

STATE OF TEXAS §

September 20, 2022

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman, was begun and held on September 20, 2022.

MEMBERS PRESENT: CHAIRMAN MAHONE
COMMISSION MEMBERS: DAVIS, SIMS, MANLEY,
WHITAKER AND BLAGG

ALTERNATE: NONE

MEMBERS ABSENT: VICE CHAIRMAN DOWNTAIN

STAFF PRESENT: ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES,
KERRI TURNER, DEVELOPMENT SERVICES
COORDINATOR, WAYNE LEE, DIRECTOR OF
ENGINEERING AND THERESA HUTCHINSON, DIRECTOR
OF PARKS AND RECREATION

CITY ATTORNEY: ALICESON COTTON

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:04 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission will review the minutes of the August 16, 2022, regular meeting at the October 18, 2022, Planning and Zoning Commission Meeting.

APPROVE MINUTES

ANNOUNCEMENTS

There were no announcements.

ANNOUNCEMENTS

APPOINT BOARD OF ADJUSTMENT

Chairman Mahone appointed the members of the Board of Adjustment: MAHONE, DAVIS, SIMS, MANLEY AND WHITAKER.

BOARD OF
ADJUSTMENT

CITIZEN COMMENTS

There were no citizen comments.

CITIZEN COMMENTS

CONSENT AGENDA (ITEMS 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16)

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

CONSENT AGENDA

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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF HABITAT FOR HUMANITY (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 809 AND 811 NORTH BRANCH STREET, BEING 0.209 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NUMBER 763 AND BEING ALL OF LOT 3 AND PART OF LOT 4, BLOCK 2 OF HALL AND JONES ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF HALL & JONES ADDITION, BLOCK 2, LOT 3R

REPLAT – HALL & JONES ADDN.
809 AND 811 N. BRANCH ST.
(HABITAT FOR HUMANITY)

The property is located at 809 and 811 Branch Street between East College and Carter Streets and is zoned R-1 (One-family Residential) District. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF AMY SWINDELL (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 112 BARBARA LANE IN SHERMAN'S EXTRA TERRITORIAL JURISDICTION, BEING 5.000 ACRES IN THE JOHN MCCLENIHAN SURVEY, ABSTRACT NUMBER 789, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF SWINDELL ADDITION LOTS 1 AND 2.

PRELIMINARY PLAT
–
SWINDELL ADDN.
LOTS 1 AND 2
112 BARBARA LN.
(AMY SWINDELL)

The property is located at 112 Barbara Lane near the intersection of Brown Road and Barbara Lane in Sherman's Extra Territorial Jurisdiction. The owner would like to plat the property into two lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF STEADMAN INVESTMENTS (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2200 NORTH HICKORY STREET, BEING 0.296 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NUMBER 763 AND BEING

REPLAT – SHANNON HEIGHTS ADDN.
BLOCK 3, LOTS 12R-1 & 12R-2

ALL OF LOT 12R IN BLOCK 3 OF THE REPLAT OF SHANNON HEIGHTS ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF SHANNON HEIGHTS ADDITION BLOCK 3, LOTS 12R-1 & 12R-2.

2200 N.HICKORY ST.
(STEADMAN
INVESTMENTS)

The property is located at 2200 North Hickory Street, the northwest corner of Dupree and North Hickory Streets and is zoned R-1 (One-Family Residential) District. The owner would like to plat the property into two lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF CINDY GRIFFIN (OWNER), ANDY GRIFFIN (DEVELOPER) AND COX LAND SURVEYING CO. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK FARMINGTON ROAD, BEING 2.288 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NUMBER 765, IN SHERMAN'S EXTRA TERRITORIAL JURISDICTION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF BEXLEY ADDITION, LOT 1, BLOCK 1.

FINAL PLAT -
BEXLEY ADDN., LOT
1, BLOCK 1
700 BLK.
FARMINGTON RD.
(CINDY GRIFFIN)

The property is located in the 700 Block Farmington Road between Flanary and Old Dorchester Roads in Sherman's Extra Territorial Jurisdiction. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF WALMART REAL ESTATE BUSINESS TRUST (OWNER), CRYSTAL WALKER, BENCHMARK GROUP (REPRESENTATIVE), KIMLEY-HORN AND ASSOCIATES (ENGINEER) AND FRED D. OSTROSKY (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 401 EAST HIGHWAY 82, BEING LOT 1B, BLOCK 1 OF WALMART ADDITION SECTION 1, REPLAT 1A AND 1B, BLOCK 1, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL OF WAL-MART CANOPY ADDITION.

SITE PLAN – WAL-
MART CANOPY
401 E. HWY. 82
(WALMART REAL
ESTATE BUSINESS
TRUST)

The property is located at 401 East Highway 82, the northwest corner of Highway 82 and Highway 75 and is zoned C-2 (General Commercial) District/O-1 (75 & 82) Overlay District. The owner would like Site Plan approval for a canopy on the west side of the existing Wal-Mart store

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 SHERMAN HICKORY HILL, LLC (OWNER), DOBIE DEVELOPMENT GROUP (DEVELOPER), SEVAN MULTI-SITE SOLUTIONS AND SPIARS ENGINEERING, INC. (ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3400-4000 BLOCKS WEST LAMBERTH ROAD, BEING 24.680 ACRES IN THE W. THOMPSON SURVEY, ABSTRACT NUMBER 1209, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF HICKORY HILL MULTI FAMILY, LOT 1, BLOCK A.

The property is located in the 3400-4000 Blocks West Lamberth Road, between Salvage Drive and Carriage Estates Road and is zoned PD (Planned Development). The owner would like to plat the property into one lot for a multi-family development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF LOPRESTI FAMILY LIVING REVOCABLE TRUST (OWNER), ANTHONY LOPRESTI (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYING) CONCERNING THE PROPERTY LOCATED AT 304 SOUTH LOVING AVENUE, BEING 0.347 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF LOPRESTI ADDITION.

The property is located at 304 South Loving Avenue between East Lamar and East Cherry Streets and is zoned R-1 (One Family Residential) District. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF AMERISTATE BANK (OWNER), RON WESTERVELT (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYING) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK EAST LAMBERTH ROAD, BEING 3.209 ACRES IN THE J.B.

PRELIMINARY PLAT
– HICKORY HILL
MULTI FAMILY, LOT
1, BLK. A
3400-4000 BLKS. W.
LAMBERTH RD.
(SHERMAN HICKORY
HILL, LLC)

FINAL PLAT –
LOPRESTI ADDN.
304 S. LOVING AVE.
(LOPRESTI FAMILY
LIVING REVOCABLE
TRUST)

REPLAT –
AMERISTATE
CENTRAL PLAZA,
PHASE 2
700 BLK. E.
LAMBERTH RD.

MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING PART OF LOT 4, BLOCK 1 OF DR. J.H. CARRAWAY'S SUB-DIVISION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF AMERISTATE CENTRAL PLAZA, PHASE 2.

(AMERISTATE BANK)

The property is located in the 700 Block East Lamberth Road, the southwest corner of East Lamberth and North Loy Lake Roads and is zoned C-1 (Retail Business) District. The owner would like to plat the property into three 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.

REPLAT AND SITE PLAN – CONSENT AGENDA ITEM
THE REQUEST OF CADENCE BANK (OWNER), STEPHENS DANIEL (REPRESENTATIVE), DANIEL DESIGN STUDIO (ARCHITECT) AND HELVEY-WAGNER INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 600 NORTH TRAVIS STREET, BEING 0.985 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND ALSO BEING PART OF BLOCK 6, GEORGE W. BOND'S 1ST SUPPLEMENT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT OF A PART OF BLOCK 6, GEORGE W. BOND'S 1ST SUPPLEMENT.
SITE PLAN APPROVAL OF BANCORPSOUTH SHERMAN BRANCH BANK.

REPLAT - GEORGE W. BOND'S 1ST SUPPLEMENT SITE PLAN – BANCORPSOUTH 600 N. TRAVIS ST. (CADENCE BANK)

The property is located at 600 North Travis Street between West Brockett and West Washington Streets and is zoned C-1 (Retail Business) District. The owner would like to plat the property into one lot for commercial development. They are also requesting Site Plan approval for BancorpSouth Sherman Branch Bank. 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 WYLDEWOOD HOMES (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2100 EAST LAMAR STREET, BEING 12.995 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NUMBER 963, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF SWEETWATER GAP.

FINAL PLAT – SWEETWATER GAP 2100 E. LAMAR ST. (WYLDEWOOD HOMES)

The property is located at 2100 East Lamar Street, the intersection of East Lamar and South Colbert Streets and is zoned R-2 (Multi-Family Residential) District. The owner would like Final Plat approval for the Sweetwater Gap. 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

THE REQUEST OF CHARLIE NICHOLAS, SHERMAN NEC TEXOMA & 82 LP (OWNER), NE DEVELOPMENT (DEVELOPER) AND SPIARS ENGINEERING, INC. (ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3209 TEXOMA PARKWAY, BEING 31.317 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NUMBER 504 AND IN THE SAM M MCGLOTHLIN SURVEY, ABSTRACT NO. 811, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF SHERDEN MALL LOT 1, BLOCK B.

FINAL PLAT –
SHERDEN MALL LT.
1, BLK. B
3209 TEXOMA PKWY.
(CHARLIE
NICHOLAS,
SHERMAN NEC
TEXOMA & 82 LP)

(TABLED)

The property is located at 3209 Texoma Parkway between Gallagher Drive and Highway 82 and is zoned R-2 (Multi Family Residential) District. The owner would like to plat the property into one lot for a multi-family development.

An email was received from Karis Smith, Spiars Engineering and Surveying, on September 12, 2022, at 9:45 A.M. requesting to table this item.

ACTION TAKEN.

Motion by Commission Member Davis to table the Final Plat approval of Sherden Mall Lot 1, Block B at 3209 Texoma Parkway. Second by Commission Member Sims.

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

VOTING NAY: NONE.

MOTION CARRIED.

THIS ITEM WAS TABLED.

FINAL PLAT

THE REQUEST OF LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD. (OWNER) AND KIMLEY-HORN AND ASSOCIATES, INC. (SURVEYOR/ENGINEER) CONCERNING THE PROPERTY LOCATED IN THE 200-600 BLOCKS LUELLA ROAD, BEING 47.694 ACRES IN THE SHARROD DUNMAN SURVEY, ABSTRACT NUMBER 329, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF LUELLA CROSSING PHASE 1.

FINAL PLAT –
LUELLA CROSSING
PHASE 1
200-600 BLKS.
LUELLA RD.
(LENNAR HOMES OF
TEXAS LAND AND
CONSTRUCTION,
LTD.)

Michael Carlisle, Kimley-Horn Associates, 260 E. Davis,
#100, McKinney, TX

Mr. Carlisle appeared to represent the request and answer any questions. The property is located in the 200-600 Blocks

Luella Road, south of FM 1417 (Heritage Parkway) and west of Luella Road and is zoned R-1 (One-Family Residential) District.

Mr. Carlisle explained, "We would like to plat the property into 229 lots for residential development. We had missed the deadline for submitting the updated Final Plat."

Chairman Mahone stated, "My packet states that Staff recommends denial."

Mr. Lee replied, "Engineering staff has reviewed the latest Final Plat submitted and it has sufficiently addressed the Preliminary Plat comments. The applicant had missed our deadlines for submittal. We see no reason to recommend denial for the Final Plat that was recently submitted."

Commission Member Manley asked, "This recommendation was not based on a technical issue, but a timing issue?"

Mr. Lee agreed, "We had not received a revised Final Plat and they had not addressed the Preliminary Plat Staff Review comments."

Mr. Rae clarified, "In our ordinance, it states that any modifications made to the application needs to be received no later than 14 days before the Planning and Zoning meeting. It was received after that time. That 14 days give Staff enough time to review and provide recommendations."

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

Mr. Carlisle 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 Final Plat.

ACTION TAKEN.

Motion by Commission Member Manley to approve the Final Plat approval of Luella Crossing Phase 1 in the 200-600 Blocks Luella Road subject to the Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, SIMS, 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

THE REQUEST OF JEFF WILSON (OWNER), HAL HINTON (TENANT/REPRESENTATIVE) AND HELVEY-WAGNER

**SUP & SITE PLAN –
CIGAR LOUNGE**

SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 222 AND 224 WEST HOUSTON STREET, BEING PART OF LOT 10, BLOCK 4, OTP SHERMAN AND ALSO BEING PART OF LOT 7, BLOCK X ALLEN S B ADDITION, AS FOLLOWS:

222 AND 224 W.
HOUSTON ST.
(JEFF WILSON)

PLANNING AND ZONING COMMISSION
AMENDMENT TO THE SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A CIGAR LOUNGE IN A C-1 (RETAIL BUSINESS) DISTRICT.

Hal Hinton, 222 W. Houston St., Sherman, TX

Mr. Hinton appeared to represent the request and answer any questions The property is located at 222 and 224 West Houston Street between South Elm and South Crockett Streets and is zoned C-1 (Retail Business) District.

Mr. Hinton explained, "I am requesting approval to extend my Cigar Lounge to 224 West Houston Street as well as the existing location at 222 West Houston Street."

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

Mr. Hinton 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 Specific Use Permit or Site Plan.

ACTION TAKEN.

