

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA (ITEMS 13, 14, 15, 18, 21, 23, 28 & 29)

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

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Items on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Manley. All present voted AYE.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF KAISER ALUMINUM FABRICATED PRODUCTS, LLC (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 4318 SOUTH U.S. HIGHWAY 75, BEING 6.859 ACRES IN THE SHEROD DUNMAN SURVEY, ABSTRACT NO. 329, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF KAISER ALUMINUM ADDITION, LOT 1.

The property is located at 4318 South U.S. Highway 75, the northwest corner of the Highway 75 access road and Dorset Drive; Kaiser Aluminum was the former tenant. The property is located in the Blalock Industrial Park. An exception and site plan approval for ABC Supply was granted to allow outdoor storage in the front and rear of the building subject to the site plan as presented in lieu of the required rear ½ of the property and shall not be placed on that half of the property adjacent to an existing street (Dorset Drive) in the Blalock Industrial Park at the July 19, 2021 City Council Meeting.

The owners would like to plat the property into one lot as a requirement of the site plan approval. 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 MIDWAY TEXOMA, LLC (OWNER), CURT SIMMONS (GENERAL CONTRACTOR) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5000 TEXOMA PARKWAY, BEING 1.05 ACRES IN THE DANIEL SHELPS SURVEY, ABSTRACT NO. 1097 AND BEING OUT OF AND PART OF BLOCK 3, MIDWAY MALL ADDITION, AS FOLLOWS:

CITIZEN COMMENTS

CONSENT AGENDA

**FINAL PLAT –
KAISER ALUMINUM
ADDITION, LOT
4318 S. U.S. HWY 75
(KAISER ALUMINUM
FABRICATED
PRODUCTS, LLC)**

**SITE PLAN –
REMODEL OF
FORMER FIRST
UNITED BANK AND
TRUST
5000 TEXOMA PKWY.
(MIDWAY TEXOMA,
LLC)**

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN EXTERIOR REMODEL OF THE FORMER FIRST UNITED BANK AND TRUST FOR PERSONAL STORAGE.

The property is located at 5000 Texoma Parkway, the northwest corner of Texoma Parkway and Fallon Drive, formerly First United Bank and Trust. The property is zoned a C-2 (General Commercial) District.

The owner would like to enclose the former drive-thru lanes with walls framed of steel construction, covered with sheet metal to include four overhead doors and a single pedestrian door to be used for personal storage. 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 TEXOMA COMMUNITY CENTER (OWNER), TORI DYESS (APPLICANT) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2310 NORTH TRAVIS STREET, BEING 0.485 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF TEXOMA COMMUNITY CENTER ADDITION

The property is located at 2310 North Travis Street between Lamberth Road and Pelton Street. The property is zoned a C-1 (Retail Business) District. 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 BARTON CAPITAL, LTD AND JAMES AND LAURA FRAME (OWNERS), S2 LAND DEVELOPMENT (DEVELOPER), STRAND (CIVIL ENGINEER) AND PIERCE-MURRAY LAND SOLUTIONS (SURVEYOR) CONCERNING THE PROPERTY IN THE 3100-3500 BLOCKS OF DRIPPING SPRINGS ROAD, BEING 44.17 ACRES IN THE 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 5 AND ALL OF BLOCKS 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 BLOCK 7, KNOWN AS PHASE 1, HILLTOP 2 ESTATES, ALSO INCLUDING ALL THAT PORTION OF BLOCK 7, KNOWN AS MIDWAY ESTATES ADDITION, PHASE 2 AND ALL OF LOT 15, BLOCK

FINAL PLAT –
TEXOMA
COMMUNITY
CENTER ADDITION
2310 N. TRAVIS ST.
(TEXOMA
COMMUNITY
CENTER)

PRELIMINARY PLAT
– SWEETWATER
SPRINGS, PHASE 2
3100-3500 BLKS OF
DRIPPING SPRINGS
RD.
(BARTON CAPITAL,
LTD AND JAMES
AND LAURA FRAME)

**B AND LOT 16, BLOCK C, SWEETWATER SPRINGS
SUBDIVISION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF SWEETWATER
SPRINGS, PHASE 2.**

The property is located in the 3100-3500 blocks of Dripping Springs Road south of the existing Sweetwater Springs Subdivision. The property is zoned an R-1 (One-Family Residential) District and M-H (Manufactured Housing) District.

The owner would like to Plat the property into 236 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF ROBERT LADD HOLTON (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 600-700 BLOCKS MERRIMAN PARKWAY, BEING 12.371 ACRES IN THE BAILEY WINIFRED SURVEY, ABSTRACT NO. 66, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF LADD ESTATES II IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

The property is located in the 600-700 blocks of Merriman Parkway in the City of Sherman's Extra Territorial Jurisdiction (ETJ).

The owner would like to plat the property into nine (9) 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF BILLY DWAIN ROBERTS, JR. AND ANA MARIA ROBERTS (OWNERS), HOWARD THORNTON (DEVELOPER), UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) AND MCMANUS & JOHNSON CONSULTING ENGINEERS (CIVIL ENGINEER) CONCERNING THE PROPERTY AT 1101 STARK LANE, BEING 34.211 ACRES IN THE BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733 AND THE H.H. TUCKER SURVEY, ABSTRACT NO. 1217, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF SOUTH HILLTOP ESTATES IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

**PRELIMINARY PLAT
– LADD ESTATES II
IN THE CITY OF
SHERMAN'S EXTRA
TERRITORIAL
JURISDICTION (ETJ)
600-700 BLKS
MERRIMAN PKWY.
(ROBERT LADD
HOLTON)**

**PRELIMINARY PLAT
– SOUTH HILLTOP
ESTATES IN THE
CITY OF SHERMAN'S
EXTRA
TERRITORIAL
JURISDICTION (ETJ)
1101 STARK LN.
(BILLY DWAIN
ROBERTS, JR. AND
ANA MARIA
ROBERTS)**

The property is located at 1101 Stark Lane in the City of Sherman's Extra Territorial Jurisdiction (ETJ).

The owner would like to plat the property into twenty-six (26) 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.

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF 1417 LAND HOLDINGS, LLC (OWNER) AND DIETZ ENGINEERING (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY IN THE 200-500 BLOCKS OF SWAN RIDGE DRIVE, BEING 33.123 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF KENNEDY ESTATES.

PRELIMINARY PLAT
– KENNEDY
ESTATES
200-500 BLKS OF
SWAN RIDGE DR.
(1417 LAND
HOLDINGS, LLC)

The property is located in the 200-500 blocks of Swan Ridge Drive between West Houston Street and Hummingbird Drive. The property is zoned an R-1 (One-Family Residential) District.

The owner would like to plat the property into ninety-nine (99) 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 RAHIM AYUSH LLC (OWNER), VAQUERO HERITAGE PKWY PARTNERS, LP (DEVELOPER), TRIANGLE ENGINEERING LLC (CIVIL ENGINEER) AND JPH LAND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1712 NORTH FM 1417 (HERITAGE PARKWAY), BEING PART OF LOT 1, BLOCK 1, LANDMARK ADDITION, CONTAINING 1.462 ACRES, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LANDMARK ADDITION, LOTS 1R & 4, BLOCK 1, A REPLAT OF LANDMARK ADDITION, REPLAT OF LOT 2, BLOCK 1, BEACON HILL ADDITION, SECTION 1.

REPLAT –
LANDMARK
ADDITION
1712 N. FM 1417
(HERITAGE PKWY.)
(RAHIM AYUSH LLC)

The property is located at 1712 North FM 1417 (Heritage Parkway); the southwest corner of FM 1417 (Heritage Parkway) and West Taylor Street. The property is zoned a C-1 (Retail Business) District and located in the O-1.1 (FM 1417) Overlay District.

The owner would like to Replat the property into 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.

SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF MPY HOMES, LLC (OWNER), ANIL PESARAMELLI (REPRESENTATIVE), CHARLIE SHEARER, SHEARER DESIGN & ASSOCIATES (DESIGNER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 214 EAST COLLEGE STREET, BEING 0.239 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A TWO-FAMILY DWELLING (DUPLEX) IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

SPECIFIC USE
PERMIT AND SITE
PLAN – ALLOW
DUPLEX IN R-1
DISTRICT
214 E. COLLEGE ST.
(MPY HOMES, LLC)

Charlie Shearer, Shearer Design & Associates, 415 W. Main St., Denison, TX

Mr. Shearer appeared to represent the request and answer any questions. The property is located at 214 East College Street between Walnut and Montgomery Streets. The property is zoned an R-1 (One-Family Residential) District.

Mr. Shearer explained, “We had pulled this item off the agenda a month or two ago. During the planning process we discovered we needed an easement. We are coming back tonight with a different plan. The owner would like to construct a Two-Family Dwelling (Duplex) on the property. The dwelling will be approximately 2,878 square feet (1,439 square feet per unit), three bedrooms with one-car garage. Three parking spaces will be provided per unit.”

Chairman Mahone asked if the lot was 80’ wide. Mr. Shearer said it was.

Chairman Mahone asked Mr. Shearer if he was aware of parking requirement and Mr. Shearer confirmed that he was.

Chairman Mahone stated, “It looks like it is adjacent to R-2 (Multi-Family residential) already.”

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

Mr. Shearer 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 Specific Use Permit and site plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve request for a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a

Two-Family Dwelling (Duplex) in an R-1 (One-Family Residential) District at 214 East College Street subject to the Staff Review Letter. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION AND REPLAT

THE REQUEST OF TOBAR PROPERTIES LLC (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 329 WEST CHERRY STREET, BEING 0.154 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING A PART OF LOT 4 AND ALL OF LOT 5 OF J.P. LOVING'S ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (1) TO ALLOW A 58.54' WIDE LOT IN LIEU OF THE REQUIRED 60' WIDTH IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF J.P. LOVING'S ADDITION, LOT 5R, BEING A REPLAT OF LOTS 4 & 5, J.P. LOVING'S ADDITION.

EXCEPTION – LOT WIDTH

REPLAT – J.P. LOVING'S ADDITION, LOT 5R, BEING A REPLAT OF LOTS 4 & 5
329 W. CHERRY ST.
(TOBAR PROPERTIES LLC)

Mario Tobar, 635 Preston Meadows Road, Sherman, TX and Chris Noah, Preston Trail Land Surveying, 787 W. FM 996, Pottsboro, TX

Mr. Tobar and Mr. Noah appeared to represent the request and answer any questions. The property is located at 329 West Cherry Street, the northeast corner of Rusk and Cherry Streets. The property is zoned an R-2 (Multi-Family Residential) District.

