OWNER), GEORGE ODWESSO (DEVELOPER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 702 SOUTH MONTGOMERY STREET, BEING 0.269 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, ALSO BEING ALL OF LOT 1 AND PART OF LOT 3, BLOCK 3, ROBERT A. KING'S ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOT 1 AND PART OF LOT 3, BLOCK 3, R.A. KING ADDITION, BEING A REPLAT OF LOT 1 AND PART OF LOT 3, BLOCK 3 OF THE R.A. KING ADDITION.

CONSENT AGENDA

REPLAT – MAXEY
ADDITION
1808 N. LOCKHART
ST.
(DURHAM GROUP,
LLC AND KATELYN
DAVIS, LLC)

REPLAT – ROBERT
A. KING'S ADDITION
702 S.
MONTGOMERY ST.
(JAMES GARZA)

The property is located 702 South Montgomery Street, the southwest corner of Wells Avenue and Montgomery Street and is zoned an R-2 (Multi-Family Residential) District. The owner would like to Plat the property into (1) one lot 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ANTHONY AND LANE ALEMAN (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 310 AND 324 WEST U.S. HIGHWAY 82, BEING 1.574 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS: PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF ALEMAN ADDITION.

PRELIMINARY PLAT
– ALEMAN ADDITION
310 AND 324 W. U.S.
HWY 82
(ANTHONY AND
LANE ALEMAN)

The property is located at 310 and 324 West U.S. Highway 82, the southwest corner of U.S. Highway 82 and Hickory Street and is zoned a C-2 (General Commercial) District. The owner would like to plat the property into (2) two lots for commercial 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF MORAN DEVELOPMENTS, LLC (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1225, 1229, 1233 AND 1237 NORTH BROUGHTON STREET, BEING 0.230 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS: PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF MORAN ON BROUGHTON ADDITION.

PRELIMINARY PLAT
– MORAN ON
BROUGHTON
ADDITION
1225, 1229, 1233 AND
1237 N. BROUGHTON
ST.
(MORAN
DEVELOPMENTS,
LLC)

The property is located at 1225, 1229, 1233 and 1237 North Broughton Street, the southeast corner of Sycamore and Broughton Streets and is zoned an R-2 (Multi-Family Residential) District. The owner would like to plat the property into (1) one lot for residential development of a four-plex. 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF M&G HOME BUILDERS (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1207 SOUTH FIRST STREET, BEING 0.225 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 AND BEING THE NORTH 70' OF LOT 3, BLOCK 4, W.D. FITCH ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF THE NORTH 70 FT. OF LOT 3, BLOCK 4, W.D. FITCH ADDITION.

REPLAT - W.D. FITCH
ADDITION
1207 S. FIRST ST.
(M&G HOME
BUILDERS)

The property is located at 1207 South First Street between Kentucky and Rosedale Streets and is zoned an R-1 (One-Family Residential) District. The owner would like to plat the property into (1) one lot 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF THE CITY OF SHERMAN (OWNER) CONCERNING THE PROPERTY AT 1304 WEST LAMAR STREET, BEING 30.7 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A WAREHOUSE FOR PARKS MAINTENANCE.

SITE PLAN -
WAREHOUSE
1304 W. LAMAR ST.
(THE CITY OF
SHERMAN)

The property is located at 1304 West Lamar Street between Holly and McKown Avenues and is zoned an R-1 (One-Family Residential) District. The City of Sherman would like to construct a warehouse for the Parks Maintenance Department. 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF RIVERA & CINTRON, LLC (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 708 SOUTH MONTGOMERY STREET, BEING 0.241 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, ALSO BEING THE SOUTH 31 FT. OF LOT 3 AND THE NORTH 39 FT. OF LOT 5, BLOCK 3, ROBERT A. KING'S ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF THE SOUTH 31 FT. OF LOT 3 AND THE NORTH 39 FT. OF LOT 5, BLOCK 3, ROBERT A. KING'S ADDITION.

REPLAT – ROBERT
A. KING'S ADDITION
708 S.MONTGOMERY
ST.
(RIVERA & CINTRON,
LLC)

The property is located 708 South Montgomery Street, the southwest corner of Wells Avenue and Montgomery Street and is zoned an R-2 (Multi-Family Residential) District. The

owner would like to plat the property into (1) one lot 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF WORMINGTON RV LLC (OWNER) HP INVESTMENTS (DEVELOPER) AND CHANEY ENGINEERING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 2112 SOUTH TRAVIS STREET, BEING 1.352 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF TRAVIS STREET DOLLAR GENERAL ADDITION.

PRELIMINARY PLAT
– DOLLAR GENERAL
ADDITION
2112 S. TRAVIS ST.
(WORMINGTON RV
LLC)

The property is located at 2112 South Travis Street, between West Wilson and Meadowview Lane and is zoned a C-1 (Retail Business District). The owner would like to plat the property into one lot for commercial 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ONE GANESHA LTD (OWNER) AND VILBIG & ASSOCIATES, PLLC (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY IN THE 6000 BLOCK OF U.S. HIGHWAY 75, BEING 15.679 ACRES IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875, THE DAVID HARRISON SURVEY, ABSTRACT NO. 581 AND THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265 AND BEING ALL OF LOT 1, BLOCK A, DR. SWAMY ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF REDDY ADDITION.

PRELIMINARY PLAT
– REDDY ADDITION
6000 BLK U.S. HWY
75
(ONE GANESHA LTD)

The property is located in the 6000 block of North U.S. Highway 75; the southeast corner of FM 691 and Highway 75 and is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District and in the 0-1.3 (FM Highway 691) Overlay District. The owner would like to plat the property into (9) nine lots for commercial 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 MITCHELL ENTERPRISES, LTD (OWNER), VILBIG & ASSOCIATES, PLLC (CIVIL ENGINEER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 400 BLOCK OF LAUREL CREEK DRIVE, BEING 9.620 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF LAUREL CREEK ADDITION, SECTION FOUR.

FINAL PLAT –
LAUREL CREEK
ADDITION
400 BLK OF LAUREL
CREEK DR.
(MITCHELL
ENTERPRISES, LTD)

The property is located in the 400 block of Laurel Creek Drive and is zoned an R-1 (One-Family Residential) District. The owner would like Final Plat approval for (24) twenty-four residential 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.