Motion by Commission Member Whitaker to approve the Amendment to the Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Cigar Lounge in a C-1 (Retail Business) District at 222 and 224 West Houston Street subject to the Staff Review letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DAVIS, SIMS, 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

THE REQUEST OF DOUBLE TREE PROPERTIES LP (OWNER), KEVIN TALBERT (TENANT/REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2700 TEXOMA PARKWAY, SUITE B, BEING 0.982 IN THE RUEBEN HENDRIX SURVEY, ABSTRACT NO. 504, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SUP & SITE PLAN –
VAPE SHOP
2700 TEXOMA
PKWY., # B
(DOUBLE TREE
PROPERTIES LP)

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A VAPE AND NOVELTY SHOP IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

Kevin Talbert, 1904 Deborah Dr., Sherman, TX

Mr. Talbert appeared to represent the request and answer any questions. The property is located at 2700 Texoma Parkway, Suite B, the northwest intersection of Highway 82 and Texoma Parkway. The owner is requesting a Specific Use Permit to allow Area 42: Vapors and Oddities in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

Mr. Talbert explained, "I am requesting a Specific Use Permit to allow Area 42: Vapors and Oddities in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

The goal of Area 42 is to bring reliable, quality and flavorful tobacco alternatives to the residents of Sherman, Texas. They also intend to provide a market that has been largely unserved, pop culture collectibles, high end action figures, t-shirts, games and novelty items. It is stuff you used to could find at Hastings. Because their products are for adults only, they will maintain a policy of 18 years old and up on site to keep children safe and peace of mind for their patrons.

We currently own Texoma Vapors and have been serving the community for the last decade.

Chairman Mahone asked, "Are the novelty items general retail? Sometimes there is a negative connotation with the term novelty."

Mr. Rae stated, "We want to ensure that these are not novelties of the sexual orientation."

Mr. Talbert replied, "no, no, no."

Commission Member Davis asked, "What is the need for 18 years old or older?"

Mr. Talbert replied, "We sell e-cigarette and vape products. We want to ensure we are selling those to the right people and not to children."

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

Mr. Talbert 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 Davis to approve Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Vape Shop in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 2700 Texoma Parkway, Suite B subject to the Staff Review letter. Second by Commission Member Sims.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

SPECIFIC USE PERMIT, SITE PLAN AND ZONE CHANGE
THE REQUEST OF CRAIG CALHOUN, SWEET COW HOLDINGS (PROSPECTIVE BUYER), TODD YOUNG, YOUNG ENTERPRISES LP (OWNER), JBI PARTNERS (ENGINEER), HHS RESIDENTIAL (DEVELOPER) AND HELVEY-WAGNER SURVEYING (SURVEYOR), CONCERNING THE PROPERTY LOCATED IN THE 500-600 BLOCKS KREAGER ROAD, BEING 20.11 ACRES IN THE FRANK RICHARDS SURVEY, ABSTRACT NO. 1044, 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 MULTI-FAMILY DEVELOPMENT IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

ZONE CHANGE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN RA (SINGLE FAMILY AGRICULTURAL) DISTRICT TO AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

Mayson Meier, HHS Residential, Highland Homes, 5601 Democracy, Plano, TX and Jerry Sylo, 2121 Midway Rd., Carrollton, TX

Mr. Meier and Mr. Syloh appeared to represent the request and answer any questions. The property is located in the 500-600 Blocks Kreager Road between Plainview Road and Highway 131 in Sherman's Extra Territorial Jurisdiction (ETJ).

Mr. Meier explained, "HHS Residential is a single-family, rental focused division of Highland Homes. Our focus is build-to-rent communities managed by one owner."

Mr. Sylo explained, "Upon Annexation into the City of Sherman, we are requesting a Specific Use Permit and Site Plan approval to allow the Horizon at Sherman, a multi-family development in an R-1 (One-Family Residential)

SUP & SITE PLAN –
MULTIFAMILY IN R-1
ZONE CHANGE – RA
TO R-1
500-600 BLKS.
KREAGER RD.
(CRAIG CALHOUN,
SWEET COW
HOLDINGS)

District and a Zone Change from an R-A (Single Family Agricultural) District to an R-1 (One-Family Residential) District.

This will be built on 19.6 acres and will consist of 156 homes. All the homes will be on one lot. That will be 8 homes per acre. This is very low density compared to other multi-family developments. We have one spine street connecting Kreager Road to Travis Street. All the roads in the development are private and will be built to fire lane standards. We will have parallel parking on one side of the street only. On both sides of the street, there will be a 5' sidewalk. There will be a 28' landscape buffer along Travis Street. There will be 567 parking spaces. 532 are in the auto court and 35 are on the spine street.

Horizon at Sherman will be a neighborhood of single-family homes developed in an auto court concept. Typically, each auto court contains 9 individual, detached homes built around a cul-de-sac. The homes wrap around a common auto court which provides direct access to the attached, 2-car garage of each home. In those instances where the auto court design cannot be utilized, the homes will front the adjacent private street. Each home will have two different elevations to create variety in a neighborhood. Highland Homes will build all the homes.

The homes will not be greater than two stories in height and will either have two, three, or four bedrooms, which is plan dependent. The homes will range in size from 1,137 square feet to 1,917 square feet. The average size home in Horizon at Sherman will be 1,529 square feet. There will be two plans for each style of home so that there is variety in the neighborhood. Each of the homes will have a fenced yard. The homes at the back of the cul-de-sac are two-bedroom homes and have a one-car garage and a one-car driveway.

What sets Horizon at Sherman apart from a typical single-family neighborhood is that the homes will be individually leased, rental homes. They will all be owned and maintained by the same entity which will also own and maintain the property. We will hire a third-party management company. Highland does have ownership in the properties. This provides for a consistent appearance and upkeep throughout the neighborhood. These homes will not be sold individually."

Chairman Mahone asked, "Does the Staff Review Letter require annexation?"

Mr. Rae replied, "yes."

Chairman Mahone stated, "The Specific Use Permit is required because this is all on one lot."

Mr. Rae replied, "There are two options that the applicant can go. They can rezone it to R-2 (Multi-Family Residential) District and, if approved by the Planning and Zoning Commission and City Council, entitles the applicant to a much greater density than what they are proposing. The recommendation from Staff was to rezone it to R-1 (One-Family Residential) District and request a Specific Use Permit for the multi-family. That would lock in their Site Plan and what their proposed development."

Peter Tracy, 700 S. Valentine, Sherman, TX

Mr. Tracy said, "I am not seeing cul-de-sacs, I am seeing dead end streets. My concern is with trash pick-up and the trash truck having to pull in and back out. Is the trash pickup going to be centrally located or in front of each home."

Martha Dorman, 2600 W. Biscayne Dr., Sherman, TX

Ms. Dorman said, "I would like to know what the rent is going to be and if these are government subsidized or if there is any government financing at all."

Mr. Meier replied to Mr. Tracy, "We have a couple of trash pickup options. One is to have a bin placed at each one of the cul-de-sacs and the other is a trash compactor. It is whichever Staff prefers."