Mr. Tobar explained, "I would like to Replat the property into a 58.54' lot for residential development."

Chairman Mahone asked, "Are you going to build a single family home?"

Mr. Tobar replied, "no, a duplex."

Mr. Rae replied, "The minimum for a duplex is 60'. As of just recently, we have not granted exceptions for duplexes smaller than 60'."

Commission Member Manley said, "It's mostly surrounded by R-2 (Multi-Family Residential) and it looks like they are lot smaller than 58.5'. I don't know if they are all duplexes."

Mr. Rae asked, "Are you aware that the setback on Rusk Street would be 10' not 6'?"

Mr. Noah replied, "Yes, we are dedicating utilities along Rusk also."

Mr. Rae asked Mr. Tobar, "Do you know how you are going to be doing the drive-ways? I was not aware this was going to be a duplex. Do you have a site plan of what you are wanting to do?"

Mr. Tobar replied, "We do not have a site plan right now. There is an alley in the back. We can build parking in the back."

Mr. Rae confirmed, "The alley would have to be paved if you utilize the alley."

Commission Member Davis said, "How big are the duplexes you are planning?"

Mr. Tobar replied, "It will be two 2 bedroom."

Chairman Mahone asked, "That will require 4 off-street parking places. Do you think you have room for that?"

Mr. Tobar replied, "I think I can fit that. It's 58' wide. I would need 36'."

Mr. Lee stated, "The Staff Review Letter says one single drive-way off of Cherry because it is so close to the intersection. It would have to be on the far side of the lot."

Mr. Noah stated, "If the drive-way were off Rusk, it would be further away from the intersection."

Mr. Lee agreed, "right, you could have a secondary drive-way off of Rusk, or off the alley if it gets improved."

Mr. Tobar said he understood.

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

Mr. Tobar and Mr. Noah both 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 exception or replat.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Manley to approve the exception under Ordinance No. 2280, Section 6.4, Subsection (1) to allow a 58.54' wide lot in lieu of the required 60' width in an R-2 (Multi-Family Residential)

District at 329 West Cherry Street. Second by Commission Member Davis.

VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED.

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Downtain to approve the Replat approval of J.P. Loving's Addition, Lot 5R, being a Replat of Lots 4 & 5, J.P. Loving's Addition at 329 West Cherry Street subject to the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED.

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

ZONE CHANGE AND SITE PLAN APPROVAL

THE REQUEST OF W. SCOTT WEISMANN III (OWNER), MICHAEL UFER (APPLICANT) AND SARTIN & ASSOCIATES SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 6350 THERESA DRIVE, BEING 8.42 ACRES IN THE DANIEL C. SHELP SURVEY, ABSTRACT NO. 1097, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-2 (HEAVY MANUFACTURING) DISTRICT TO AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

Michael Ufer, 6538 La Manga Drive, Dallas, TX and Scott Weismann, 6422 La Manga Drive, Dallas, TX

Mr. Ufer appeared to represent the request and answer any questions. The property is located at 6350 Theresa Drive; the southwest corner of FM 691 and Theresa Drive. The property is zoned an M-2 (Heavy Manufacturing) District and located in the O-1.3 (FM 691) Overlay District.

Mr. Ufer explained, "The owner would like to construct a 1,300 square foot main cabin with four 420 square foot attached cabins attached by a breezeway and a 1,000 square foot garage. Six parking spaces will be provided. The family would like a single family dwelling to be used as a retreat away from the city. The owner has indicated to staff that the property would only be used by his family and extended family and that the property would not be used for short-term rental."

ZONE CHANGE AND
SITE PLAN
APPROVAL – M-2 TO
R-1
6350 THERESA DR.
(W. SCOTT
WEISMANN III)

Chairman Mahone asked Mr. Rae, "Is the city okay with this being a single family home?"

Mr. Rae replied, "yes."

Chairman Mahone asked, "It's got one central corridor and shaped like an H and there are 4 bedrooms? Do they each have their own kitchenette?"

Mr. Ufer replied, "They are bedrooms that have a bathroom."

Commission Member Davis asked, "What does the main house compose of? Does it have a bedroom?"

Mr. Ufer replied, "It does not. It is a living area, a dining area and kitchen with an outdoor screened porch."

Commission Member Davis asked Mr. Rae if this property, being a short term rental, makes a difference.

Mr. Rae replied, "yes. We spoke to them in our predevelopment meeting and mentioned that if they did want to lease it out or rent it out for short term that they would need to do an R-2 (Multi-family Residential) zoning or commercial zoning. They said that was not their plan. I told them if that did change in the future or if the property changed hands, the only way a Certificate of Occupancy would be issued would be if it was rezoned to a commercial property."

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

Mr. Ufer 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 zone change or site plan approval.

ACTION TAKEN.

Motion by Commission Member Davis to approve the zone change and site plan approval under Ordinance No. 2280, Section 12, from an M-2 (Heavy Manufacturing) District to an R-1 (One-Family Residential) District at 6350 Theresa Drive subject to the Staff Review letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL

THE REQUEST OF WILLOW BEND HOLDINGS, LLC (OWNER), GAREB JOSEPH TAHIR (APPLICANT) AND HELVEY AND ASSOCIATES SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1504 WEST HOUSTON STREET, BEING LOT 1A OF THE REPLAT OF LOT 1, BLOCK 1, OASIS ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN AUTOMOBILE REPAIR, OIL AND LUBE, TIRE SALES AND SERVICE CENTER IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SUP AND SITE PLAN
APPROVAL -
AUTOMOBILE
REPAIR, OIL AND
LUBE, TIRE SALES
AND SERVICE
1504 W. HOUSTON
ST.
(WILLOW BEND
HOLDINGS, LLC)

Gareb Joseph Tahir, 6724 Montissa Drive, Plano, TX

Mr. Tahir appeared to represent the request and answer any questions. The property is located at 1504 West Houston Street; the southwest corner of Houston Street and Tolbert Avenue. The property is zoned a C-2 (General Commercial) District.

Mr. Tahir explained, "We would like to open an Automobile Repair, Oil and Lube, Tire Sales and Service Facility at this location. We were under the impression this was what we were purchasing. We found out they weren't allowed to sell tires, but the place had tires and tire machines. I won't say we were misled, but we should have done more research. We found we needed a special permit for tires. We want to do light mechanic work as well. No heavy duty engines, transmissions, semi-trucks or anything of that nature."

Chairman Mahone asked, "Do you have experience with this? Do you have other business like this?"

Mr. Tahir replied, "yes, we have one in town, First Choice off of Texoma Parkway."

Commission Member Davis said, "Where are you going to store your tires?"

Mr. Tahir replied, "There is a huge rack on the inside. There are plenty of tires there already. We would like to keep them in the basement as well."

Commission Member Davis asked if they would be storing tires outside and Mr. Tahir said they would not.

Mr. Tahir stated, "We have ample parking. It's all concrete. There is plenty of room for cars to move in and out. We will not be doing heavy mechanic work so most cars dropped off will be picked up the same day. The only exception is if a customer chose to leave a car overnight. There will be no cars torn apart in the parking lot."

Chairman Mahone asked if they were aware that the property is in the floodplain.

Mr. Tahir replied, "yes sir, we have an elevation certificate. The guy said they actually changed it from what it was previously to a lesser floodplain because it is higher. I am not sure, but I saved a lot of money on insurance."

Chairman Mahone asked, "Does the city have any comments about that?"

Mr. Lee asked Mr. Tahir, "Who told you about the floodplain?"

Mr. Tahir replied, "It was a company we hired. They went out there and did the elevation and we did get a certificate for that property."

Mr. Lee stated, "There are new flood maps that are to be published by the end of the month and the entire property will be in the flood zone. That certificate won't be valid. That certificate is based on the current flood map. Once that flood map is updated, that certificate will be void."

Mr. Tahir asked, "What date was that?"

Mr. Lee replied, "They are expected to be published any day."

Mr. Rae asked, "Are you aware of the sign in the Staff Review Letter? The pole sign is in the right-of-way and needs to be removed."

Mr. Tahir asked, "The one that is out front?"

Mr. Rae replied, "yes, it is in the TxDOT right-of-way."

Mr. Mahone asked, "What is your plan for the sign?"

Mr. Tahir replied, "We will remove it. The building is big so that will be enough to put a sign on that."

Chairman Mahone asked, "It looks like one of the building signs has gotten the face taken off, are you guys going to put new signs up with your own name on it?"

Mr. Rae replied, "You will need a permit for any signs on the building."

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

Mr. Tahir 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 Specific Use Permit or site plan.

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow an Automobile Repair, Oil and Lube, Tire Sales and Service Center in a C-2 (General Commercial) District at 1504 West Houston Street subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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 BLOCK 2, THE LEASE AREA FOR THE TOWER BEING 0.083 ACRE TRACT IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (15)(C)(C), (II) & (IV) TO ALLOW A 130' TELECOMMUNICATION TOWER IN LIEU OF THE ALLOWED 50'; 375' FROM ANY RESIDENTIAL ZONE IN LIEU OF THE REQUIRED 400'; 40'2" FROM WEST PROPERTY LINE AND 51'5" FROM 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' TELECOMMUNICATIONS TOWER FOR AT&T IN A C-1 (RETAIL BUSINESS) DISTRICT.

Lisa Smith, C.A. Bass, 21181 Kristen Dr. Chandler, TX

Ms. Smith appeared to represent the request and answer any questions. 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.

Ms. Smith explained, "AT&T would like to erect a 130' Telecommunications Tower at this location. They did a first responders study and found there were a lot of dropped calls and no service in the area of the hospital. It's about 5 blocks away from this location. They looked at other locations to collocate on and the closest tower is 1.4 miles. They are looking within a half mile radius. There are not

EXCEPTION –
HEIGHT AND
SETBACK
SUP AND SITE PLAN
– 130' TELECOM-
MUNICATION
TOWER
111 ARCHER DRIVE
(OWNER'S MANUAL
FOR LIFE)

(TABLED)

towers to collocate on in that area. The 130' would get them high enough to provide enough coverage in the area to avoid additional towers being needed."