EXCEPTION, SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF OWNER'S MANUAL FOR LIFE (OWNER), NEXIUS SOLUTIONS, INC. (APPLICANT), C.A. BASS (TELECOM MANAGEMENT SERVICES), AT&T (TENANT) AND WIMBERLY SURVEYING PROFESSIONALS (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 111 ARCHER DRIVE, BEING LOT 3, BLOCK 1 WESTWOOD VILLAGE SECOND REPLAT PART OF BLOCK 2, THE LEASE AREA FOR THE TOWER BEING 0.083 ACRE TRACT IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

EXCEPTION, SUP &
SITE PLAN – 130'
TALL TELE-
COMMUNICATIONS
TOWER
111 ARCHER DR.
(OWNER'S MANUAL
FOR LIFE)

(WITHDRAWN)

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (15)(C)(C), (II) & (IV) TO ALLOW A 130' TALL TELECOMMUNICATIONS TOWER IN LIEU OF THE ALLOWED 50', A 375' SETBACK FROM ANY RESIDENTIAL ZONE IN LIEU OF THE REQUIRED 400', A 40'2" SETBACK FROM THE WEST PROPERTY LINE AND A 51'5" SETBACK FROM THE NORTH PROPERTY LINE IN LIEU OF THE REQUIRED 130' FROM ANY PROPERTY LINE IN A C-1 (RETAIL BUSINESS) DISTRICT.

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A 130' TALL TELECOMMUNICATIONS TOWER FOR AT&T IN A C-1 (RETAIL BUSINESS) DISTRICT.

This item was tabled at the October 19, 2021 meeting. The property is located at 111 Archer Drive, the northeast corner of West Houston Street and Archer Drive. The property is zoned a C-1 (Retail Business) District.

An email was received from Lisa Smith, Site Acquisition Specialist, C.A. Bass, on November 9, 2021 at 1:01 PM withdrawing the request for an exception, Specific Use Permit and site plan approval at 111 Archer Drive.

ACTION TAKEN.

Motion by Commission Member Vanderveer to withdraw of request for an exception to allow a 130' tall telecommunications tower in lieu of the allowed 50', a 375' setback from any residential zone in lieu of the required 400', a 40'2" setback from the west property line and a 51'5" setback from the north property line in lieu of the required 130' from any property line in a C-1 (Retail Business) District at 111 Archer Drive. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED.

THE REQUEST WAS WITHDRAWN

EXCEPTION

THE REQUEST OF FRHP LINCOLNSHIRE, LLC (OWNER), CAMPING WORLD (TENANT), TRISHA MOLLEN (APPLICANT) AND BO GREEN, SYMONDS FLAGS & POLES, INC. (CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING LOT 1, BLOCK 43R OF THE REPLAT OF BLOCK 43R, LOT 1 SOUTH SIDE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (6)(C) TO ALLOW A 130' TALL FLAG POLE IN LIEU OF THE ALLOWED 100' IN AN M-1 (LIGHT MANUFACTURING) DISTRICT.

EXCEPTION –
FLAGPOLE HEIGHT
2005 SOUTH SAM
RAYBURN FWY
(FRHP
LINCOLNSHIRE,
LLC)

(DENIED)

Robert Burns, General Manager, Camping World, 2005 South Sam Rayburn Freeway, Sherman, TX

Mr. Burns appeared to represent the request and answer any questions. This request was denied at the September 21, 2021 meeting because no one was present to represent the request. The property is located at 2005 South Sam Rayburn Freeway, the southeast corner of Wilson Avenue and South Sam Rayburn Freeway; Camping World is the tenant. The property is zoned an M-1 (Light Manufacturing) District.

Mr. Burns explained, "Camping World would like to install a 130' tall flag pole to fly the American Flag in an area that is now all paved. 130' tall is standard height for flag poles for Camping World across the nation."

Chairman Mahone asked, "Is this 90' from a power line?"

Mr. Burns replied, "It is 90' from the power lines and 200' from the front of the property that faces Highway 75."

Commission Member Davis asked, "Why do you need a 130' tall flag pole?"

Mr. Burns replied, “130’ is the standard with Camping World nationwide and the size of the flag.”

Chairman Mahone asked Mr. Rae, “Would they need an exception if the pole was 100’ tall?”

Mr. Rae replied, “no. The height restriction for M-1 (Light Manufacturing) District is 100’.”

Chairman Mahone asked if they could make a 100’ tall pole work.

Mr. Burns replied, “130’ is a corporate request.”

Commission Member Vanderveer suggested repositioning the pole to clear the powerlines if it were to fall.

Commission Member Vanderveer asked if there were any other poles this tall in Sherman.

Mr. Rae replied, “no.”

Chairman Mahone asked Ms. Bradley, “Can the Commission change the location from what was advertised?”

Ms. Bradley replied, “You can approve it contingent on location or have them come back with a different application.”

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

ACTION TAKEN.

Motion by Commission Member Davis to deny the request for an exception under Ordinance No. 2280, Section 6.8, Subsection (6)(c) to allow a 130’ tall flag pole in lieu of the allowed 100’ in an M-1 (Light Manufacturing) District at 2005 South Sam Rayburn Freeway subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, SIMS AND WHITAKER

VOTING NAY: BLAGG

MOTION CARRIED.

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

SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF FRHP LINCOLNSHIRE, LLC (OWNER), CAMPING WORLD (TENANT) AND COREE CORBIN, CORBIN DESIGN COMPANY (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING LOT 1, BLOCK 43R OF THE REPLAT OF BLOCK 43R, LOT 1 SOUTH SIDE ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

SPECIFIC USE
PERMIT AND SITE
PLAN – PAINT
BOOTH
2005 S. SAM
RAYBURN FWY.
(FRHP
LINCOLNSHIRE, LLC)

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A PAINT BOOTH AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT.

Mike Bellows, Beacon Equipment, 2005 South Sam Rayburn, Sherman, TX and Robert Burns, General Manager, Camping World, 2005 South Sam Rayburn Freeway, Sherman, TX

Mr. Bellows appeared to represent the request and answer any questions. The property is located at 2005 South Sam Rayburn Freeway, the southeast corner of Wilson Avenue and South Sam Rayburn Freeway; Camping World is the tenant. The property is zoned an M-1 (Light Manufacturing) District.

Mr. Bellows explained, "Beacon Equipment is a distributor for Global Finishing Solutions Spray Booths and we have put in spray booths for Camping Worlds all over. Camping World would like to install a spray paint booth inside their Maintenance Facility to paint RV's and RV parts."

Chairman Mahone asked what safety measures a paint booth has to take for air quality, filtration and chemical disposal.

Mr. Bellows explained, "Every booth from Global Finishing Solutions is up to the latest codes required for fire codes and manufacturing codes. The reason for the spray booth is to keep the air quality clean. When an RV is pulled into the paint booth, all of the paint overspray goes into a filtration system where 99% of the particles are caught. Before we applied for the permit, we made sure to abide by all the codes and setbacks."

Chairman Mahone asked, "Is the spray booth manufactured somewhere else and brought in?"

Mr. Bellows replied, "yes, once the manufactured booth is delivered in crates, we off load it and build the booth in an existing maintenance building. It is about a 30-day build for us. There is also an attached mixing room where paints are legally stored and mixed in a code compliant room with spill containment and fire proofing."

Chairman Mahone asked, "Is there water or washing involved in this? Are the vehicles washed before you paint them?"

Mr. Bellows replied, "There are processes to get the vehicles ready to be sprayed. This will be a dry unit. They do not use waterborne paints."

Chairman Mahone asked, "Is there a code compliant washing station at this location?"