Mr. Rae stated, "The Staff Review Letter mentions they will need to coordinate with solid waste."

Mr. Sylo added, "We will do whatever the City of Sherman requires."

Mr. Meier replied to Ms. Dorman, "There are no government subsidies, just a market rate rental community. We are targeting \$1800.00 to \$2800.00."

Commission Member Davis stated, "I see these hammerhead roads with one way in and one way out with street parking being chaos."

Mr. Rae stated, "The hammerhead roads are allowed by the fire marshal."

Commission Member Manley stated, "There is not parking in the hammer roads."

Mr. Sylo stated, "Each auto court will have four to six parking spaces for visitors adjacent to that auto court. We meet the parking requirements for R-1 (One-Family Residential) District without the street parking."

Commission Member Davis asked, "Will there be one water meter?"

Mr. Lee replied, "yes, it will have a master meter."

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

Mr. Meier and Mr. Sylo 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, Site Plan or Zone Change.

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a multi-family development in an R-1 (One-Family Residential) District and the Zone Change under Ordinance No. 2280, Section 12, from an RA (Single Family Agricultural) District to an R-1 (One-Family Residential) District in the 500-600 Blocks Kreager Road subject to the Staff Review letter. Second by Commission Member Sims.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

VARIANCE, SPECIFIC USE PERMIT, SITE PLAN, ZONE CHANGE AND REPLAT

THE REQUEST OF CHRIS MARTIN (OWNER), REX HUDDLESTON (PROSPECTIVE BUYER), TATCHIO AND ASSOCIATES ARCHITECTS (ARCHITECT) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT IN THE W.F. PATTERSON SURVEY, ABSTRACT 969 AND BEING ALL OF LOTS 1R AND 2R IN THE REPLAT OF SIDNEY HEIGHTS ADDITION AND LOT 1, REPLAT OF PART OF BLOCK FOUR OF THE REPLAT OF MIDWAY MALL, AS FOLLOWS:

BOARD OF ADJUSTMENT

- A. VARIANCE UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW 20 PARKING SPACES FOR A MINI-WAREHOUSE IN LIEU OF THE REQUIRED 60 SPACES IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

- B. SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT.
- C. ZONE CHANGE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN M-1 (LIGHT MANUFACTURING) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.
- D. REPLAT APPROVAL OF MANDY'S ADDITION.

VARIANCE –
PARKING
SUP & SITE PLAN –
MINI-WAREHOUSE
ZONE CHANGE – M-1
TO C-2
REPLAT – MANDY'S
ADDN.
4312 TEXOMA PKWY.
(CHRIS MARTIN)

Rod Tatchio, 2605 Westridge Trails, Sherman, TX

Mr. Tatchio appeared to represent the request and answer any questions. The property is located at 4312 Texoma Parkway, the southwest corner of North Frisco Road and Texoma Parkway.

Mr. Tatchio explained, "The owner is requesting approval for a Specific Use Permit and Site Plan to allow a Self-Storage; a Zone Change from M-1 (Light Manufacturing) District to a C-2 (General Commercial) District; and a Variance for 20 parking spaces, everyone comes and goes with a self-storage, and they do not need 60 spaces; and Replat approval for Mandy's Addition."

Chairman Mahone asked, "What about the astericked item 13 on the Staff Review Letter: 'All Non-conforming signs must be removed or made to conform with all ordinances of the City of Sherman.'"

Mr. Rae replied, "That was additional comment we sent after we had sent the original Staff Review Letter out. We saw that there were two non-conforming signs that either need to be moved or relocated."

John Munson, PO Box 357, Denison, TX

A letter was received from Mr. Munson September 14, 2022 stating, "Approved."

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

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

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Specific Use Permit, Site Plan, Zone Change or Replat.

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Davis to approve the Variance under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow 20 parking spaces for a Mini-Warehouse in lieu of the required 60 spaces in a C-2 (General Commercial) District at 4312 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Sims.

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

VOTING NAY: NONE.

MOTION CARRIED.

ACTION TAKEN.

Planning and Zoning

Motion by Commission Member Davis to approve the Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Mini-Warehouse in a C-2 (General Commercial) District; the Zone Change under Ordinance No. 2280, Section 12, from an M-1 (Light Manufacturing) District to a C-2 (General Commercial) District; and the Replat of Mandy's at 4312 Texoma Parkway subject to the updated Staff Review letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, SIMS, 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 RYAN STOLL, OWN DECOY HOLDINGS LLC (OWNER) AND HELVEY-WAGNER SURVEYING, INC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2210 OAK CREEK DRIVE, BEING LOT 18, BLOCK 1, TURTLE CREEK SOUTH ADDITION, SECTION TWO, AS FOLLOWS:
BOARD OF ADJUSTMENT
VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 6' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 9.54' IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – SIDE
SETBACK
2210 OAK CREEK
DR.
(RYAN STOLL, OWN
DECOY HOLDINGS
LLC)

Ryan Stoll, 1312 W. Shepherd Dr., Sherman, TX

Mr. Stoll appeared to represent the request and answer any questions. The property is located at 2210 Oak Creek Drive between Monte Cristo and Alpine Drives and is zoned R-1 (One-Family Residential) District.

Mr. Stoll explained, "We are requesting approval to allow a 6' side yard setback in lieu of the required 9.54' for an oddly shaped lot. This would allow us to stay in line with the other houses."

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

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

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 6' side yard setback in lieu of the required 9.54' in an R-1 (One-Family Residential) District at 2210 Oak Creek

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

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

VOTING NAY: NONE.

MOTION CARRIED.

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

SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF DEVON LEWIS, NELTA LLC (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 521 SOUTH RUSK STREET, BEING 0.183 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, 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 MULTI-FAMILY RESIDENCE IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

SUP & SITE PLAN –
MULTI-FAMILY IN R-1
521 S. RUSK ST.
(DEVON LEWIS,
NELTA LLC)

(TABLED)

The property is located at 521 South Rusk Street between West Cherry and West King Streets and is zoned R-1 (One-Family Residential) District. The owner is requesting Specific Use Permit and Site Plan approval to allow a two-family dwelling in an R-1 (One-Family Residential) District.

An email was received from Devon Lewis on September 13, 2022, at 9:21 A.M. requesting to table this item.

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 Multi-Family residence in an R-1 (One-Family Residential) District at 521 South Rusk Street. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

THIS ITEM WAS TABLED.

SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF INTERPROPERTY HOLDINGS (OWNER) AND RYAN LUX (TENANT) CONCERNING THE PROPERTY LOCATED AT 1950 NORTH GRAND AVENUE, BEING 5.73 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

SUP & SITE PLAN –
COMMERCIAL
AMUSEMENT
CENTER
1950 N. GRAND AVE.
(INTERPROPERTY
HOLDINGS)

ALLOW A COMMERCIAL AMUSEMENT CENTER IN AN M-1 (LIGHT MANUFACTURING) DISTRICT.