Commission Member Davis asked, "Your just trying cover a 5 block spotty area?"

Ms. Smith replied, "It's about a half a mile radius. There is a hospital that is about 5 blocks away that we have had a first responder study done and that said they were having up to 25% dropped calls. There is a map there that shows the area and the loss of service in the area of Archer Street and this tower would fill in that gap."

Commission Member Davis asked, "Who owns this tower?"

Ms. Smith replied, "It will be AT&T owned."

Chairman Mahone asked, "Will you be leasing the spot that it is on?"

Ms. Smith replied, "yes."

Commission Member Davis stated, "That is a big tower as you are coming into Sherman looking down. Is it just going to be standard?"

Ms. Smith replied, "We would like to go with just a regular monopole."

Commission Member Davis stated, "You've been out there, you're coming into our town, it's a big hill and all you're going to get to see is this pole. The whole way as you're coming down."

Commission Member Davis asked what standard tower height in Sherman is.

Mr. Rae replied, "The height depends on the zoning and what we allow for height. The setbacks depend on the height of the tower. Our M (Manufacturing) District allows for 100' tall towers."

Commission Member Downtain asked, "Is the height of the tower really required for the first responders that you are referring to or does that just give AT&T more coverage area? What kind of radius does that 130' tower service?"

Ms. Smith replied, "I don't know the exact coverage that it would provide, it is just the higher the tower, the more coverage there would be. When you are down at the 50' level, your signal is going to bounce off buildings and bushes and is going to be blocked, so the higher we can get, the better the services will be in the area."

Commission Member Downtain stated, "A big part of this presentation leaned toward the emergency services. I would like to know specifically if a tower within the 50' compliance would service the hospital and emergency service."

Ms. Smith replied, "I do know that. AT&T has said they need at least 100'. The 130' would be ideal."

Commission Member Davis, "But we don't know if that is for AT&T benefit or truly for first responders."

Ms. Smith replied, "RF (Radio Frequency) has stated that they need the 100'. The RF (Radio Frequency) is the department that determines the coverage area."

Commission Member Manley asked, "Do you know why they chose to put the tower to the far northwest corner of the property as opposed to the center of it?"

Ms. Smith replied, "Most property owners prefer that you not go into the center of their property in case they later decide to do something else with the property. These towers are generally long term."

Commission Member Manley stated, "AT&T does not own the property, the property owner is allowing them to build the tower."

Ms. Smith agreed.

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

Ms. Smith 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 exception, Specific Use Permit or site plan.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to deny the Exception under Ordinance No. 2280, Section 7, Subsection (15)(c)(c), (ii) & (iv) to allow a 130' Telecommunication Tower in lieu of the allowed 50'; 375' from any residential zone in lieu of the required 400'; 40'2" from west property line and 51'5" from north property line in lieu of the required 130' from any property line in a C-1 (Retail Business) District at 111 Archer Drive subject to the Staff Review letter. Second by Commission Member Manley.

VOTING AYE: SIMS, DAVIS, AND MANLEY.

VOTING NAY: MAHONE AND DOWNTAIN

MOTION FAILED

Chairman Mahone stated, "That is 3/2, that motion does not carry and asked if there was another motion."

Ms. Smith requested to table the exception.

Motion by Commission Member Manley to table the Exception under Ordinance No. 2280, Section 7, Subsection (15)(c)(c), (ii) & (iv) to allow a 130' Telecommunication Tower in lieu of the allowed 50'; 375' from any residential zone in lieu of the required 400'; 40'2" from west property line and 51'5" from north property line in lieu of the required 130' from any property line in a C-1 (Retail Business) District at 111 Archer Drive subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN SIMS, DAVIS, AND MANLEY.

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

Ms. Smith requested to table the Specific Use Permit and site plan approval.

Planning and Zoning Commission
ACTION TAKEN.

Motion by Commission Member Manley to table the Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a 130' Telecommunications Tower for AT&T in a C-1 (Retail Business) District at 111 Archer Drive subject to the Staff Review letter. Second by Commission Member Blagg.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, DAVIS, MANLEY, AND BLAGG.

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

EXCEPTION & PRELIMINARY PLAT APPROVAL
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:

BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTIONS (1) TO ALLOW THE FOLLOWING LOT WIDTHS IN LIEU OF THE REQUIRED 60' LOT WIDTHS IN THE PROPOSED LAUREL CREEK ADDITION, SECTION FOUR IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT:

LOT 5, BLOCK A – 52.37' LOT WIDTH

LOT 6, BLOCK A – 46.79 LOT WIDTH

EXCEPTION – LOT
WIDTH
PRELIMINARY PLAT
APPROVAL –
LAUREL CREEK
ADDITION, SECTION
FOUR
400 BLK OF LAUREL
CREEK DR.
(MITCHELL
ENTERPRISES, LTD)

LOT 7, BLOCK A – 49.21' LOT WIDTH
LOT 8, BLOCK A – 48.00' LOT WIDTH
LOT 9, BLOCK A – 48.00' LOT WIDTH
LOT 17, BLOCK A – 48.59' LOT WIDTH
LOT 18, BLOCK A – 49.67' LOT WIDTH
LOT 19, BLOCK A – 47.96' LOT WIDTH
LOT 20, BLOCK A – 49.41' LOT WIDTH

PLANNING AND ZONING COMMISSION

**PRELIMINARY PLAT APPROVAL LAUREL CREEK
ADDITION, SECTION FOUR.**

David Vilbig, Vilbig & Associates, PLLC, 517 W. Woodard,
Denison, TX and Shane Mitchell, Mitchell Development,
1111 W. Sears St., Denison, TX

Mr. Vilbig appeared to represent the request and answer any questions. The property is located in the 400 block of Laurel Creek Drive and is zoned an R-1 (One-Family Residential) District.

Mr. Vilbig explained, "We had this approved about 3 years ago and because of complicated drainage issues the Preliminary Plat had expired. We have gotten a preliminary FEMA approval for a CLOMR (Conditional Letter of Map Revision). We are Topographic Surveying it right now so we can get the final FEMA floodplain determined. We would like to Plat the property into 24 lots for residential development. We are also requesting exceptions to allow nine lots to be less than 60' wide. They are in a cul-de-sac."

Nila Patel 2605 Hidden Valley Trail, Sherman, TX 75090 and
Jerome Badeys, 2607 Hidden Valley Trail, Sherman, TX

Ms. Patel and Mr. Badeys live behind this property and had questions about drainage, the easement and quality of the new homes.

Ms. Patel stated, "We are there based on quality of life in Sherman. We have not had any houses there. We were in a flood zone and are no longer in a flood zone unless you say differently."

Mr. Lee responded, "That is not changing there."

Mr. Mitchell replied, "We are improving. We are actually a foot lower than the requirements."

Ms. Patel asked if there was going to be any fencing or privacy between the new homes and the homes already there. She stated her concerns with the quality of the new homes and what the future holds for the new homes.

Chairman Mahone asked if the new homes were uphill or downhill from Ms. Patel and Mr. Badeys. Mr. Badeys said the new homes were uphill.

Mr. Badeys asked if the new homes would be reflecting the current Laurel Creek Addition construction and layout standards.

Mr. Vilbig responded, "There will be a fence 20' off that line because there is a drainage easement."

Mr. Mitchell responded, "as far as the houses, we are looking for a similar look into the existing Laurel Creek. These will not be \$30,000.00 lots, they will be more in the \$75,000.00 range to cover development cost. The lots vary in sizes and the cul-de-sac lots have enormous variation of what can be done on this property. We are now a foot higher than what the new FEMA maps require. A lot of flood detention has been done since that initial revision done in 2009 to 2010. That was always meant to be a development back there, it just took a long time because of the FEMA process to get that to where it was usable."

Chairman Mahone stated, "I am looking at the lots you are asking for an exception on and these are some pretty big lots."

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

Mr. Vilbig 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 exception or the preliminary plat approval.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception under Ordinance No. 2280, Section 6.3, Subsections (1) to allow the following lot widths in lieu of the required 60' lot widths in the proposed Laurel Creek Addition, Section Four in an R-1 (One-Family Residential) District in the 400 block of Laurel Creek Drive, being 9.620 acres in the J.B. McAnair Survey, Abstract No. 763 subject to the Staff Review letter. Second by Commission Member Sims.

- Lot 5, Block A – 52.37' lot width
- Lot 6, Block A – 46.79' lot width
- Lot 7, Block A – 49.21' lot width
- Lot 8, Block A – 48.00' lot width
- Lot 9, Block A – 48.00' lot width
- Lot 17, Block A – 48.59' lot width
- Lot 18, Block A – 49.67' lot width
- Lot 19, Block A – 47.96' lot width
- Lot 20, Block A – 49.41' lot width

VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND DOWNTAIN.

VOTING NAY: NONE
MOTION CARRIED

Planning and Zoning Commission
ACTION TAKEN.

Motion by Commission Member Davis to approve the preliminary plat approval Laurel Creek Addition, Section Four in the 400 block of Laurel Creek Drive subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, DAVIS, MANLEY, WHITAKER AND BLAGG.
VOTING NAY: NONE
MOTION CARRIED

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

VARIANCE

THE REQUEST OF PAUL ODWESSO AND PETER OBARA (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 1321 WEST MOORE STREET, BEING LOT 1, OBARA AND ODWESSO ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 5.5' SIDE STREET SETBACK FOR A RESIDENTIAL DWELLING IN LIEU OF THE REQUIRED 10' IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

An email was received from Peter Obara withdrawing the request.

The property is located at 1321 West Moore Street; the northeast corner of West Moore Street and Holly Avenue. The property is zoned an R-1 (One Family Residential) District. The owner would like to construct a single family dwelling 5'5" from the side street property line.

THE REQUEST WAS WITHDRAWN.