Mr. Rae replied, "I have been told by our Pretreatment Services that they are washing Recreational Vehicles without proper filtration."

Commission Member Vanderveer asked, "Would the first item on the Staff Review Letter, 'Compliance with applicable City Ordinances, regulations, standards and rules and other laws' require them to do a proper wash station before they can operate this?"

Mr. Rae replied, "no, the Specific Use Permit could have conditions they would have to abide by to get approval. Pretreatment Services has been working with Camping World to get this in place. Any carwash or car dealership that washes cars in the City of Sherman is required to provide a filter so that oils and greases are not going into our sewer system."

Mr. Burns said he was unaware of non-compliance with Pretreatment Services. Mr. Rae said we would get him in touch with Pretreatment Services.

Commission Member Blagg asked Mr. Rae if Camping World would need a Certificate of Occupancy if the Commission approved the Specific Use Permit.

Mr. Rae replied, "Camping World would have to get a Certificate of Occupancy to operate the paint booth."

Chairman Mahone asked Ms. Bradley to assist in making a motion if the Commission decided to make compliance with Pretreatment Services part of the approval for the Specific Use Permit.

Ms. Bradley replied, "You would make a motion to approve subject to Pretreatment Services approval of the wash station and subject to the Staff Review Letter."

Mr. Bellows asked how the wash station relates to the paint booth.

Commission Member Vanderveer replied, "This would not delay the installation of the paint booth, it would delay the use of the paint booth."

Doug Gildert, 515 Hillside Dr., Sherman, TX

Mr. Gildert asked, "How does the required filtration system apply to a guy with a trailer that has a large water reservoir that pulls up to the car dealerships and washes down the cars? Are they in compliance?"

Commission Member Vanderveer replied, "Staff would have to address that. I understand what you are asking, but tonight we are addressing this Specific Use Permit. Get with Development Services staff on that and they can help you get an answer."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Bellows replied, “yes, we have seen the Staff Review Letter and would abide by the Recommendations.”

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the request for a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Paint Booth an M-1 (Light Manufacturing) District/O-1.2 (Sam Rayburn) Overlay District at 2005 South Sam Rayburn Freeway subject to the Staff Review letter and compliance with the pretreatment requirements of the Wastewater Services Department. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED.

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

VARIANCE

THE REQUEST OF RIVERSIDE HOMEBUILDERS, LTD (OWNER), COLEEN GRAY TURNER (REPRESENTATIVE) AND TERRY G. HAWKINS (SURVEYOR) CONCERNING THE PROPERTY AT 911 OSPREY DRIVE, BEING LOT 10, BLOCK A, QUAIL RUN, PHASE 1, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 16’11” REAR SETBACK FOR A SINGLE-FAMILY RESIDENTIAL DWELLING IN LIEU OF THE REQUIRED 25’ IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – REAR
SETBACK
911 OSPREY DR.
(RIVERSIDE
HOMEBUILDERS,
LTD)

Wendell Stephens, Riverside Homes, 3045 Lackland Rd., Ft. Worth, TX 76166

Mr. Stephens appeared to represent the request and answer any questions. This request was denied at the September 21, 2021 meeting because no one was present to represent the request. The property is located at 911 Osprey Drive off Quail Run Road in southwest Sherman off FM 1417 (Heritage Parkway). The property is zoned an R-1 (One-Family Residential) District.

Mr. Stephens explained, “The lot is located in a cul-de-sac and is an irregular shaped lot; the owners have multiple plans to fit odd lots, however, none will fit this lot due to the 25’ rear building line. The owners are requesting a variance

to allow the left rear of the home to be 16' 11" from the property line."

Chairman Mahone said, "There is a 35' side yard. Can you move the house toward the center?"

Mr. Stephens replied, "because the front build line is curved in, we have moved it over as far as we could."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Stephens replied, "yes, 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 variance.

ACTION TAKEN.

Motion by Commission Member Blagg to approve the variance to allow a 16'11" rear setback for a single-family residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District at 911 Osprey Drive subject to the Staff Review Letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM (MOTION TO REMOVE FROM CONSENT AGENDA)

THE REQUEST OF MARY T. HENDRICKSON (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 409 WANDA DRIVE, BEING 2.185 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF A.J. HENDRICKSON ADDITION.

PRELIMINARY PLAT –
A.J. HENDRICKSON
ADDITION
409 WANDA DR.
(MARY T.
HENDRICKSON)

(TABLED)

An email was received from Mary Hendrickson, on November 15, 2021 at 4:33 PM requesting to table the request of a preliminary plat approval at 409 Wanda Drive.

The property is located at 409 Wanda Drive between East Cherry and South Hillbrook Streets and is zoned an R-1 (One-Family Residential) District. The owner would like a Preliminary Plat approval of 5 lots for residential development.

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to table the request for a preliminary plat approval of A.J. Hendrickson Addition at 409 Wanda Drive. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

THE REQUEST WAS TABLED

REPLAT

THE REQUEST OF HOPE ON HOUSTON, INC, (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 901, 903, 917 AND 921 EAST HOUSTON STREET AND 910 EAST CHAFFIN STREET, BEING 1.695 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING PART OF BLOCK 19, CHAFFIN'S ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF HOPE ON HOUSTON ADDITION, BEING A REPLAT OF A PART OF BLOCK 19, CHAFFIN'S 2ND ADDITION.

REPLAT – HOPE ON HOUSTON ADDITION
901, 903, 917 AND
921 E. HOUSTON ST.
AND 910 E. CHAFFIN ST.
(HOPE ON HOUSTON, INC)

(TABLED)

The property is located at 901, 903, 917 & 921 East Houston Street; the northeast corner of Houston and Willow Streets and is zoned an R-1 (One-Family Residential) District. The owner would like to Plat the property into (2) two lots.

An email was received from Gail Utter on November 9, 2021 at 10:34 AM requesting to table this request until the December 14, 2021 Planning and Zoning Commission meeting.

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to table the request for replat approval of Hope on Houston addition, being a replat of a part of block 19, Chaffin's 2nd addition. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED.

THE REQUEST WAS TABLED

ZONE CHANGE & SITE PLAN

THE REQUEST OF HOPE ON HOUSTON, INC, (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 921 EAST HOUSTON STREET, BEING 0.432 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING LOT 2 OF THE PROPOSED HOPE ON HOUSTON ADDITION, A REPLAT OF A PART OF BLOCK 19, CHAFFIN'S ADDITION, 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-1 (RETAIL BUSINESS) DISTRICT.

An email was received from Gail Utter on November 9, 2021 at 10:34 AM requesting to table this request until the December 14, 2021 Planning and Zoning Commission meeting.

Ralph Renshaw, 1205 S Crockett, Sherman, TX

Mr. Renshaw asked, "What do they have planned for this location?"

Commission Member Davis replied, "The owner would like to change the zoning on the property to a C-1 (Retail Business) District and renovate the existing building for Vecinos Ministry, a ministry of First United Methodist Church. They will sell baked goods, tortillas and coffee."