Ryan Lux, 2713 Rolling Hills Dr., Sherman, TX

Mr. Lux appeared to represent the request and answer any questions. The property is located at 1950 North Grand Avenue between Texoma Parkway and North Frisco Road and is zoned M-1 (Light Manufacturing) District.

Mr. Lux explained, "I am requesting a Specific Use Permit and Site Plan approval to allow Glitch's Arcade, a Commercial Amusement Center. Glitch's Arcade will operate as a for-profit business in Sherman, Texas, engaging the community with excellence in entertainment by combining a nostalgic 1980's and 1990's atmosphere and an arcade gaming environment with great food and drinks."

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

Mr. Lux 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 under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Commercial Amusement Center in an M-1 (Light Manufacturing) District at 1950 North Grand Avenue subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

TEMPORARY USE PERMIT AND SITE PLAN

THE REQUEST OF GOW PROPERTIES, LLC (OWNER) AND GILCO CONTRACTING, INC (REPRESENTATIVE) CONCERNING THE PROPERTY IN THE 200 BLOCK SOUTH FM 1417 (HERITAGE PARKWAY), BEING 46.925 ACRES IN THE E. JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS: BOARD OF ADJUSTMENT TEMPORARY USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A CONCRETE BATCH PLANT IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/ O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT.

**TUP & SITE PLAN –
CONCRETE BATCH
PLANT
200 BLK. S. FM 1417
(HERITAGE PKWY.)
(GOW PROPERTIES,
LLC)**

Mark Leonard, 6331 Southwest Blvd., Benbrook, TX

Mr. Leonard appeared to represent the request and answer any questions. The property is located in the 200 block of South FM 1417 (Heritage Parkway) between West Houston Street and Center Street and is zoned R-1 (One-Family Residential) District/ O-1.1 (F.M. Highway 1417) Overlay District.

Mr. Leonard explained, "We are requesting a Temporary Use Permit and Site Plan approval to allow a Concrete Batch Plant to produce concrete for the Paving Improvements of the Estates at Baker Park Phase 1 project in the City of Sherman. We would like to put the temporary plant up for budgeting and scheduling reasons. These improvements include, but are not limited to, concrete street paving, concrete sidewalks, and concrete barrier free ramps. The location for the plant is Block C, Lots 20-32 for plant equipment and material stockpiles. Upon completion of the Estates at Baker Park Phase 1 project, the plant will be removed. Everything will be coming off FM 1417, nothing will be coming through any neighborhoods."

Commission Member Blagg asked, "What hours will you be operating?"

Mr. Leonard replied, "We have to follow the City of Sherman ordinances. We usually start at 7:00 A.M. and are done by 5:00 or 6:00 p.m."

Commission Member Manley, "Can you describe what goes on at a concrete batch plant? What specific activities are you doing?"

Mr. Leonard replied, "We have tandem dump trucks that back up underneath our concrete mixer. We have a loader and a batch trailer that has a computer in it that runs the whole plant. It measures everything out and dumps it into the mixer. The only thing you are running is the loader to load the rock and sand into the bins and then the dump truck takes it and dumps it into the ground in front of our machine that pours the street."

Commission Member Manley asked, "Is there any concrete recycling?"

Mr. Leonard replied, "no, it is all rock, sand and cement."

Chairman Mahone asked, "Is the batch plant going to be in the center and all the traffic coming from FM 1417 (Heritage Parkway)?"

Mr. Leonard replied, "yes. We will not bring anything through the subdivision. We will tie to the subdivision but will not be driving through it."

Commission Member Sims asked, "How long will it take you to finish this project?"

Mr. Leonard replied, "In a week to two weeks we will be done and the plant will be moved out."

Chairman Mahone stated, "Have we seen time limits on these in the past?"

Mr. Rae replied, "Our Temporary Use Permit allows anywhere between two weeks and six months. We have had a few projects that have lasted longer than six months who have requested that. The purpose of the Temporary Use Permit for the concrete batch plants is to make it so that it is not a permanent permit. That is why we have this process."

Chairman Mahone asked, "This one, without mentioning a time limit is automatically six months?"

Mr. Rae replied, "two weeks to six months."

Mr. Leonard replied, "We will not be there for six months. We will be there, at the most, two weeks."

Commission Member Manley asked, "Do we know how far from your property boundary the nearest point of the concrete batch plant boundary would be?"

Mr. Leonard replied, "Probably about 200'."

Sheldon Berger, 304 Baker Park Dr, Sherman, TX

A letter was received from Mr. Berger stating, "To whom it may concern: As a resident, I am not in favor of a concrete batch plant in our R-1 (One-Family Residential) District area. The dust and noise would be very disturbing to our neighborhood. I would appreciate your consideration and cooperation. Thank You, Sheldon Berger."

William and Diana Tyner, 310 Baker Park Dr., Sherman, TX

A letter was received from Mr. and Ms. Tyner on September 19, 2022, stating, "To Whom it may concern: We are NO way in agreement with having any kind of concrete plant on the property behind us in the 200 Block South FM 1417, being 46.925 acres in the E. Jones Survey, Abstract No 625.

My husband has asthma, congestive heart failure and other health issues. The concrete dust created would be dangerous to his health.

This project has already, and is continuing, to cause our property much damage. Due to poorly executed excavation earlier in the year, our home was flooded with a big muddy mess on 4 April 2022. The house was cleaned up and restored by Stonehollow Homes LLC, Ryan Hayes, President. BUT the fence has been left un-repaired and Ryan has never returned to address the problem although he said he would come look at it in early July.

In an effort to keep our house from flooding again, truckloads of dirt were dumped behind our property and behind the properties south of us. It has kept us from flooding but has created other issues.

1. It has created a vast amount of pressure on the lower concrete part of our fence, creating cracks in it and pushing our fence into a wall of our home. This has caused a huge crack in the wall, cracking bricks and not just mortar. It has also rendered the gates impossible to open. One gate has been shaved off to open to allow entry for yard work to be done.

2. Storm water runs off the property in a raging river down Cascade, going east, and then turns north onto Baker Park Drive. The water, depending on how hard and how long it has rained, will reach above the curbs. This runoff strands us, as we do not feel safe attempting to drive in raging muddy water. We are not the only ones affected by the storm runoff.

In summary, we are NOT in any way in agreement with anything happening on the property behind us until the current issues are addressed and corrected. It is a shame to destroy what one person has just so you can build what you want.

Kind Regards, William M Tyner Jr and Diana Tyner”

Jane Farmer, 2617 W. Biscayne Dr., Sherman, TX

A letter was received from Ms. Farmer on September 23, 2022 stating, “My husband and I oppose the placement of a concrete batch plant in the 200 block South FM 1417. This plant would be much too close to residences. The noise, dust, and pollutants from the plant would adversely affect the health and well-being of community members. We urge the Planning and Zoning Commission and Board of Adjustment to deny this request. Thank you, Jane Farmer.”