EXCEPTION & FINAL PLAT APPROVAL

THE REQUEST OF 300 SHERMAN, LP (OWNER), GEES, INC. (CIVIL ENGINEER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 4700-5200 BLOCKS OF QUAIL RUN ROAD AND WEST CORMORANT DRIVE, BEING 20.429 ACRES IN THE JASON STAMPS SURVEY, ABSTRACT NO. 1115 AND THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

BOARD OF ADJUSTMENTS

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2 AND 6.3, SUBSECTIONS (1) TO ALLOW THE FOLLOWING LOT WIDTHS IN LIEU OF THE REQUIRED 60' LOT WIDTHS IN THE PROPOSED

VARIANCE – SIDE
STREET SETBACK
1321 W. MOORE ST.
(PAUL ODWESSO
AND PETER OBARA)

(WITHDRAWN)

EXCEPTION – LOT
WIDTH
FINAL PLAT
APPROVAL – QUAIL
RUN, PHASE TWO
4700-5200 BLKS OF
QUAIL RUN RD. AND
W. CORMORANT DR.
(MITCHELL
ENTERPRISES, LTD)

QUAIL RUN ADDITION, PHASE TWO IN AN SF-1
(SINGLE-FAMILY RESIDENTIAL) DISTRICT AND R-1
(ONE-FAMILY RESIDENTIAL) DISTRICT:

LOT 4, BLOCK D – 59.40' LOT WIDTH
LOT 5, BLOCK D – 37.99' LOT WIDTH
LOT 6, BLOCK D – 49.74' LOT WIDTH
LOT 2, BLOCK H – 55.64' LOT WIDTH
LOT 2, BLOCK G – 57.83' LOT WIDTH
LOT 3, BLOCK G – 59.52' LOT WIDTH
LOT 3, BLOCK F – 57.69' LOT WIDTH
LOT 4, BLOCK F – 56.85' LOT WIDTH
LOT 3, BLOCK C – 57.33' LOT WIDTH
LOT 4, BLOCK C – 56.51' LOT WIDTH

PLANNING AND ZONING COMMISSION

B. FINAL PLAT APPROVAL OF QUAIL RUN, PHASE TWO.

Greg Edwards, 1807 Southridge Dr., Denton, TX

Mr. Edwards appeared to represent the request and answer any questions. The property is located in the 4700-5200 blocks of Quail Run Road and West Cormorant Drive and the 700-800 blocks of South Friendship Road. The property is zoned an SF-1 (Single Family Residential) District, R-1 (One-Family Residential) District and R-2 (Multi-Family Residential) District.

Mr. Edwards explained, "We are requesting exceptions on ten (10) lots to be less than 60' wide. A few of them are cul-de-sac lots and some are angled and we are trying to tie into adjacent boundaries. We are also requesting to plat the property into 84 lots for residential development."

Mr. Manley asked, regarding the requested exception, "Are they all in a cul-de-sac or on a curve?"

Mr. Edwards replied, "yes."

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

Mr. Edwards 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 exception or final plat approval.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Manley to approve the following exception under Ordinance No. 2280, Section 6.2 and 6.3, Subsections (1) to allow the following lot widths in lieu of the required 60' lot widths in the proposed Quail Run Addition, Phase Two in an SF-1 (Single-Family Residential) District and R-1 (One-Family Residential) District in the 4700-5200 blocks of Quail Run Road and West Cormorant

Drive subject to the Staff Review letter. Second by Commission Member Davis.

Lot 4, Block D – 59.40' lot width
Lot 5, Block D – 37.99' lot width
Lot 6, Block D – 49.74' lot width
Lot 2, Block H – 55.64' lot width
Lot 2, Block G – 57.83' lot width
Lot 3, Block G – 59.52' lot width
Lot 3, Block F – 57.69' lot width
Lot 4, Block F – 56.85' lot width
Lot 3, Block C – 57.33' lot width
Lot 4, Block C – 56.51' lot width

VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

Planning and Zoning Commission

ACTION TAKEN.

Motion by Commission Member Manley to approve the final plat approval of Quail Run, Phase Two in the 4700-5200 blocks of Quail Run Road and West Cormorant Drive subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION

THE REQUEST OF FRHP LINCOLNSHIRE, LLC (OWNER), CAMPING WORLD (TENANT), CEI ENGINEERING ASSOCIATES, INC. (CIVIL ENGINEER) AND J-CONN CONSTRUCTION (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 7, SUBSECTION (13)(D) AND SECTION 6.13.3, SUBSECTION (7) TO ALLOW A CHAIN LINK FENCE WITHIN 25' OF THE FRONT PROPERTY LINE IN LIEU OF THE PERMITTED DECORATIVE FENCE IN AN M-1 (LIGHT MANUFACTURING) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

Brandon Waldrum, CEI Engineering, 3030 Lyndon B Johnson Fwy, Dallas, TX

Mr. Waldrum 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

EXCEPTION –
CHAINLINK FENCE
2005 S. SAM
RAYBURN FWY.
(FRHP
LINCOLNSHIRE, LLC)

(DENIED)

tenant. The property is zoned an M-1 (Light Manufacturing) District.

Mr. Waldrum explained, "Camping World would like to install a black chain link fence on the front property line. We had come to Council in October 2018 to expand the parking lot. Since then, there has been delays with Covid and everything else that has happened. We got the plans permitted within the past year and are currently under construction on the project. The fence that was originally proposed was a 6' high black vinyl chain-link fence that is constructed there now. We were notified that it doesn't meet the code and we are now asking for a variance."

Commission Member Davis asked, "Is the fence up?"

Mr. Waldrum replied, "yes."

Mr. Waldrum said, "The original plans that were approved have the fence and the details for that fence. During construction, come to find out, it doesn't meet the current code."

Chairman Mahone asked, "How far from the property line is the fence?"

Mr. Waldrum replied, "It is different in different areas. It is all on our property. None of it is in the right-of-way."

Chairman Mahone asked Mr. Rae, "Is the issue that it is chain-link or the distance?"

Mr. Rae replied, "They have an exception for a 6' fence in lieu of the 4'. The front yard of any property cannot have chain-link fence. It is not allowed material."

Mr. Rae explained, "In the middle of them constructing it, we saw they were building it. They did not have a fence permit. We red tagged it. I told them they could finish it, but it is at their own risk because if the Planning and Zoning Commission does not approve it, they would have to take it down."

Mr. Waldrum said, "They did finish it out of concern to protect RVs and the RV inventory that is out there. They don't want anything vandalized."

Mr. Rae stated, "The only requirement is that the front 25' off Sam Rayburn Freeway, you cannot have a chain-link."

Commission Member Davis said, "You could put decorative metal fencing and make the front pretty."

Chairman Mahone asked, "How long have you been involved with this project?"

Mr. Waldrum replied, “since 2017.”

Chairman Mahone asked, “Do we currently have any other compliance issues with camping world?”

Mr. Rae replied, “There are a few that we are working through with them. There are different aspects of Camping World. They are applying for a Specific Use Permit for a paint booth next month. They are working on a change in their sign.”

Chairman Mahone asked if they had already done those things.

Mr. Rae replied, “no, not that we know of.”

Mr. Lee stated, “There are some drainage issues on the plans that haven’t been fixed yet.”

Mr. Waldrum asked, “Are the drainage issues underground drainage?”

Mr. Lee replied, “yes. There is a final plan approval and they haven’t been installed yet.”

Commission Member Davis stated, “It looks like you need about 75’ of decorative fence to be in compliance.”

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

ACTION TAKEN.

Motion by Commission Member Manley to deny the exception under Ordinance No. 2280, Section 7, Subsection (13)(d) and Section 6.13.3, Subsection (7) to allow a chain link fence within 25’ of the front property line in lieu of the permitted decorative fence in an M-1 (Light Manufacturing) District/O-1 (75 & 82) Overlay District at 2005 South Sam Rayburn Freeway. Second by Commission Member Davis.

VOTING AYE: MAHONE, SIMS, DAVIS, MANLEY AND DOWNTAIN.

VOTING NAY: NONE

MOTION CARRIED

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

PLANNED DEVELOPMENT AND CONCEPTUAL MASTER PLAN

THE REQUEST OF THE MUNSON REALTY CO. (OWNERS), JR URBAN ADVISORS, JOHN RUGGIERI (PLANNING & URBAN DESIGN) JONES AND CARTER (CIVIL ENGINEER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2800-3200 BLOCKS SOUTH FM 1417 (HERITAGE

**PLANNED
DEVELOPMENT AND
CONCEPTUAL
MASTER PLAN – THE
VILLAGE PLANNED
DEVELOPMENT**

PARKWAY), BEING 624.473 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
AMEND A PLANNED DEVELOPMENT AND CONCEPTUAL MASTER PLAN UNDER ORDINANCE NO. 2280, SECTION 6.12. FOR THE VILLAGE PLANNED DEVELOPMENT (ORD. 6253).

2800-3200 BLKS S.
FM 1417 (HERITAGE
PARKWAY)
(MUNSON REALTY
CO.)

John Ruggieri, Planning & Urban Design, 211 Ervay St.,
Dallas, TX

Mr. Ruggieri appeared to represent the request and answer any questions. The property is located in the 2800-3200 blocks of South FM 1417 (Heritage Parkway) between Moore Street, West Travis Street and West O.B. Groner Road. A Planned Development was approved for Village Planned Development by Ordinance 6253, October 7, 2019.

Mr. Ruggieri explained, "This Project has been ongoing for about 2 years. We have been working with staff on the implementation of sewage and more street construction. The Village Planned Development is a mixed-use community of commercial and residential opportunities complimented by almost twenty percent of the land area set aside as parks, open space or other village amenities. The use and development regulations set forth in the Development Plan provide for and encourage development that contains a compatible mix of employment, residential, commercial, recreational uses in proximity to one another. We would like to amend the development on the east side of the future Moore Street, approximately 174 acres. We have been working with staff and a consultant to update the Planned Development to the current standards and address administrative items. We have addressed transportation issues through that east parcel."

Chairman Mahone said, "Halff Associates have reviewed this and seem to be in favor of these adjustments. I do not see any issues with these adjustments. I do want to make clear, in that eastern section that used to be employment that you want to make residential, that is going to butting up against Progress Park, which is Blalock Industrial. Is that Manufacturing?"

Mr. Rae responded, "It could be anything allowed in Blalock."

Chairman Mahone asked if there was a buffer strip there.

Mr. Ruggieri stated, "We are aware of that and agree that the inclusion of a buffer strip."

Commission Member Manley stated, "So it is not a buffer like a green space, you are talking about apartments as a buffer."

Mr. Ruggieri agreed.

Commission Member Davis asked, “Does the PD (Planned Development) call for a certain percentage of employment or commercial?”

Mr. Rae replied, “not in the PD (Planned Development). It was not spelled out in the previous one that was approved and it is not defined in this one.”