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

ACTION TAKEN.

Motion by Commission Member Davis to table the zone change and site plan approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to a C-1 (Retail Business) District at 921 East Houston Street subject to the Staff Review Letter. Second by Commission Member Vanderveer.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED.

THE REQUEST WAS TABLED

EXCEPTION AND PRELIMINARY PLAT

THE REQUEST OF M&G HOME BUILDERS (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 620 AND 622 SOUTH FIRST STREET, BEING 0.191 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:
BOARD OF ADJUSTMENTS

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTIONS (1) TO ALLOW THE FOLLOWING

ZONE CHANGE – R-1
TO C-1

SITE PLAN – RETAIL
BUSINESS

921 E. HOUSTON ST.
(HOPE ON
HOUSTON, INC)

(TABLED)

EXCEPTION – LOT
WIDTH
PRELIMINARY PLAT
– MORA'S ON FIRST
STREET ADDITION
620 AND 622 S.
FIRST ST.
(M&G HOME
BUILDERS)

LOT WIDTHS AND AREA IN LIEU OF THE REQUIRED
60' LOT WIDTH, 6,000 SQUARE FOOT LOT AREA FOR
THE PROPOSED MORA'S ADDITION IN AN R-1 (ONE-
FAMILY RESIDENTIAL) DISTRICT:

(DENIED)

LOT 1 – 40.00' LOT WIDTH, 4,000 SQ. FT. LOT AREA

LOT 2 – 43.00' LOT WIDTH, 4,300 SQ. FT. LOT AREA

PLANNING AND ZONING COMMISSION

B. PRELIMINARY PLAT APPROVAL OF MORA'S ON
FIRST STREET ADDITION.

Martin Covarrubias, M&G Home Builders, 1218 N. Brents
Sherman, TX

Mr. Covarrubias appeared to represent the request and answer any questions. The property is located at 620 and 622 South First Street between King Street and Wells Avenue and is zoned an R-1 (One-Family Residential) District.

Mr. Covarrubias explained, "The owner is requesting exceptions on the lot width and area to plat the property into (2) two lots for residential development. We are not moving the boundaries. These lots were sold as 2 separate lots at 2 different times. We try to avoid variances and worked with the architect to come up with a floor plan that would fit with the setbacks."

Commission Member Davis stated that the lots surrounding this location were significantly larger than the requested width.

Mr. Covarrubias said, "The lot across the street is 75' and the lot to the north is 42'."

Mr. Rae asked, "It doesn't look like you are going to put a garage in there, how many bedrooms are you planning for each of these homes?"

Mr. Covarrubias agreed there was no garage and replied, "two to three bedrooms, but we have to build where it will be 27' wide and I know parking spaces are 9' x 20'."

Commission Member Vanderveer stated, "That is going to be a concrete parking lot in front with very little green space."

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to deny the exception to allow the following lot widths and area in lieu of the required 60' lot width, 6,000 square foot lot area for the proposed Mora's Addition in an R-1 (One-Family Residential) District at 620 and 622 South First Street subject to the Staff Review Letter. Second by Commission Member Whitaker.

Lot 1 – 40.00' lot width, 4,000 sq. ft. lot area
Lot 2 – 43.00' lot width, 4,300 sq. ft. lot area

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER AND
BLAGG.

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning
ACTION TAKEN.

Motion by Commission Member Davis to deny the request for a preliminary plat approval of Mora's on First Street Addition at 620 and 622 South First Street subject to the Staff Review Letter. Second by Commission Member Vanderveer.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG
AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED.

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

TEMPORARY USE PERMIT & SITE PLAN

THE REQUEST OF THE GROVE ADDITION DEVELOPMENT
JOINT VENTURE (OWNER) AND JOE GILBERT
(APPLICANT) FOR THE PROPERTY LOCATED AT 2139
WEST MOORE STREET, BEING LOT 1, BLOCK I, THE
GROVE ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

TEMPORARY USE PERMIT AND SITE PLAN APPROVAL
UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION
(4) TO ALLOW A CONCRETE BATCH PLANT FOR A PERIOD
NOT TO EXCEED NINE MONTHS IN AN R-2 (MULTI-FAMILY
RESIDENTIAL) DISTRICT.

TUP & SITE PLAN –
CONCRETE BATCH
PLANT
2139 W. MOORE ST.
(THE GROVE
ADDITION
DEVELOPMENT
JOINT VENTURE)

Joe Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located at 2139 West Moore Street between Houston and Pecan Streets. The property is zoned a C-1 (Retail Business) District.

Mr. Gilbert explained, "We are requesting a Temporary Use Permit to allow a concrete batch plant for a period not to exceed nine months for development of The Grove Addition. This is for the residential subdivision to the south."

Chairman Mahone said, "In the past, temporary concrete batch plants ask for 1 or 2 years. Is 9 months reasonable?"

Mr. Rae replied, "Our ordinance states 6 months for Temporary Use Permits. We asked this applicant and the next applicant how long they needed the batch plant. We worded the Agenda based on what they needed."

Commission Member Davis asked, “Does the Temporary Use Permit start now?”

Mr. Rae replied, “It starts the day they come in for a Certificate of Occupancy.”

Mr. Rae asked, “Is the batch plant done once all of the public infrastructure is done?”

Mr. Gilbert replied, “That is correct. It is expected that this batch plant will be set up for 30 to 60 days.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Gilbert replied, “yes, 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 Temporary Use Permit or site plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Temporary Use Permit and site plan approval to allow a concrete batch plant for a period not to exceed nine months in an R-2 (Multi-Family Residential) District at 2139 West Moore Street subject to the Staff Review Letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

EXCEPTION, ZONE CHANGE AND SITE PLAN

THE REQUEST OF AJH ENTERPRISES, LTD (OWNER), JON DAVID CROSS, CROSS ENGINEERING CONSULTANTS (CIVIL ENGINEER/REPRESENTATIVE), LEE ENGINEERING (PARKING STUDY) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 400 WEST U.S. HIGHWAY 82, BEING 22.109 ACRES IN J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(D)(4) AND SECTION 6.13.1, SUBSECTION (5) TO ALLOW THE TRASH COMPACTOR ON THE WEST SIDE TO HAVE A 15' SETBACK IN LIEU OF THE REQUIRED 70' IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

**EXCEPTION – TRASH
COMPACTOR
SETBACK
ZONE CHANGE &
SITE PLAN – THE
HEIGHTS ON
HICKORY STREET
400 W. U.S. HWY. 82
(AJH ENTERPRISES,
LTD)**

B. ZONE CHANGE AND SITE PLAN APPROVAL FOR THE HEIGHTS ON HICKORY STREET UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

Jon David Cross, Cross Engineering Consultants, 1720 W. Virginia, McKinney, TX

Mr. Cross appeared to represent the request and answer any questions. The property is located at 400 West U.S. Highway 82 between Rex Cruse Drive and Hickory Street. The property is zoned an R-1 (One-Family Residential) District.