Tara Laroche, 606 Baker Park Dr., Sherman, TX

Ms. Laroche said, “I live about 155’ from the proposed concrete batch plant. We were notified two weeks ago and the map of the proposed batch plan was conveniently omitted from the letter that was mailed to the residents. It is important to note that if more residents were aware this was literally going to be in their backyard, there would be more people here. There are known health affects with concrete batch plants. Particulate matter swells in your lungs and causes serious health conditions, developmental conditions in children, asthma, bronchitis and volatile organic compounds (VOC). It can irritate the eyes and respiratory system, cause shortness of breath, headaches, fatigue, skin problems and impair the memory. Higher concentrations can damage the liver, kidney and brain. Inside a community, the pollution from a concrete batch

plant can be comparable to along a congested freeway. I have a six-year-old little boy who loves to play outside. I am also a foster parent. I am worried for my son's health and the health of the children that may be placed with me and if Child Protective Services (CPS) will even allow a child to be placed with me with this concrete batch plant within 155' from my backyard. My elderly parents live with me. This neighborhood is full of children with homes to the east, apartments to the west, Western Heights Church to the south and Masterkey Ministries to the northwest. Texas Commission on Environmental Quality (TCEQ) requires the bare minimum when they give these permits. Permits only consider what happens inside the fence. They are not considering the context of the site and the cumulative impacts of the exposure to the pollution. These are also 24-hour use permits, so while the City of Sherman may say construction can start at 7:00 A.M., that does not take into account the trucks that may be idling their diesel engines at 2:00 A.M. waiting for the plant to open, right outside my backdoor. I am urging the Planning and Zoning Commission not to approve the permit, their existing plant is on FM 1417 and Highway 75, less than five miles from the proposed site. The entry point on FM 1417 allows easy access if he gets this from off-site. He already said this is for budgeting reasons. This plant is a bad idea regardless of the time it will be there. The health and well-being of the residents should outweigh the monetary gain the developer might have."

Chris Walley, 2017 Monte Cristo Dr., Sherman, TX

Mr. Walley said, "One of the concerns with this has to do with the pre-school that is housed within Western Heights two days a week. We have lots of children, parents coming to drop off and pick up their children. The residual dust and whatever else may be in the air circulating within the building makes it difficult to keep up on the air conditioning filtering and overall condition of the building: air movement and air traveling from the outside. My concern is, even on a short-term basis, with the preschoolers and Sunday morning church services.

Jerry Marlin, 508 Baker Park Dr., Sherman, TX

Mr. Marlin said, "I am going to make it real simple, ladies and gentlemen, read the Guide To Air Quality Permit For Concrete Batch Plants from UT (University of Texas at Austin) Texas. The hazards are significant. The chemical compounds are significant. The winds are significant. If this was a windless place with all sorts of barriers, possibly, this would be safe. With Covid-19 respiratory problems throughout the community that is not addressed in any government agency, please read this to see what you are doing to the neighborhood. It is a 17-page document. Once you read this, the answer is no."

Bill Brooks, 606 Baker Park Dr., Sherman, TX

Mr. Brooks said, "I go down the service road on Highway 75 every morning to the golf course. That batch plant that is on

the highway, the amount of dust that I go by and see in the mornings, I can't imagine what it is going to be like back there. We got rain two weeks ago and hadn't had rain in a while. Based on all the excavators back there digging the sewer lines, the back splash coming off my downspouts was mud. It is the dirt, dust and the air coming off there. When they are not working on the weekend, when the wind is blowing heavily, there is dust that is going out through there. I am totally against this."

Melony Marlin, 508 Baker Park Dr., Sherman, TX

Ms. Marlin said, "I will literally be right behind the concrete batch plant. There are kids in the neighborhood. I am up every single morning, and this is supposed to be a residential development. Every morning there are trucks there. I understand business, but you mentioned two words, budgeting and temporary. Not a single concrete answer you could give to tell us how long it is going to be. You did not bring up the repercussions or consequences to us when you leave, and it could last up to six months. I am extremely against it and will speak for my neighbors who could not be here today. They will all be 100% against this as well."

Diana Tyner, 310 Baker Park Dr., Sherman, TX

Ms. Tyner said, "I had sent ya'll a letter about how much I was opposed to this and how much this development has already caused us enough heartache. The stormwater that runs off of there off Cascade Drive turns around our corner to get to the street and to the drain. We are on the corner of Cascade Drive and Baker Park Drive. I can only imagine how awful that is going to be with concrete dust and concrete, whatever they are going to put on there. That is not to mention everything else that I have put in there about how much heartache this has caused us. My husband has health issues. He has congestive heart failure, asthma and diabetes. This is not going to be healthy for him at all. We bought into this place because it was quiet. I do not mind the progress, I do not mind the houses going in, but this is not right. I am surprised and I am disappointed in this Council for even entertaining this idea."

Kay Estes, 500 Baker Park Dr., Sherman, TX

Ms. Estes said, "We don't want this in our backyard, and I don't think you would want it in your backyard. Our home is in Baker Park. I don't think Sherman wants to turn into a Midlothian, Texas or a Laredo, Texas. I am sure those are getting better, but we do not want an industrial park in our backyard, we don't want to men parked in our backyard, we do not want the children at the church exposed to all those environmental happenings there. Put it in the country where it belongs and get it out of our backyards. When I was growing up went to my mother for advice, she said, there is one thing you have to ask yourself: Is it right? It is only the blessing of God on the right things. Get it out of our backyard."

Roger Knowles, 500 Baker Park Dr., Sherman, TX

Mr. Knowles said, "We have put up with the construction that is going on there. That is a necessary thing, I know that homes need to be developed. You cannot imagine the dirt and the dust. We cannot open our windows. I have power washed my house twice in the last six month because of all the dirt and dust. Concrete dust is going to be an entirely different matter. This a mature neighborhood, most of the people there are older and have health issues and if you let that concrete dust blow around, you are going to have medical issues and litigation issues over all this. We say no."

Martha Dorman, 2600 W. Biscayne Dr., Sherman, TX

Ms. Dorman said, "Something that has not been addressed is basic hours of operation for 7:00 A.M. to 6:00 p.m. in the evening, is that Monday through Friday? You as a city will let them work on Saturday when everybody is home and outside. I did some figures. There are over 200 units in the apartments to the west, to the east there are 14 homes that are affected, plus 112 behind them. There is one church and six houses that back up to it to the north. 322 immediately who have suffered through all the dirt moving. The same people are going to take over this, and it worked, south of Baker Park, they did not bring in a concrete plant and I don't think they should be allowed to do it when they are completely surrounded by residential people."