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

Mr. Ruggieri 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 amended Planned Development or conceptual master plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the amended Planned Development and conceptual master plan for Village Planned Development in the 2800-3200 Blocks South FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE

MOTION CARRIED.

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

SITE PLAN APPROVAL

THE REQUEST OF NEW RAYS LLC (OWNER), MOHAMMED HABIB (REPRESENTATIVE) AND ROYAL BENGAL CONSTRUCTION INC. (CONTRACTOR) CONCERNING THE PROPERTY AT 3001 LOY LAKE ROAD, BEING PART OF LOT 5, BLOCK 6, TOWN NORTH ADDITION, AS FOLLOWS; PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR AN ADDITION TO THE MOBIL GAS STATION.

**SITE PLAN –
ADDITION TO THE
MOBIL GAS STATION
3001 LOY LAKE RD.
(NEW RAYS LLC)**

Mohammed Habib, 2019 Kenneth Hopper Dr. Mesquite, TX

Mr. Habib appeared to represent the request and answer any questions. The property is located at 3001 Loy Lake Road, the northeast corner of Highway 82 and Loy Lake Road; Mobil Gas Station is the tenant. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District.

Mr. Habib explained that the site plan for this request was tabled at the September 21, 2021, Planning and Zoning Commission Meeting to allow the owner to revise the site plan to add a drive-thru window on the south side of the

building and a 200 square foot addition to the back of the building.

Chairman Mahone said, "It looks like you have a new site plan. It looks cleaned up. You changed some things. There is no longer a pole in the middle of a parking space. The dumpster has been moved."

Mr. Lee said that the Fire Marshall has seen and approved the plan.

Mr. Rae stated, "It is conforming. All the exceptions were granted last time for non-conforming items. This would have been on consent, but because you all saw it last month so we took it off consent."

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

Mr. Habib 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 site plan approval.

ACTION TAKEN.

Motion by Commission Member Manley to approve the site plan approval for an addition to the Mobil Gas Station at 3001 Loy Lake Road subject to the Staff Review Letter. Second by Commission Member Sims.

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

VOTING NAY: NONE

MOTION CARRIED.

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

RECESS

On Motion duly made and carried, the meeting adjourned at 6:25 p.m.

RECONVENE

Chairman Mahone called the meeting to order at 6:31 p.m.

EXCEPTION, ZONE CHANGE AND SITE PLAN

THE REQUEST OF VENTURA VERDE, LLC (OWNER), MARLEY PHILLIPS (APPLICANT), BOWMAN (CONSULTING FIRM) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 2708 EAST LAMAR STREET, BEING TRACT 1: 55.272 ACRES IN THE A. BURLESON SURVEY, ABSTRACT NO. 61 AND TRACT 2: 57.070 ACRES IN THE BURLESON SURVEY, ABSTRACT NO. 61, AS FOLLOWS;
BOARD OF ADJUSTMENTS

RECESS

RECONVENE

EXCEPTION – LOT
WIDTH
ZONE CHANGE – R-A
TO M-H
SITE PLAN -
FRONTERA
MANUFACTURED
HOME COMMUNITY

- A. EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.11 SUBSECTION (4)(C) TO ALLOW 40' WIDE LOTS IN LIEU OF THE REQUIRED 60' FOR A MANUFACTURED HOME COMMUNITY IN AN M-H (MANUFACTURED HOUSING) DISTRICT.

2708 E. LAMAR ST.
(VENTURA VERDE,
LLC)

PLANNING AND ZONING COMMISSION

- B. ZONE CHANGE AND SITE PLAN APPROVAL FOR FRONTERA MANUFACTURED HOME COMMUNITY UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-A (SINGLE-FAMILY AGRICULTURAL) DISTRICT TO AN M-H (MANUFACTURED HOUSING) DISTRICT.

Marley Phillips, 3705 Lakeview Pkwy., Ste. 209, Rowlett, TX,
Luke Motley, First Step Homes, 3705 Lakeview Pkwy., Ste.
209, Rowlett, TX, and Nicolas Kehl, Bowman, 5601
Democracy Dr., Plano, TX

Mr. Motley appeared to represent the request and answer any questions. The property is located at 2708 East Lamar Street near Bethany Road in east Sherman in the City of Sherman's Extra Territorial Jurisdiction (ETJ). They have the intention to apply for annexation into the City in the coming months, after the property has passed Planning and Zoning approval for rezoning of the property from an R-A (Single-Family Agricultural) District to an M-H (Manufactured Housing) District. This item was tabled at the September 21, 2021, Planning and Zoning Commission Meeting.

Mr. Motley explained, "This was tabled once before so that we could provide more information and give you a better idea of what the project is about.

Frontera Manufactured Home Community is a 112.334 acre, 409-unit, Manufactured Home Community proposed for the property at 2708 East Lamar Street. We are requesting a zone change from an R-A (Single-Family Agricultural) District to an M-H (Manufactured Housing) District and variances to allow the minimum lot width per unit to be 40' in lieu of the required 60'. Each unit will still meet or exceed the required 3600 square foot requirement. Individual lots will not be platted for each home. Each unit will have 3 parking places and there is additional parking throughout the community. A dog park, playground, pool, basketball court and club house/office will also be onsite. There will be sidewalks and green space. If the owner would like to bring in their own home, which is not preferred, it would probably have to be a new home to keep up with the consistency of the community.

This community is intended to be a legacy community, maintained, owned and operated by First Step Homes. First Step Homes is a Manufactured Home Community Developer that has extensive experience with Manufactured Home Communities and their long-term care with over a dozen communities in the DFW region. The idea is to provide affordable housing and bridge the gap between apartment living and home ownership. The homeowner does own the

home and lease the ground that it sets on. That lease helps pay for the amenities and maintenance.”

This property is in the ETJ (Extra-Territorial Jurisdiction). It has not been annexed. This is a conditional approval so that when we are annexed we can have approval for the variance and zoning designation.”

Chairman Mahone asked, “What makes you want to be annexed?”

Mr. Motley replied, “for the water.”

Mr. Lee said, “The property is located in the Pink Hill water district. We have a waterline adjacent to this property. For them to access Pink Hill, they would have to do upgrades to that system. They have asked if we would be willing to serve and Pink Hill is willing to allow us to serve on that property.”

Chairman Mahone said, “We have a lot more material, including pictures of other parks you guys have. I notice a ‘Rules and Regulations’ booklet, is this the same for every one of your locations or is this one tailored to this specific location?”

Mr. Motley replied, “It is similar to the others.”

Commission Member Davis stated, “No one ever shows us pictures of a 30 year old one.”

Mr. Motley replied, “This is a new concept.”

Commission Member Davis said, “Constitution Village has been around a long time.”

Mr. Motley replied, “It has, but not as far as the community concept.”

Commission Member Davis asked, “the clubhouse makes it a community?”

Mr. Motley replied, “the entire amenities make it a community.”

Chairman Mahone asked Mr. Lee, “Why do they need that kind of easement for a pump jack and what does a pump jack do?”

Mr. Lee replied, “A pump jack takes oil or gas out of the ground. You don’t have any structures within 200’-250’. It is a safety issue.”

Chairman Mahone asked, “Will that area be fenced off?”

Mr. Motley replied, “The fencing will go around the equipment.”

Commission Member Blagg asked, "When they are ready to set a unit, will they bring us a plot plan for that one unit?"

Mr. Rae replied, "We will have to do an inspection as if it were a regular house. They will go through the permit process. We will make sure that it is built and our inspectors will do a string line inspection or we will ask for a form survey to make sure it is in the right spot."

Commission Member Blagg asked, "Is it a master meter for water?"

Mr. Phillips replied, "yes. We will master meter the water coming in and sub-meter to each of the residents. We will pay the overall bill to the city."

Commission Member Davis asked, "If they are individual metering, is the City of Sherman responsible for the waterline up to the big meter and then they handle past there?"

Mr. Lee responded, "correct. We don't want to be responsible for the lines inside the complex. It is like an apartment concept."

Mr. Phillips said, "Oncor will set a meter bank to distribute to the homes or set individual meters."

Commission Member Blagg asked, "There are a lot of pictures here. I see many different types of skirting and some look like they are a pit build. What can we expect?"

Mr. Phillips replied, "It could be any of those."

Commission Member Davis asked about trash services.

Mr. Phillips replied, "We will have dumpsters placed throughout and trash service will come pick those up."

Commission Member Davis said, "The annexation and building needs to start about the same time. That's the plan if everything goes right."

Ms. Bradley said, "Anything that you do tonight would be subject to annexation. If you approve anything, you want to make it subject to annexation because you can't control anything that is not annexed."

Mr. Phillips stated, "The next step is to go to City Council with the annexation application with these items being contingent on the annexation. We want to get all this done and start building."

Chairman Mahone stated, "If they went with Pink Hill, and they weren't annexed, we would still be sending fire and

police there, we would still be dealing with the traffic from there and we would have no control over any of that.”

Mr. Lee said, “That is one reason we are requiring annexation for Sherman water, so that we will have control over how this is developed.”

Mr. Phillips stated, “The main entrance will be gated, there is one resident exit only, and then the emergency access for fire and police.”

Commission Member Davis asked, “Are you exiting onto Highway 56?”

Mr. Phillips replied, “yes.”

Chairman Mahone asked if a traffic study had been done.

Mr. Phillips replied, “We have had the Traffic Impact Analysis performed and it is currently with TxDOT for review.”

Mr. Lee stated, “We have a copy of it.”

Ms. Sims asked, “What does it say, can it handle it?”

Mr. Kehl replied, “yes.”

Commission Member Davis asked, “Are they reviewing it to make that decision or have they made it?”

Mr. Kehl replied, “The engineers have made that statement. TxDOT has cleared the comments. The only thing they are looking for is right-of-way dedication for FM 1417.”

Diana and Dennis Scriven, 3050 E. Lamar, Sherman, TX

Ms. Scriven stated, “This property will back up to my property. I received no formal notice that this was coming up and in my neighborhood.”

Mr. Rae replied, “The notification requirements are only for properties within the city limits.”

Ms. Scriven replied, “There are no supporting services on the east side of town. There are two dollar stores, two gas stations and a Dairy Queen. We struggle with internet services. I think something should improve to help with the support services in the area before you add 400 more houses. If Sherman annexes, I am concerned they will swallow in the last 4 or 5 properties that are sitting on the back side of this community. Traffic on Highway 56 is almost deadly, add 400 more cars coming out on 56, I just don’t think that is going to work.”