Mr. Cross explained, "The owner would like to develop 22 acres into a multi-family development. The property has several gas well sites, which restrict the placement of apartment buildings; this leads to a site design with significant open space. All our buildings are at least 200' away from the well sites. They plan to construct The Heights on Hickory Street with 288 units, 3 buildings and a clubhouse."

Mr. Rae said, "Trash dumpsters or trash compactors can't be within the building setbacks within the City of Sherman. The O-1 (75 & 82) Overlay District requires any multi-family or commercial to be set back twice the height of the building. The building is 35' high making their setback 70' placing the dumpster/compactor within their setback. That is what they need the exception for."

Commission Member Davis asked, "Is this the only one for the whole facility?"

Mr. Cross replied, "There are 3."

Commission Member Davis asked, "Is the current line on the west a platted line?"

Mr. Rae replied, "They own all of that. They are wanting to replat, subdivide and rezone that parcel so they can do a multi-family development. The plat is not on the Agenda tonight."

Commission Member Vanderveer asked if the trucks could access this trash compactor.

Mr. Cross replied, "yes."

Commission Member Blagg asked about another location for the trash compactor.

Mr. Cross explained, "The current location is away from the residents, roadway and clubhouse and toward the back of the property."

Commission Member Vanderveer asked what type of screening will be on the west side of the property.

Mr. Rae replied, "It needs to be wrought iron with masonry columns every 24' or 32' depending on the street frontage."

Mr. Cross asked, "Can we do wrought iron with shrubs?"

Mr. Rae replied, "You would have to get an exception if screening is required."

Mr. Cross asked, "What is preferred and typically used?"

Commission Member Davis replied, "We prefer what is in the code and wrought iron with masonry columns is in the code."

Commission Member Davis asked, "If this was single story, would we be here?"

Mr. Rae replied, "The O-1 (75 & 82) Overlay District has the additional requirements for multi-family and commercial development. The purpose of that is to keep these towering structures from looking into the back yards of single family residents."

Commission Member Vanderveer asked if they had seen the Staff Review Letter.

Mr. Cross replied, "yes, I 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, zone change or site plan.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception to allow the trash compactor on the west side to have a 15' setback in lieu of the required 70' in an R-2 (Multi-Family Residential) District/O-1 (75 & 82) Overlay District at 400 West U.S. Highway 82 subject to the Staff Review Letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a zone change and site plan approval for The Heights on Hickory Street under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to

an R-2 (Multi-Family Residential) District at 400 West U.S. Highway 82 subject to the Staff Review Letter. Second by Commission Member Vanderveer.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED.

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

TEMPORARY USE PERMIT AND SITE PLAN

THE REQUEST OF TERRA PERPETUA LLC (OWNERS) AND MARIO SINACOLA, INC., MARK NOVAK (REPRESENTATIVE/CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 1106 BEACH BOULEVARD, BEING 278.313 ACRES IN THE SHERROD DUNMAN SURVEY ABSTRACT NO. 329, AS FOLLOWS:

BOARD OF ADJUSTMENTS

TEMPORARY USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A CONCRETE BATCH PLANT FOR THE BEL AIR VILLAGE PLANNED DEVELOPMENT FOR A PERIOD NOT TO EXCEED SIX MONTHS.

TEMPORARY USE
PERMIT AND SITE
PLAN – CONCRETE
BATCH PLANT
1106 BEACH BLVD.
(TERRA PERPETUA
LLC)

Mark Novak, Mario Sinacola, Inc., 10950 Research Rd., Frisco, TX

Mr. Novak appeared to represent the request and answer any questions. The property is located at 1106 Beach Boulevard in the Bel-Air Village Planned Development off East FM 1417 (Vietnam Veterans Parkway) and is zoned a PD (Planned Development).

Mr. Novak explained, “The owner is requesting a Temporary Use Permit and site plan approval to allow a concrete batch plant for a period of six months for the development of the Bel-Air Village Planned Development. The batch plant will be toward the back of the property with a 1000’ radius of no structures.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Novak replied, “yes, I 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 Temporary Use Permit or site plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for an exception to allow a Temporary Use Permit and site plan approval to allow a concrete batch plant for a period of six months for the development of the Bel-Air

Village Planned Development at 1106 Beach Boulevard subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

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

EXCEPTIONS AND VARIANCE

THE REQUEST OF SAPPHIRE GROUP, LLC (OWNER), CASEY HIBBS, BLUESTONE PARTNERS (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 1103 SOUTH FM 1417 (HERITAGE PARKWAY), BEING LOT 1, HERITAGE COURT ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.13.2, SUBSECTION (5)(B) TO ALLOW 32' TALL BUILDINGS TO BE SETBACK 25' FROM THE EAST PROPERTY LINE IN LIEU OF THE REQUIRED 64' (TWICE THE HEIGHT OF THE HIGHEST POINT ON THE BUILDING) IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM HIGHWAY 1417) OVERLAY DISTRICT.
- B. EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.13.2 SUBSECTION (7)(C)(IV) TO ALLOW A 6' FENCE ON THE PROPERTY LINE IN LIEU OF THE PERMITTED 4', WITHIN TWENTY-FIVE (25) FEET OF A FRONT STREET RIGHT OF WAY IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM HIGHWAY 1417) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

- C. SITE PLAN APPROVAL FOR HERITAGE COURT MULTI-FAMILY DEVELOPMENT.

EXCEPTION – FRONT SETBACK FOR 32' TALL BUILDING

EXCEPTION & VARIANCE – FRONT FENCE HEIGHT

SITE PLAN -
HERITAGE COURT
MULTI-FAMILY
DEVELOPMENT
1103 S. FM 1417
(HERITAGE
PARKWAY)
(SAPPHIRE GROUP,
LLC)

Barry Boothe, Bluestone Partners, 4708 N. FM 1417 (Heritage Parkway), Sherman, TX

Mr. Boothe appeared to represent the request and answer any questions. The property is located at 1103 South FM 1417 (Heritage Parkway) between West Center Street and Brookstone Drive and is zoned an R-2 (Multi-Family Residential) District.

Mr. Boothe explained, "The owner is requesting site plan approval for a Multi-Family Development of Heritage Court. The project consist of 47 buildings including an amenity center with a fitness center, clubhouse, pool with cabanas and grill. There will be (42) - one-bedroom units, (48) - two-bedroom units and (10) - three-bedroom units. There will be 267 parking spaces. It is like a townhome or single family neighborhood with a lot less density. We would like to keep our buildings in line with The Brooks to the south of the property. We would like our fence to stay in line with the

fence on the western boundary of The Brooks. If we are able to build the requested number of units, we will be able to compete with normal apartment rental rates while providing garages, separation and privacy.”

Chairman Mahone asked, “Are the buildings on the east side duplexes?”

Mr. Boothe replied, “yes. There are duplexes, townhomes, and multi-unit buildings.”