Mr. Leonard replied, "The cement dust is controlled by bag houses that don't allow cement dust. We can also control the dust with our water trucks. I do not know what they are doing out there now, but when we move in, we can control it with the water trucks. We spray water on the ground we drive on and that will control the dust."

Commission Member Davis commented, "It sounds like they think the concrete batch plant is going to be around a really long time."

Mr. Leonard replied, "It will take us a week and a half to pour the job and then the concrete batch plant is gone."

Commission Member Sims asked, "Are you going to work Saturdays?"

Mr. Leonard replied, "No, we are not planning on it."

Chairman Mahone asked, "Can we put conditions on the Temporary Use Permit?"

Aliceson Cotton replied, "That is one I will need to take a look into for this particular project."

Chairman Mahone stated, "As it stands, city ordinance states 7:00 A.M. to 5:00 p.m."

Mr. Rae agreed, “yes, for ordinance for noise and building is 7:00 A.M. to 8:00 p.m., Monday through Friday, 8:00 A.M. to 5:00 p.m. on Saturday and 1:00 p.m. to 5:00 p.m. on Sunday.”

Commission Member Sims commented, “The more days they work, the shorter length of time they will be there.”

Chairman Mahone asked, “How many home sites will this be servicing?”

Commission Member Blagg replied, “79 lots, this is phase one of two phases.”

Mr. Leonard stated, “This is for the roads for the subdivision.”

Chairman Mahone asked, “After the roads are poured, the concrete plant goes away. What do you do for foundations, do you bring in trucks?”

Mr. Leonard replied, “The developers will probably do Redit-Mix trucks.”

Commission Member Manley asked Chairman Mahone, “When you asked about conditions on the Temporary Use Permit (TUP), were you asking about length of time? I didn’t think we had any issues when specifying a length of time on a TUP.”

Mr. Rae stated, “I believe it is in our Staff Review Letter that once the public infrastructure is complete and they have finished their pour, they have to remove the batch plant.”

Commission Member Manley asked, “If we didn’t approve this what would you do?”

Mr. Leonard replied, “We would have to go back to the owner and renegotiate everything on the concrete.”

Chairman Mahone asked, “What do you mean renegotiate, would you bring in the trucks of concrete?”

Mr. Leonard replied, “There would be a bunch of Redit-mix trucks coming in and out. This would take a lot longer. These trucks are very hard to schedule. Once we get in there, if you give use two weeks, we can get it out.”

Chairman Mahone replied, “I don’t think we have the ability to make it less than six months.”

Mr. Rae replied, “The language we have for Temporary Use Permits is they can range from two weeks to six months.”

Chairman Mahone commented, "The Staff Review Letter states once the streets are complete, it has to be taken down."

Mr. Rae agreed, "That is correct."

Chairman Mahone asked, "Who decides when the streets are completed? Does Staff go and inspect?"

Mr. Lee replied, "engineering."

Commission Member Blagg asked, "Ms. Laroche had said she did not get a map with their notices, is the yellow-shaded area, since that is not part of the public notice, but it is part of the packet, is that able to be changed?"

Mr. Leonard stated, "If you want, we can move the plant over to phase two."

Commission Member Blagg added, "as far away from the homes as possible."

Mr. Leonard replied, "We can do that."

Commission Member Blagg asked, "How would that affect the public notice?"

Mr. Rae stated, "The only thing that we are required by law is to give notice that there is an application that there is a hearing. There is not a requirement to send out the site plan."

Commission Member Sims stated, "Every attachment or map on this agenda is available to all of Sherman on our website the Thursday before the meeting."

Mr. Rae replied, "That's correct."

Commission Member Manley stated, "Could you put it right in the middle of that north area, 1,000'?"

Mr. Leonard replied, "We could do that."

Commission Member Blagg asked, "What are the rules to move the yellow area on the site plan because it was advertised on the website?"

Aliceson Cotton replied, "The notification that was sent was related to property owners within a certain distance, is that the question you are asking?"

Commission Member Blagg asked, "How can we move the yellow area tonight?"

Mr. Rae stated, "We did a notification of the entire area."

Mr. Rae asked Ms. Turner, “Was the notification of the 200’ of the entire phase one and two or just phase one.”

Ms. Turner replied, “I would have been the entire area on the Location Map and that includes phase two.”

Mr. Rae added, “It would be a 200’ buffer of that property.”

Chairman Mahone asked, “Can we use another location for the batch plant, where the pointer is on the aerial view?”

Mr. Rae replied, “I do not see a problem with that,”

Mr. Leonard replied, “I can make that work.”

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

Mr. Leonard 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 Davis to approve the Temporary Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (4) to allow a Concrete Batch Plant in an R-1 (One-Family Residential) District/ O-1.1 (F.M. Highway 1417) Overlay District in the 200 Block South FM 1417 (Heritage Parkway) subject to the location he has changed to and the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

TEMPORARY USE PERMIT AND SITE PLAN

THE REQUEST OF RCICD HERITAGE RANCH LLC (OWNERS) AND GLENN MIDKIFF (REPRESENTATIVE) CONCERNING THE PROPERTY 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:

BOARD OF ADJUSTMENT

TEMPORARY USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A CONCRETE BATCH PLANT IN A PD (PLANNED DEVELOPMENT) DISTRICT/ O-1.1 (F.M.

TUP & SITE PLAN –
CONCRETE BATCH
PLANT
3500-4500 BLKS. N.
FM 1417 (HERITAGE
PKWY.) AND 600-
1900 BLKS. W. HWY.
82
(RCICD HERITAGE
RANCH LLC)

**HIGHWAY 1417) OVERLAY DISTRICT/ O-1 (75 & 82)
OVERLAY DISTRICT.**

Glenn Midkiff, 6716 FM 455, Pilot Point, TX

Mr. Midkiff 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 Highway 82; the north side of Highway 82 between Travis Street and FM 1417 (Heritage Parkway) and the east side of FM 1417 (Heritage Parkway).

Mr. Midkiff explained, "We are requesting a Temporary Use Permit and Site Plan approval to allow a Concrete Batch Plant. The batch plant will produce concrete for paving new residential roads for the subdivision called Heritage Ranch Ph 1. We will use bag houses that are filters for any dust. It is a really clean operation."

Chairman Mahone asked, "How long do you think you will have it up?"

Mr. Midkiff replied, "If everything goes well with weather, we have scheduled ten working days."