Ms. Scriven said she is concerned that it is going to devalue their property. She gave examples of similar properties that have clubhouses that are not desirable communities.

Mr. Scriven said, "According to the map that I have seen, it shows them completely ripping out the tree line and all the vegetation on the back of our property, down both sides of my road and around my neighbor's property. You have birds and wildlife. What is going to happen to all of that? I really don't want to walk out my back door and look at this barrage of mobile homes."

Lauren and Chris Durham, 3014 E. Lamar, Sherman, TX

Ms. Durham explained, "Our property is going to face this development on 3 sides. The way they have it gated blocks our pasture entrance on the back side without an easement. Is the city going to bring sewer service out with the water? That is a legitimate concern for us because of the drainage issues. Anytime it rains, we have 4" of rain in our backyard and if they build that up it is just going to be compounded."

Mr. Durham stated, "If there was annexation, we would get taxation without any services."

Mr. and Mrs. Durham both addressed traffic on Highway 56, internet services and the underdevelopment of that area.

Mary Nelson, 1920 Jones Circle, Sherman, TX

Ms. Nelson explained that she was concerned with the water pressure, old sewer lines that cannot handle 400 more people and runoff when there is heavy rain. She submitted a picture, for the record, demonstrating flooding over a manhole in front of her house.

Mr. Motley replied, "Drainage issues will be addressed at the appropriate time. The access points and driveways are subject to the study that has already been done. We have sewer running along the back of the property."

Mr. Phillips confirmed, "There is city sewer running on the back side of this property. Sewer access was granted to this property in exchange for an easement. We already have access by that agreement and will tie into the city sewer. The sewer capacity is there and I anticipated no issues with that."

Mr. Lee stated, "There is an 18" sewer main back there."

Chairman Mahone asked, "Do you know anything about this pasture easement? Can you work with the Durhams on that?"

Mr. Phillips replied, "absolutely. I will look at the survey. Any of the oil wells there have existing easements and we cannot block or do anything with those."

Chairman Mahone asked “How about the tree line and vegetation between your potential and the existing houses?”

Mr. Phillips replied, “We will not remove anything we do not need to. We have a 25’ setback from the property line. If we can avoid removing any of that and still make our drainage work, we will.”

Mr. and Mrs. Durham asked if they were going to be paying for services they do not use if the property was annexed.

Commission Member Blagg confirmed to the Durhams that their property was not going to be annexed and that no one can annex property that they do not own.

Chairman Mahone asked Mr. Lee to address sewer and drainage.

Mr. Lee replied, “There is an existing 18” sewer line on the south side of the property.”

Chairman Mahone asked, “Does that sewer line interfere with these homeowners?”

Mr. Lee replied, “no. and the reference to the sewer line on Jones Circle is a different system.”

Chairman Mahone asked Mr. Lee to tell the public a little about drainage requirements.

Mr. Lee replied, “If they are annexed into the city, the city requires the development to detain any extra drainage that is caused by their development so there is not increased amount of flowrate wherever they are discharging. They are going to have to discharge it to wherever the low points are on the property. If there is a certain rate of discharge for a normal storm now, they can’t increase that rate. It just discharges for a longer period of time at the same rate.”

Mr. Kehl stated, “There are some tributaries that were flagged and delineated by biologist and concurred with by the Army Corps. The majority of the water flows to the east. There is a major creek line over there where it goes into a flood plain off the site. We have designed detention ponds to detain the water. Any increases in run off locally will go to those ponds and will be held back and slowly released so that there are no increases off site. There is another portion of the site that drains to Highway 56 that has another detention pond beside it, near the amenity club house that will be designed to detain any increase in run off and mitigate that.”

Mr. Kehl said, “We have got a standard storm drain system with curve inlets that pipes it up to the detention ponds.”

Commission Member Davis asked, "What is the city's view on this?"

Mr. Rae replied, "Staff has been working with the developer on this. Manufactured home communities are difficult. Our concern is that if they aren't annexed into the city they are going to do the project anyway, outside the city. At that point, the city wouldn't have any control. We wouldn't be taxing them for any city services. They have the ability to pay for increased service in Pink Hill and that is a potential risk we have as a city. If they don't annex, they stay in the county and they can build however they want."

Commission Member Davis asked how they were going to keep this community maintained 30 to 50 years down the road.

Mr. Phillips replied, "Part of the rules and regulations is that the home owners maintain the home. If they don't, we will do it for them and then bill them."

Commission Member Davis asked how they make someone already living in one of these communities come up to their standards and replace his home.

Mr. Phillips replied, "We don't make them. We give them an opportunity to purchase a new home and make it affordable for them. We can usually put them in a new home for close to what they are paying for that 40 year old run down home. The homeowner can get their own financing or we can carry the note."

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

Mr. Phillips 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 exception, zone change or site plan.

**Board of Adjustments
ACTION TAKEN.**

Motion by Commission Member Manley to approve the exception under Ordinance No. 2280, Section 6.11 Subsection (4)(C) to allow 40' wide lots in lieu of the required 60' for a Manufactured Home Community in an M-H (Manufactured Housing) District at 2708 East Lamar Street subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, DAVIS, AND MANLEY.

VOTING NAY: NONE

MOTION CARRIED.

**Planning and Zoning Commission
ACTION TAKEN.**

Motion by Commission Member Manley to approve the zone change and site plan approval for Frontera Manufactured Home Community under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District to an M-H (Manufactured Housing) District at 2708 East Lamar Street subject to the Staff Review Letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE

MOTION CARRIED.

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

ZONE CHANGES & CONCEPTUAL SITE PLAN APPROVAL
THE REQUEST OF JAMESTOWN SQUARE, LLC (OWNER), COPE EQUITIES, JAMES CRUSE (REPRESENTATIVE/DEVELOPER), HICKMAN CONSULTING ENGINEERS (CIVIL ENGINEER), DBA ARCHITECTS (ARCHITECTS), BILLY PECK CONSTRUCTION (CONTRACTOR), CARROLL CONSULTING GROUP, INC. AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY IN THE 6000-6400 BLOCKS OF SOUTH U.S. HIGHWAY 75 AND THE 100-200 BLOCKS OF AKERS ROAD, BEING 54.527 ACRES IN THE JOHN CHRONISTER SURVEY, ABSTRACT NO. 248 AND THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765; AS FOLLOWS;

PLANNING AND ZONING COMMISSION

- A. TRACT 1 – BEING 14.949 ACRES IN THE JOHN CHRONISTER SURVEY, ABSTRACT NO. 248 AND THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 - ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-1.5 (MEDIUM MANUFACTURING) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT
- B. TRACT 2 – BEING 19.347 ACRES IN THE JOHN CHRONISTER SURVEY, ABSTRACT NO. 248 AND THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 - ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-1.5 (MEDIUM MANUFACTURING) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
- C. TRACT 3 – BEING 20.232 ACRES IN THE JOHN CHRONISTER SURVEY, ABSTRACT NO. 248 AND THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 - ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-1.5 (MEDIUM

**ZONE CHANGES &
CONCEPTUAL SITE
PLAN:**
TRACT 1 – M-1.5 TO
C-1
TRACT 2 – M-1.5 TO
R-2
TRACT 3 - M1.5 TO
SF-1
6000-6400 BLOCKS
OF SOUTH U.S.
HIGHWAY 75 AND
THE 100-200
BLOCKS OF AKERS
ROAD
(JAMESTOWN
SQUARE, LLC)

MANUFACTURING) DISTRICT TO AN SF-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

Todd Downing, Cope Equities, 900 W. Bethany Dr., Allen, TX
Mr. Downing appeared to represent the request and answer any questions. The property is located in the 6000-6400 blocks of South U.S. Highway 75 and the 100-200 blocks of Akers Road, the northeast corner of Highway 75 and Akers Road. The property is zoned an M-1.5 (Medium Manufacturing) District.

Mr. Downing explained, "The owner would like to divide separate tracts to develop commercial, multi-family (apartments & townhomes) and single-family homes. We would have an area for quick serve self-standing businesses such as restaurants, 70,000 square feet of retail space, 306 multi-family units and townhomes, and 62 single family homes. Because the cemetery is adjacent to us, we have made the streets public. We have built similar products in the Princeton area and have been very successful with that development."

Commission Member Manley clarified, "Residential is toward the back, commercial is on Highway 75 and the cemetery is in the middle."

Mr. Downing replied, "yes. We have screening there for the cemetery."

Commission Member Davis asked, "If by voting on A, B and C together and one of them changes, does it negate the others? Does it all tie together?"

Ms. Bradley replied, "no, they can rezone and bring that before you."

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

Mr. Downing 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 zone changes or conceptual site plan approvals.

ACTION TAKEN.

Motion by Commission Member Manley to approve the following zone changes and conceptual site plans located in the 6000-6400 blocks of South U.S. Highway 75 and the 100-200 blocks of Akers Road subject to the Staff Review letter. Second by Commission Member Downtain.

- A. Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an M-1.5 (Medium Manufacturing) District to a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District;

Tract 1 – Being 14.949 acres in the John Chronister Survey, Abstract No. 248 and the William Martin Survey, Abstract No. 765.

- B. Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an M-1.5 (Medium Manufacturing) District to an R-2 (Multi-Family Residential) District; Tract 2 – Being 19.347 acres in the John Chronister Survey, Abstract No. 248 and the William Martin Survey, Abstract No. 765.
- C. Zone change under Ordinance No. 2280, Section 12, from an M-1.5 (Medium Manufacturing) District to an SF-1 (Single-Family Residential) District; Tract 3 – Being 20.232 acres in the John Chronister Survey, Abstract No. 248 and the William Martin Survey, Abstract No. 765.

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

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF CROSS DEVELOPMENT (OWNER) CALIBER COLLISION (TENANT), TAHIR DIWAN (REPRESENTATIVE) AND CREE INDUSTRIAL ARTS (SIGN CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 1317 SOUTH SAM RAYBURN FREEWAY, BEING 0.58 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.13.3, SUBSECTION (5)(A)(1) TO ALLOW A 1' SETBACK FOR A FREESTANDING SIGN IN LIEU OF THE REQUIRED 40' IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT.