Chairman Mahone asked if the setback would be 25’ if it were a single family.

Mr. Rae replied, “yes if it were a duplex it would be a 25’ rear setback. Since this is all one zone, it is considered R-2 (Multi-Family Residential) District.”

Chairman Mahone clarified, “It is R-2 (Multi-Family Residential) District that is why they have a setback of twice the height.”

Chairman Mahone asked why they are requesting a 6’ fence in lieu of a 4’ fence.

Mr. Boothe replied, “We are more concerned with the placement and having the fence on the property line. With the setback and requirements off the right-of-way, it puts it right up against the back door of some of these buildings where there isn’t a lot of room. We would like our fence to stay in line with The Brooks’ fence.”

Commission Member Davis asked, “Did The Brooks get an exception?”

Mr. Rae replied, “I do not have an answer for that, but I do know that our fence ordinance has been updated.”

Chairman Mahone asked, “What do you plan to make this fence out of?”

Mr. Boothe replied, “masonry and wrought iron.”

Commission Member Vanderveer asked Mr. Rae, “When did the twice the height ordinance go into effect?”

Mr. Rae replied, “2016.”

Commission Member Vanderveer asked, “Do you know of many variances that reduced that setback this significantly?”

Mr. Rae replied, “not that I am aware of. If this property was developed as R-1 (One-Family Residential) District, they would have that same setback and same height they are

requesting. This is a unique multi-family product, not your typical garden-style apartment.”

Commission Member Davis asked Wayne Lee, Director of Engineering, if FM 1417 (Heritage Parkway) was going to expand.

Mr. Lee responded, “Adequate right-of-way is dedicated with the plat for the expansion of FM 1417 (Heritage Parkway). FM 1417 (Heritage Parkway) is under design currently. There is no funding for construction yet. Once they get the design done all the rights-of-way may follow as soon as funding is available.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Boothe replied, “yes, I 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 exceptions, variance or site plan.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Whitaker to approve the request for an exception to allow 32’ tall buildings to be setback 25’ from the east property line in lieu of the required 64’ (twice the height of the highest point on the building) in an R-2 (Multi-Family Residential) District/O-1.1 (FM Highway 1417) Overlay District and to approve the exception and variance to allow a 6’ fence on the property line in lieu of the permitted 4’, within twenty-five (25) feet of a front street right of way in an R-2 (Multi-Family Residential) District/O-1.1 (FM Highway 1417) Overlay District at 1103 South FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED.

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a Site plan approval for Heritage Court Multi-Family Development at 1103 South FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED.

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

PRELIMINARY PLAT AND ZONE CHANGE

THE REQUEST OF F. GEORGE NIEBERG, M.D. (OWNER), VILBIG & ASSOCIATES, PLLC (CIVIL ENGINEER/REPRESENTATIVE), KINGDOM ROAD EQUITIES, LLC (DEVELOPER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 3800 BLOCK OF WEST HOUSTON STREET, BEING 87.711 ACRES IN THE W.M. THOMPSON SURVEY, ABSTRACT NO. 1210 AND THE FIELDING BACON SURVEY, ABSTRACT NO. 119, AS FOLLOWS:AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. PRELIMINARY PLAT APPROVAL FOR HIDDEN MEADOWS ADDITION
- B. ZONE CHANGE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT; TRACT 1 - BEING 7.475 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119 AND TRACT 2 - BEING 3.513 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 119

PRELIMINARY PLAT
– HIDDEN MEADOWS
ADDITION
ZONE CHANGE –
C-2 TO R-1
3800 BLK OF W.
HOUSTON ST.
(F. GEORGE
NIEBERG, M.D.)

David Vilbig, Vilbig & Associates, PLLC, 517 W. Woodard St., Denison, TX and Michael Carlisle, Kimley-Horn, Engineer, 260 E. David St., McKinney TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 3800 block of West Houston Street between Ridgeview Road and Seasons West Avenue and is zoned an R-1 (One-Family Residential) District and C-2 (General Commercial) District.

Mr. Vilbig explained, “The owner is requesting a zone change on a portion of the property to an R-1 (One-Family Residential) District and plat the property into 279 lots for residential development.”

Commission Member Vanderveer asked, “Do all the lot widths meet the minimal requirements?”

Mr. Vilbig replied, “yes, 60’ x 100’, most are 60’ x 120’.”

Commission Member Vanderveer asked, “Do all of the curved sections, cul-de-sacs, meet the minimum widths?”

Mr. Vilbig replied, “Right now we have all those at 60’ wide.”

Roy Franks, 24 Timbercreek, Sherman, TX

Mr. Franks expressed his concern with the traffic once more than 270 lots are built having only one entrance and one exit. He also pointed out that the homes currently in the neighborhood are half a million to one million dollar homes on large lots and expressed his concern with the value of the proposed homes not being of the same quality and on much smaller plots of land. He also expressed his concern with flooding of his and surrounding properties.

Mr. Vanderveer asked, “Are there 5 detention basins on this project?”

Mr. Vilbig replied, “We have shown 5 different detention basins, dividing the water 5 different ways. We know how to do detention basins so there will be 0% increased runoff. Traffic impact analysis is underway right now and we will have that done shortly.”

Jim Nicholson, 418 Longhorn Trl., Sherman, TX

Mr. Nicholson expressed concerns with additional flooding and traffic in the area. He also confirmed that there were going to be 279 lots.

Debra Cantrell, 3801 W. Houston, Sherman, TX

Ms. Cantrell expressed concerns with extra traffic and the need for traffic lights. Ms. Cantrell wanted to know about the fencing that would be required between the new homes and the current homeowner’s land.

Chairman Mahone asked Mr. Lee to tell the audience what engineering would require of the developer regarding runoff and flooding.

Mr. Lee replied, “We require that no additional runoff goes off the site than what does now. With the additional housing and pavement they have to detain the water so that the rate doesn’t exceed what was there to begin with.”

Chairman Mahone asked Mr. Vilbig if he would like to reply. Mr. Vilbig stated that he felt everything was already covered and reiterated that the traffic study analysis would be done soon.

Chairman Mahone asked Mr. Vilbig to explain his plan for the detention ponds.

Mr. Vilbig explained, “Kimley-Horn is going to be the engineer on this project. We took the existing topography and anticipated where the detention basins will be. The detention basins never hold water except during an extreme rain. They will fill up and empty in 9 minutes and the peak run off will not exceed what the runoff is right now.”

Commission Member Davis stated, “There are 2 entrances to this property on Highway 56.”

Mr. Vilbig agreed.

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Vilbig replied, “yes, I had seen the Staff Review Letter and would abide by the Recommendations.”

No other citizens appeared before the Planning and Zoning Commission to discuss the preliminary plat or zone change.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the preliminary plat approval for Hidden Meadows Addition and the zone change approval under Ordinance No. 2280, Section 12, from a C-2 (General Commercial) District to an R-1 (One-Family Residential) District; Tract 1 - being 7.475 acres in the Fielding Bacon Survey, Abstract No. 119 and Tract 2 - being 3.513 acres in the Fielding Bacon Survey, Abstract No. 119 in the 3800 block of West Houston Street subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE & SITE PLAN

THE REQUEST OF GARY L. MATTHEWS (OWNER), WYLDEWOOD HOMES (PROSPECTIVE BUYER), TIM PIKE (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 2100 EAST LAMAR STREET, BEING 12.995 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

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

ZONE CHANGE &
SITE PLAN – R-1 TO
R-2
2100 E. LAMAR ST.
(GARY L.
MATTHEWS)

Tim Pike, 518 Bledsoe Rd., Gunter, TX

Mr. Pike appeared to represent the request and answer any questions. The property is located at 2100 East Lamar Street; Goodwill Industries adjoins the property to the east. The property is zoned a C-1 (Retail Business) District and an R-1 (One-Family Residential) District.

Mr. Pike explained, “We would like to rezone the property to an R-2 (Multi-Family Residential) District for development of 48 Two-Family Dwellings (Duplexes) that range from 1200 square feet to 1500 square feet per side. They will be 2 and 3 bedroom units with a single car garage. We will have to do a wider driveway to accommodate the 3 bedroom units. They all fit the city required setbacks.”

Mr. Ray asked Mr. Pike, “Will these streets be public streets that will be dedicated to the city after you are finished?”

Mr. Pike replied, “yes.”

Letter was received from:

Donna Burk, 516 Patricia, Sherman, TX

“I had a good conversation with Mr. Rob Rae about my main concerns here, where my own property is affected and I truly hope to have the same conversation with Mr. Tim Pike. I am very concerned about irrigation toward my retaining wall, damage to my wall, and especially major flood control should the adjoining plot overflow in another major flood. Thank you so much for considering my concerns. Donna Burk.”

Cory Vascheck, 2024 E. Lamar, Sherman, TX

Mr. Vascheck was concerned about safety with all the duplexes exiting into a school zone with no sidewalks. Mr. Vascheck asked if there was a fence that goes around the subdivision, or just the individual units.

D’Awn Thompson, 2028 E. Cherry St., Sherman, TX

Ms. Thompson was concerned with the safety of the school children. She expressed concern with the rolling blackouts of electricity, going days without water and how Texas cannot seem to get this resolved. She said that she would prefer to remain on a dead end.

Stacy Melton, 2029 E. Cherry St., Sherman, TX

Ms. Melton asked if they are planning on opening up the dead end streets: Jones Street, Cherry Street and Hillside Drive.

Doug Gildert, 515 Hillside Dr., Sherman, TX

Mr. Gildert asked who maintains the detention lot and if it were to be fenced in to keep the kids out of it. He asked if the greenbelt was going to be torn down for the city to tie waterlines into the main waterline at the back of the detention lot.

Mr. Gildert also expressed concern for the school children walking home with no sidewalks.

Mr. Pike replied, “There will be street connections Jones Street, Cherry Street and Colbert Avenue. I am hoping to not have much impact on Highway 56 traffic having 3 entrances and exits.

We will follow the City engineer specifications for the detention pond. It will be dry unless there is a huge storm. The detention pond will be maintained by a Home Owners Association.

The complete subdivision will be fenced and the City requires that I put in sidewalks.”

Mr. Lee clarified, "The developer has to set up a Home Owners Association. We require on the plat that any detention is maintained by a Home Owners Association."

Chairman Mahone asked, "Are these lots large enough to meet the setbacks?"

Mr. Pike replied, "so far, yes, but we haven't gotten through engineering."

Chairman Mahone asked if there was adequate water supply.

Mr. Lee replied, "There is water available to the property."

Commission Member Vanderveer asked, "What type of fencing is required?"

Mr. Rae replied, "It would be treated just like any other single family development."

Mr. Pike stated, "solid wood privacy fence."

Commission Member Davis stated, "There may be an easement between the current homeowner's fence and the new development's fence."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Pike replied, "yes, I 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 site plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change and site plan approval under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District and R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District at 2100 East Lamar Street subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION AND REPLAT

THE REQUEST OF BARTON CAPITAL, LTD AND JAMES AND LAURA FRAME (OWNERS), S2 LAND DEVELOPMENT (DEVELOPER), STRAND (CIVIL ENGINEER) AND PIERCE-

REPLAT –
SWEETWATER
SPRINGS

MURRAY LAND SOLUTIONS (SURVEYOR) CONCERNING THE PROPERTY IN THE 3100-3500 BLOCKS OF DRIPPING SPRINGS ROAD, BEING 44.044 ACRES IN EUSTACIO CANTON SURVEY, ABSTRACT NO. 221 AND THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND BEING ALL OF LOTS 15, BLOCK B AND LOT 16, BLOCK C, SWEETWATER SPRINGS SUBDIVISION, AND BEING A PART OF BLOCK 7 OF A REPLAT OF A PART OF BLOCK NO. 5 AND ALL OF BLOCK NUMBERS 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 26, 27, 28, 29, AND 30 OF HILLTOP ESTATES, INCLUDING A PART OF BLOCKS 1 AND 3 AND ALL OF BLOCKS 2 AND 4 OF THAT REPLATTED PORTION OF SAID BLOCK 7 KNOWN AS PHASE 1, HILLTOP 2 ESTATES ADDITION, ALSO INCLUDING ALL OF THAT PORTION OF SAID BLOCK 7 KNOWN AS MIDWAY ESTATES PHASE 2, AND 5.21 ACRES LYING WITHIN THE LIMITS OF THE DEDICATED STREETS (HILLTOP DRIVE, BRYAN LANE, MARION LANE, HARRIET DRIVE AND CARTER COURT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. REPLAT APPROVAL OF SWEETWATER SPRINGS, PHASE 2, A REPLAT OF LOT 15, BLOCK B, LOT 16, BLOCK C, SWEETWATER SPRINGS SUBDIVISION, BLOCK 7, HILLTOP ESTATES, LOTS 6-9, BLOCK 1, LOTS 2-5, BLOCK 6, MIDWAY ESTATES ADDITION, LOTS 2-9, BLOCK 1, LOTS 2-9, BLOCK 3, LOT 1, BLOCK 2 AND LOT 1, BLOCK 4, HILLTOP 2 ESTATES, PHASE 1
- B. ZONE CHANGE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12 FROM AN M-H (MANUFACTURED HOUSING) DISTRICT TO AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT; BEING 13.150 ACRES IN THE IN EUSTACIO CANTON SURVEY, ABSTRACT NO. 221 AND THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, AND BEING A PART OF BLOCK 7 OF A REPLAT OF A PART OF BLOCK NO. 5 AND ALL OF BLOCK NUMBERS 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 26, 27, 28, 29, AND 30 OF HILLTOP ESTATES INCLUDING A PART OF BLOCKS 1 AND 3 AND ALL OF BLOCKS 2 AND 4 OF THAT REPLATTED PORTION OF SAID BLOCK 7 KNOWN AS PHASE 1, HILLTOP 2 ESTATES ADDITION ALSO INCLUDING ALL OF THAT PORTION OF SAID BLOCK 7 KNOWN AS MIDWAY ESTATES PHASE 2 AND INCLUDING 2.81 ACRES LYING WITHIN THE LIMITS OF THE DEDICATED STREETS (BRYAN LANE, MARION LANE, HARRIET DRIVE AND CARTER COURT.
- C. SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW (235) PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT. BEING LOTS 15-28, BLOCK B, LOTS 16-40, BLOCK C, LOTS 1-18, BLOCK D, LOTS 1-18, BLOCK E, LOTS 1-18, BLOCK F, LOTS 1-9, BLOCK G, LOTS 1-58, BLOCK H, LOTS 1-9, BLOCK J AND LOTS 1-66, BLOCK K OF THE PROPOSED REPLAT OF