VARIANCE –
SETBACK FOR SIGN
1317 S. SAM
RAYBURN FWY.
(CROSS
DEVELOPMENT)

Tahir Diwan, 702 Shepherd Dr., Garland, TX

Mr. Diwan appeared to represent the request and answer any questions. The property is located at 1317 South Sam Rayburn Freeway between Dulin and Olive Streets. The property is zoned a C-2 (General Commercial) District. This request was denied at September 21, 2021 meeting for lack of representation.

Mr. Diwan explained, "The owner is requesting a variance for a freestanding sign, 1' from the front property line."

Chairman Mahone asked, "Do you have any current signs on the property?"

Mr. Diwan replied, "one wall sign."

Mr. Rae stated, "There is also a billboard on the site that is separate from them."

Chairman Mahone asked, "If you put your pole sign 40' from the property line, it would be in your building?"

Mr. Diwan replied, "yes."

Chairman Mahone, referencing item 11 on the Staff Review Letter, read, "Pole for sign shall be no closer than 10' of the right-of-way."

Chairman Mahone asked, "So if it's 1' from the property line, can it still be 10' from the right-of-way? By right-of-way, do you mean the actual road edge?"

Mr. Rae replied, "The right-of-way line is the property line."

Mr. Lee said, "I calculate it to be 6' from the right-of-way based on the drawings they submitted. They are showing a 10' wide sign 1' from the right-of-way and the pole is in the middle of the sign, then that is 5' from the edge of the sign, and then 1' from the right-of-way, making the pole 6' from the right-of-way."

Commission Member Sims said, "If they back it up 4', it would be in the middle of their parking lot."

Chairman Mahone stated, "Engineering is saying your pole has to be 10' from the right-of-way."

Mr. Lee stated, "It's because there is a sewer utility that runs through there."

Chairman Mahone clarified, "They are measuring from the edge of the sign, not to the pole. Do you understand that?"

Mr. Diwan said, "yes."

Chairman Mahone said, "You are going to have to move that pole another 4'. Do you understand that?"

Mr. Rae stated, "They will be in the middle of the parking lot, even where they have it placed now."

Mr. Diwan stated their understanding is that the right-of-way is to the road.

Mr. Lee demonstrated to Mr. Diwan on a map where the property line is and that the pole cannot be closer than 10' to that property line, a.k.a. the right-of-way.

Mr. Diwan said, "What we can do is, instead of have the pole in the center, we can do like a flag sign. We can have the pole to the side and cross-bar it."

Chairman Mahone asked if that would be acceptable to Engineering and Mr. Lee said it would as long as it was set 10' from the right-of-way.

Mr. Rae stated, "The sign cannot hang over the right-of-way."

Mr. Lee stated, "Right now their asphalt pavement goes into the right-of-way."

Chairman Mahone clarified, "What you are describing is that your sign would still be 1' from the right-of-way and the pole would move in, and that would work."

Mr. Diwan agreed.

Commission Member Sims reiterated, "Make sure you know where your right-of-way is. It is not your asphalt line."

Mr. Diwan agreed.

Chairman Mahone asked, "Do any of your neighbors have similar pole signs for their businesses?"

Mr. Diwan replied, "I haven't seen any."

Mr. Rae replied, "There are a lot of non-conforming signs on Sam Rayburn Freeway."

Mr. Diwan replied, "We do not want to be non-conforming."

Chairman Mahone asked Ms. Bradley, "Is it a problem if we have advertised this sign, but the pole may end up on the end of the sign?"

Ms. Bradley replied, "no, because you can modify a material change. What you are voting on is not a material change."

Chairman Mahone asked if the square footage of the sign was in our regulations and Mr. Rae said it was.

Mr. Rae stated, "I will remind you from our Planning and Zoning training that exceptions and variances run with the land. Now it is Caliber Collision, before it was something else, they are still allowed that same setback."

Mr. Rae said to Chairman Mahone, "If there is a motion to approve this item, I would ask that the motion include the height and size of the sign they are proposing, that way in the future if anyone ever comes back, they can't go 50' high and 300 square feet."

Ms. Bradley added, "You could say that you would approve subject to the representation provided as far as the height and size of the sign. That would lock you in for the variance in the future."

Chairman Mahone asked, "All we are addressing is the setback, so they would still have to conform to the ordinance otherwise, right?"

Mr. Rae said, "but if you allow them to get a 1' setback, they are permitted a 50' high sign, 300 square feet face, verses what they have here which is 25' high and 50 square feet, which is a much more realistic sign size for that location."

Chairman Mahone concurred, "That makes a lot of sense."

Mr. Diwan asked, "Can we go onto the rooftop with the sign or parallel to the building as it may hamper some of the operations of the day-to-day business?"

Mr. Rae replied, "They currently have a wall sign on their building that is to code and follows ordinances."

Commission Member Sims asked, "Does it go higher than the building? Can it go higher than the building?"

Mr. Rae replied, "It does not. There is an allowance in our ordinance for roof signs."

Chairman Mahone asked, "Is there a restriction if they did that?"

Mr. Rae replied, "since they have the wall sign, if they added a roof sign, they would still have to meet that square footage that is allowed for a wall sign."

Commission Member Sims stated, "They would have to take one down if they wanted to go vertical."

Commission Member Blagg clarified, "He is asking to bring the pole sign closer to the building."

Mr. Rae stated he could do that without a variance if he could get the edge of the sign 40' away from the right-of-way.

Mr. Diwan stated, "The 40' is coming inside the building. It would be less than 40', but I could propose to the owners to consider one more option."

Chairman Mahone stated that if we granted 1 foot, you could do more than 1 foot, however the layout that has been advertised cannot be different.

Chairman Mahone asked, "So could they bring it 20' in if they were granted 10'?"

Ms. Bradley replied, "It depends on how you word it. If you say 'allow no less than a 1' setback then as long as they

were 1' or beyond, they could. You could also say subject to the size and height here."

Commission Member Sims confirmed, "which would give them the ability to hug up next to the building though it is less than 40'. Is the prudent thing to deny the request?"

Commission Member Manley asked how to make a motion. If he wanted to deny the 1' but allow them the ability to build a sign next to their building.

Ms. Bradley replied, "You would approve the variance up to 'X' amount of setback."

Chairman Mahone said, "You would want to specify the setback."

Ms. Bradley stated, "You could approve subject to the picture as presented."

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

Mr. Diwan replied, "yes, they had seen the Staff Review Letter and would abide by the Recommendations."

Letter was received from:

Spider Ridge Properties LLC, 2111 Knob Hill Rd., Van Alstyne, TX

"I object to the 1' setback variance request. It could create a road hazard due to diminished visibility significantly reducing sight lines on the high speed service road traffic. Also it will reduce visibility into our shopping center causing hardship to our tenants."

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the variance under Ordinance No. 2280, Section 6.13.3, Subsection (5)(a)(1) to allow no less than a 30' setback for a free standing sign, no taller than 25', and the sign face no wider than 5' by 10' in lieu of the required 40' in a C-2 (General Commercial) District/O-1.2 (Sam Rayburn) Overlay District at 1317 South Sam Rayburn Freeway subject to the Staff Review letter. Second by Commission Member DOWNTAIN.

VOTING AYE: MAHONE, DOWNTAIN, SIMS, DAVIS, AND MANLEY.

VOTING NAY: NONE

MOTION CARRIED

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

PRELIMINARY PLAT AND SITE PLAN

THE REQUEST OF TPJ PROPERTIES LTD & HERITAGE RANCH LAND HOLDINGS, LTD (OWNERS), RYAN JOHNSON (REPRESENTATIVE), COVENANT DEVELOPMENT (DEVELOPER), SPIARS ENGINEERING (CIVIL ENGINEER/SURVEYOR) AND ROCKHILL CAPITAL & INVESTMENTS, LLC (DEVELOPMENT MANAGER) CONCERNING THE PROPERTIES LOCATED IN THE 3500-4500 BLOCKS NORTH FM 1417 (HERITAGE PARKWAY) AND 600-1900 BLOCKS WEST U.S. HIGHWAY 82, BEING 184.573 ACRES IN THE JOHN JENNINGS SURVEY, ABSTRACT NO. 647 AND THE URIAH BURNS SURVEY, ABSTRACT NO. 121, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. PRELIMINARY PLAT APPROVAL OF HERITAGE RANCH ADDITION
- B. SITE PLAN APPROVAL OF HERITAGE RANCH

PRELIMINARY PLAT AND SITE PLAN – HERITAGE RANCH 3500-4500 BLKS N. FM 1417 (HERITAGE PKWY) AND 600-1900 BLKS W. U.S. HWY 82 (TPJ PROPERTIES LTD & HERITAGE RANCH LAND HOLDINGS, LTD)

Ryan Johnson, 5523 W Houston, Sherman, TX

Mr. Johnson appeared to represent the request and answer any questions. The property is located in the 3500-4500 blocks of North FM 1417 (Heritage Parkway) and the 600-1900 blocks West U.S. Highway 82; the north side of U.S. Highway 82 between Travis Street and FM 1417 (Heritage Parkway) and the east side of FM 1417 (Heritage Parkway). The property was approved for the Heritage Ranch Planned Development, January 19, 2021 (Ord. 6354).

Mr. Johnson explained, "The owner would like a preliminary plat and site plan approval for the property into 751 lots for a 140 acre, 4 phase residential development. We did receive the Halff letter which we submitted that to you with our detailed response to their comments."

Chairman Mahone said, "There has been some confusion on this. The letter from Halff that I read did not recommend this because they had some questions. There was some additional documents that I was given right before the meeting. Can you make any comments on their follow-up?"

Mr. Rae replied, "Ryan submitted the application with the site plan and preliminary plat. There were items in that which we had to reach out to them because we had concerns. I had Halff Associates do the review of the site plan to see if there was anything else. The items that were big on my list was the collector that would go East and West and making sure the open space was usable. Those items were revised by the applicant. Halff removed those comments from their letter that is in your packet as they had been addressed. These are the remaining items. In the Heritage ranch Planning Development ordinance, there is an allowance of about 20% that administratively we can approve for changes in zoning districts between commercial and residential space. Our opinion is that commercial is an appropriate land use at the corner of Plainview Road and Highway 82 frontage. There is some

flexibility in the Planned Development document to make changes. Ryan, I have shared that with you that commercial at that corner is important.”

Mr. Johnson agreed, “There is still commercial at the northwest corner of that intersection of Plainview and the access road.”

Chairman Mahone asked, “The commercial you are removing from this piece, are you planning to make up for in another area?”

Mr. Johnson replied, “correct. Some commercial has gone to residential and some residential has gone to commercial. There is still commercial at that intersection, it’s just now the northwest corner of Plainview Road is now the buffer between the commercial and residential space, besides commercial backing up right to residential.”

Mr. Rae said, “There were some comments they added that are related to the PD (Planned Development) ordinance. Housing types is one of the comments, would you want to address that?”

Mr. Johnson replied “yes, The Halff letter brought up some comments. To address their comments about the 2 types of housing, the multifamily is going on the west side of Plainview. That was approved as part of the concept plan. This is a detailed site plan that is coming in the future and by the time this is done, we will meet the PD (Planned Development) ordinance of having at least 2 housing types.”

Commission Member Manley asked, “Are we being asked to approve tonight the single-family home portion of your development and not the whole development?”

Mr. Johnson replied, “That’s correct, and then the preliminary plat for that same area.”

Mr. Rae stated, “That is consistent with how we had done it for Bel Air Village.”

Mr. Johnson stated, “Plainview is shown to be a main thoroughfare for the master plan for the city. It opens the south side of Highway 82 to the north side. That’s why we are now adjusting to the planning. We will have a right turn lane and a 25’ landscape buffer. We are open to connectivity options to roadways and will work with city staff to figure out where those are appropriate for adjacent developments.”

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

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

Letter was received from:

Covenant Development, PO Box 670, Sherman, TX

"Re: Halff's Heritage Ranch Planned Development Review dated October 12, 2021

This morning we received the Halff Review Letter dated October 12, 2021, regarding their review of the submitted Detailed Site Plan for Heritage Ranch. As Halff notes in their letter, the Detailed Site Plan submitted for review only covers a portion of the of the overall PD acreage. This is important to keep in mind because some of Halff's comments do not account for other areas of Heritage Ranch to be developed. This is the first of many Detailed Site Plan submittals for Ranch. Further, we were not given an opportunity to visit with Halff about how the submitted Detailed Site Plan correlates with the overall development of Heritage Ranch. Halff makes this note in the letter which shows additional context is needed to substantiate their comments.

I would like to add the additional context and specifically address Halff's PD Compliance Comments.

PD Compliance Comments:

- 1) **Comment:** The site plan is not providing space for commercial development acreage. The Heritage Ranch PD anticipated some land for supporting services in the area of this site plan.

Response: The alignment of Plainview Road has shifted to the east and is no longer shown in the configuration presented in Exhibit A "Conceptual Plan" of the PD. The realignment of Plainview Road was made in conjunction with the City to allow for future connection point with Rex Cruse on the south side of Highway 82. This realignment of Plainview simply shifts most of the designated "Commercial Area" in the Concept Plan to the west side of Plainview Road. This leave small portion of "Commercial Area" noted in the Concept Plan that we are changing to Residential. "This use is being changed due to current market demand of residential development. Commercial development is still slow to respond because of the COVID-19 Pandemic.

Section I (D)(A) of the PD notes that the acreage and regions shown on "the Exhibit A Conceptual Plan "reflect general area" and these areas may be modified by up to 20% more or less by the Planning Director to "respond to specific changes in the market." Exhibit A of the PD shows 138+/- acres devoted to residential. Our Detailed Site Plan submitted for approval has approximate 140.4 acres of "Residential" use. This deviation is less than 20% and can therefore be approved by the Planning Director.

- 2) **Comment:** Plainview realignment looks like it is intended for a future Hwy 82 crossing- yet, there is not commercial planned at those corners. This is an opportunity for valuable future commercial and consistency with the approved PD.

Response: The Plainview realignment is intended for a future crossing under Highway 82. However, in discussions with the City, the timing of this crossing is uncertain. Realistically it could be five or more years before this crossing warrants future study.

There is commercial planned on the northwest corner of this intersection. The northeast corner of this intersection is now "Residential" and not "Commercial." This change is due to market demand as noted above. With this revision, the total "Residential" acreage is still within 20% of the acreage specified in Exhibit A of the PD.

As a developer, we agree with Halff's comment that commercial land is more valuable when compared to residential use. Because of this, we had extensive conversations with our design professionals and considered the "pros and cons" of changing the use of the northeast corner of this intersection. Several factors went into this decision. First, current market demand favors residential development. Second, the desirability for commercial use on the northeast and northwest corner is highly contingent on the timing of installing the future Highway 82 crossing. Retailers and commercial users prefer lots at intersections which allow four-way traffic. Until the crossing under Highway 82 gets constructed, these commercial areas are "mid -blocked" and not desirable for commercial/retail use. Because of the uncertainty on the timing of the future Highway 82 crossing, holding out on the "possibility" of commercial use does not make sense for both corners of this intersection. Third, because of the amount of other "Commercial" space available with Heritage Ranch, we are in essence competing with ourselves for commercial users. Using Plainview Road as a "buffer" between our "Commercial" and "Residential" areas, makes the most sense and with the intent of the PD.

- 3) **Comment:** This overall less open space and connectivity in first couple of sections than projected in the PD.

Response: Exhibit A of the PD shows that Park and Open Space in Heritage Ranch will be approximately 60+/- acres. In the submitted Detailed Site Plan we have approximately 26.2 acres of Open Space. This approximately 44% of the required Open Space required under the PD, yet the Detailed Site Plan only accounts for about 40% of the overall development in Heritage Ranch. With the Open Space and water feature on the west side of Plainview Road, our Park and Open Space acreage in Heritage Ranch will meet and likely exceed the required 60 acres of Open Space.

The final alignment of the northwest to southeast "greenbelt" shown on Exhibit B of the PD did change during final design. This area was shifted to the east and southern property lines of Detailed Site Plan. However, the overall

acreage and amenities of the Open Space as shown in the approved PD did not change.

- 4) Comment: The trail on the east side of phases 3 and 4 extends a significant distance without a trail connection to the residential street. Recommend adding a connection between the homes mid-block.

Response: We agree with Halff's comments and will make the necessary adjustments on the preliminary plat when Phases 3 and 4 develop.

- 5) Comment: The Heritage Ranch PD requires that two residential housing types are required, with options of multifamily, townhouses, patio homes, and single-family. Phases 1-4 are single family only as far as I can tell. Additional information/context from the applicant may be needed here.

Response: This comment needs additional information/context and should be viewed with the overall Conceptual Plan in mind. The Detailed Site Plan submittal is not the only "Residential" area in the approved PD. Exhibit A of the PD shows a "Residential" region on the west side of Plainview Road. This area will have multifamily housing. This will meet the requirements of having two residential housing types. In addition, the 40 ft. lots in Phases 1-4, may be used as "Patio Homes" depending on the mix of the builders in these phases.

Additional Recommendations for the City and Developer

• Comment: Street connectivity around the perimeter of this project is lacking. This proposed plan is not making provisions for the public street system to connect to local neighborhood streets. While these local connections were not shown on the Major Streets exhibit in the PD, it is good planning practice to have intermittent local street connectivity to outside properties, if those areas are planned for residential development. This provides points of connection for utilities, drainage, pedestrian, school bus and vehicular access, emergency access, and waste management pick-up. While this may not be a requirement of the PD or local ordinances, consider adding 2-3 local street stubs to ensure a more connected Sherman infrastructure system.

Response: This is the first time we have heard of this comment. At this stage in the development of Heritage Ranch, it is tough making connection points when you do not have the development plans of adjacent developments. We do have several places where we can accommodate connection points and we will work with City Staff to identify those areas.

The stubbing of utilities has already been contemplated and designed in our engineering.

• Comment: As drawn here, Phase 1 lots will be located directly backing to the highway frontage road and a trail is being (sic) placed along the frontage road. Long-term, this will be a strain on the value retention for those homes. It is recommended that the planned commercial be restored here or a deeper lot length or Bufferyard to protect these lots. Further, a trail along the frontage road is also a less desirable trail location than internal to the neighborhood. Is it suggested that an internal trail be considered instead.

Response: Only a small percentage of the Phase 1 lots back up to the highway frontage road. Most of the lots in Phase 1 back up to the current W. Canyon Grove Road. The lots that do back up to the highway frontage are not viewed as having a "strain on value retention." The two national homebuilders in Phase 1 have reviewed the Phase 1 Plan and Detailed Site Plan and have no concern regarding diminished value on these lots. It is not uncommon for lots to back up to major highways and thoroughfares on master planned developments.

We are not opposed to exploring ways to incorporate the trail internally to the neighborhood. However, since a small percentage of the Phase 1 lots back up to the highway, the trail along the frontage road is not a significant length. From a marketing standpoint, this allows the public to see a trail system in place for Heritage Ranch and will help promote the utilization of the trail network inside Heritage Ranch. Constructing a trail along major thoroughfares is not inconsistent with other residential developments in Sherman and communities in the Metroplex.

• Comment: There is an opportunity to connect a large section of this residential neighborhood that has minimal trail access to a section of green space that has a trail spine. See below in blue an opportunity to connect the tan trail from the green space into the cul-de-sac and through a potential greenlink to the street close by.

Response: This comment is not applicable based on the Detailed Site Plan resubmittal on October 5, 2021. The configuration shown on the above drawing has changed.

We appreciate the opportunity to respond to Halff's comments in their Detailed Site Plan Review Letter. Heritage Ranch will be a successful community and we are looking forward to seeing the positive impact this development will have on our community. If you have any questions, please do not hesitate to contact me."

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

ACTION TAKEN.

PLANNING & ZONING COMMISSION MINUTES – OCTOBER 19, 2021

Motion by Commission Member Davis to approve the preliminary plat approval of Heritage Ranch Addition and site plan approval of Heritage Ranch 3500-4500 Blocks North FM 1417 (Heritage Parkway) and 600-1900 Blocks West U.S. Highway 82 subject to the Staff Review letter and Halff's recommendations. Second by Commission Member Whitaker.

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

VOTING NAY: NONE

MOTION CARRIED

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

OTHER BUSINESS

No other business came before the board.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 8:12 p.m.

OTHER BUSINESS

ADJOURNMENT

CHAIRMAN



ACTING SECRETARY