ZONE CHANGE - M-H TO R-1

SUP AND SITE PLAN
– PATIO HOMES IN
R-1

3100-3500 BLOCKS
DRIPPING SPRINGS
ROAD
(BARTON CAPITAL,
LTD AND JAMES
AND LAURA FRAME)

SWEETWATER SPRINGS, PHASE 2, A REPLAT OF LOT 15, BLOCK B, LOT 16, BLOCK C, SWEETWATER SPRINGS SUBDIVISION, BLOCK 7, HILLTOP ESTATES, LOTS 6-9, BLOCK 1, LOTS 2-5, BLOCK 6, MIDWAY ESTATES ADDITION, LOTS 2-9, BLOCK 1, LOTS 2-9, BLOCK 3, LOT 1, BLOCK 2 AND LOT 1, BLOCK 4, HILLTOP 2 ESTATES, PHASE 1

Justin Christ, 910 Pinecrest Dr., Richardson, TX

Mr. Christ appeared to represent the request and answer any questions. The property is located in the 3100-3500 Blocks of Dripping Springs Road at the southwest corner of Dripping Springs Road and Sweetwater Way. It is zoned an R-1 (One-Family Residential) District and M-H (Manufactured Housing) District.

Mr. Christ explained, "We would like to Replat the property, rezone a portion of the property to an R-1 (One-Family Residential) District for residential development. We are also requesting a Specific Use Permit and site plan approval to allow 235 patio homes in an R-1 (One-Family Residential) District. The lot widths will be 45' rather than the required 40'. We will have 2.2 acres of open space."

Commission Member Davis asked, "What happens if this is approved and all these lots are 45' wide and then they decide to put houses instead of patio homes in there."

Mr. Rae replied, "The Specific Use Permit and the plat need to be tied together. If the Specific Use Permit is denied then the plat should be denied as well."

Chairman Mahone asked if there was a park on the northeast corner.

Mr. Christ replied, "That is a detention pond."

Commission Member Vanderveer stated, "You just added trees to make it look nice."

Mr. Rae said, "For detention pond to count as open space, they need to provide a trail or amenity of some sort."

Mr. Christ stated, "We are required to have 5% open space. Overall, we have almost 18% open space between the parkway in the back, the playground and the detention pond in the northeast."

Mr. Rae replied, "It should be 10% open space. It is only 5% if you have 25 to 50 patio homes since you have over 50 patio homes, you need 10% open space."

Commission Member Davis asked, "If you took away the detention pond where would you be? It looks like you would be under the 10% open space. Rob (Mr. Rae), are you saying they can use the detention pond as green space?"

Mr. Rae replied, "If they put a trail around the detention pond, whether it is dry or wet, it would count as open space."

Chairman Mahone said, "I don't see a trail around it."

Mr. Christ replied, "We can definitely add that. We thought it was 5%, but are glad to add a sidewalk around that detention pond to get to the 10% of open space"

Larry Foster, 4200 Dripping Springs, Sherman, TX

Mr. Foster was concerned with flood drainage onto his property. He stated that all the drainage comes right down to his property. He is also concerned about traffic on Dripping Springs.

Carol Whalen, 4203 Dripping Springs, Sherman, TX

Ms. Whalen was concerned about flood drainage as they live downhill from new homes. She was also concerned about excessive traffic in that area and the condition of the road.

Mary Bochette, 4319 Marshall St., Sherman, TX

Ms. Bochette lives at the top of the hill and was concerned about the drainage on Marshall street.

Sandy Garrett, 4200 Dripping Springs, Sherman, TX

Ms. Garrett said Dripping Springs Road is extremely dangerous due to the 'S' curve and all the neighbors having to back out onto that road, they can't see the cars coming over the hill. She was concerned that it could be worse with more people coming from the new development.

Chairman Mahone asked, "Does the topography of this slope to the northeast? Is that why there is a drainage pond on the northeast side of the property?"

Mr. Christ replied, "yes, for the most part, a significant part of the site is going to the east or northeast. We will work closely with Engineering when submitting plans. We will not increase existing flows and will work with the City to alleviate any issues today.

We wrote down some addresses to reach out to the residents who spoke with us today. I will stay after the meeting to make sure everyone has a chance to get my contact information.

The storm system will be enclosed per the City standards. I can guarantee we won't make the drainage problem worse than it exists today.

Addressing the road and right-of-way, we won't pay for private drives, but can leave curb cuts. We will help alleviate their backing into a dangerous road and instead use a private residential drive."

Chairman Mahone asked, "What are your main exits from this neighborhood?"

Mr. Christ replied, "Dripping Springs on the south and east where it wraps the corner."

Mr. Foster said, "There is a hill where Sweetwater Trail runs and dumps water into the Dripping Springs area and when they add another road, it too will dump more water onto Dripping Springs."

Mr. Lee commented, "Harriet and Dripping Springs are downhill."

Commission Member Vanderveer asked, "Who maintains the drainage ditch along Dripping Springs, is that city or private?"

Mr. Lee replied, "The City maintains drainage ditches. The culverts are maintained by the property owners."

Commission Member Vanderveer asked Mr. Lee, "To increase the size, the property owner has to pay for it?"

Mr. Lee agreed, "Right."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Christ replied, "yes, we have seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the replat approval of Sweetwater Springs, the zone change from an M-H (Manufactured Housing) District to an R-1 (One-Family Residential) District, the Specific Use Permit and site plan to allow patio homes in an R-1 (One-Family Residential) District located in the 3100-3500 Blocks of Dripping Springs Road subject to the Staff Review letter and subject to the replat and Specific Use Permit to allow patio homes. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, SIMS, WHITAKER, BLAGG AND VANDERVEER.

VOTING NAY: NONE

MOTION CARRIED

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

PLANNING & ZONING COMMISSION MINUTES – NOVEMBER 16, 2021

OTHER BUSINESS

No other business came before the board.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:55 p.m.

ADJOURNMENT

CHAIRMAN



ACTING SECRETARY