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

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

No other citizens appeared before the Planning and Zoning Commission to discuss the Temporary Use Permit or Site Plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Temporary Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (4) to allow a Concrete Batch Plant in a PD (Planned Development) District/ O-1.1 (F.M. Highway 1417) Overlay District/ O-1 (75 & 82) Overlay District in the 3500-4500 Blocks North FM 1417 (Heritage Parkway) and 600-1900 Blocks West U.S. Highway 82 subject to the Staff Review letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

VARIANCES

THE REQUEST OF SAAD HASSAN (OWNER), QUIKVERSE (TENANT), GLOBAL SIGNS (SIGN CONTRACTOR) AND

**VARIANCES –
ADDITIONAL 91'**

HELVEY-WAGNER SURVEYING, INC (SURVEYOR)
CONCERNING THE PROPERTY AT 6121 NORTH HIGHWAY
75, BEING LOT 2R, BLOCK A, DR SWAMY ADDITION,
REPLAT LOTS 2 & 3, BLOCK A, AS FOLLOWS:

SIGN ON PROPERTY
LINE
6121 N. HWY. 75
(SAAD HUSSAN)

BOARD OF ADJUSTMENT

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.13.4,
SUBSECTION (11) AND SECTION 7, SUBSECTION (14)(I)(1)
TO ALLOW AN ADDITIONAL 91 SQUARE FOOT, 10' TALL
MONUMENT SIGN ON THE PROPERTY LINE ALONG FM 691
IN LIEU OF ONE FREESTANDING SIGN PER
DEVELOPMENT LOT AND THE ALLOWED 65 SQUARE
FOOT, 12' TALL AND 25' SETBACK IN A C-2 (GENERAL
COMMERCIAL) DISTRICT./O-1 (75 & 82) OVERLAY
DISTRICT/O-1.3 (FM HIGHWAY 691) OVERLAY DISTRICT.

Robert Minshew, 206 W. Belden St., Sherman, TX; Saad
Hassan, 201 S. Dewey Ave., Sherman, TX; Kristian Baker,
Global Signs, 5105 E California Pkwy, Ft. Worth, TX; and
Sergio Lopez, 1329 Bennett Rd., Howe, TX

Mr. Minshew, Mr. Hassan, Mr. Baker and Mr. Lopez appeared
to represent the request and answer any questions. The
property is located at 6121 North U.S. Highway 75, the
southeast corner of FM 691 and Highway 75. The property
is zoned C-2 (General Commercial) District/O-1 (75 & 82)
Overlay District/O-1.3 (FM Highway 691) Overlay District.

Mr. Hassan explained, "I would like approval for an
additional 91 square foot, 10' tall monument sign on the
property line along FM 691. The monument presented is the
smallest the sign can be per the signage placement. As it
stands, the visible signage area is 91 square feet. The most
prominent letter is the logo, 15", while the rest of the letters
are only 6.5". The gas price numbers are at 10".

Mr. Minshew explained, "Saad Hassan has set up Quikverse
as an entrepreneur to get into the business to compete with
QuikTrip (QT) and the big boys. Where he is, if you are
driving to Denison, on the left is QT, they have been there a
little over a year. On the right you will see a shell building
that looks like a Buccee's is going in the way it is curved.
There is a carwash. He has big ideas to compete in a very
competitive market against QT. To do that he needs to have
a level playing field to compete at all. I will tell you, Mr.
Hassan's lot where he is building is 80' off of the right-of-
way for FM 691. On the other side, QT is 50' off the right-of-
way and they have a big advantage there.

A monument sign is what all service stations put out to have
their price per gallon on it. It is how they tell what they are
selling and how much they are charging for it. What Mr.
Hassan has asked for are two exceptions, one that he came
before this Commission on was a 104' monument sign and
it got turned down. The ordinance says your monument sign
can only be 65 square feet in surface area. The one that QT's
got next door is like 150 square feet, it is huge. All our client
wants is 91 square feet. It is greater than the 65 square feet,

but you have to have 91 square feet to make it show up at all. That is one exception, he wants to go a little bigger than the 65 square feet that the ordinance calls for, but it is way less than the one QT has got.

He is 80' off the right-of-way, so when you go to his north line to go as close to the right-of-way as he can, he is still going to be 80' off the right-of-way of Highway 691. He has got to compete with QT who is 50' off the right-of-way where they are. The point is that he wants to set it on the north line. If he has to set it 25' back like the ordinance calls for, his property is not usable because his property is 80' off the right-of-way and if you put it back another 25', the trucks coming in to service the tanks have no way of getting to the tanks because the sign is right in the way of the trucks coming in to come to fill the tanks. The point is that you have the authority as the Board of Adjustment to vary the ordinance.

There are three standards that we have to meet to vary an ordinance. One, is the variance contrary to the public interest. What is a public interest? Well, if QT has one across the road that is 150', the public interest didn't seem to care how big theirs was and ours is only 91 square feet, so we are a whole lot less. We shouldn't be challenging the public interest because the standard has already been set that they can have a big one. We would like to have one bigger than the ordinance.

The second condition that the special conditions and literal enforcement of the ordinance would work an unnecessary hardship. When you compete with a 1,000-pound gorilla like QT, you do not need any hardship or setback behind their sign. You need to be as close as you can get. QT has 900 stations; this is Mr. Hassan's first one. He is a local resident; he is trying to make it go and it looks great. He has got the little shell out there and it looks like a little Buccee's.

If you look at the spirit of the ordinance and that substantial justice is done, those are the standards you use when you vary an ordinance. You have got to make sure your doing substantial justice. Justice means that everyone is treated equally, well QT has got 150 square feet and all we are asking for is 91 square feet. They are on the north line, we want to be on the north line. We are still 30' back from where they are. We have two variations we have asked for and we are willing to go to work and compete with the big boys. I am here for questions."

Commission Member Davis asked, "I didn't hear you mention much about the other sign that he has."

Mr. Minshew, "He has a pole sign, they all have pole signs. We are only talking about the monument sign where they put the prices of the gasoline."

Commission Member Davis asked, "When he was turned down in December, what has changed from that time to now that would make this any different?"

Mr. Minshew replied, "The difference is when they came in for a monument sign, it was 104 square feet. They have reduced it down to 91 square feet."

Mr. Rae replied, "I do not believe that is correct based on the submittal that we received."

Mr. Minshew said, "It was 104 square feet and now it is 91 square feet."

Mr. Rae replied, "What was submitted is exactly the same, I can show you."

Mr. Minshew replied, "Okay, we did not ask for 104 square feet this time, we asked for 91 square feet."

Mr. Rae showed Mr. Minshew what was submitted for this application and what was submitted in December 2021 and said, "I had to go back to the original submittal. This is kind of flipped, but this submittal has the exact same dimensions as the previous one."

Mr. Minshew replied, "I stand corrected because I was told it was 104 square feet last time and 91 square feet this time."

Chairman Mahone stated, "The overall dimension is 18' wide by 10' tall on the new submittal. That is exactly the same as the old one. Someone, on the new submission changed the square footage number but didn't actually change the sign. What is it actually supposed to be?"

Commission Member Sims asked, "Do we know how big the QT sign is?"

Mr. Rae replied, "They were approved for a 154 square foot sign."

Mr. Baker stated, "We did move from a 104 square foot sign to a 91 square foot sign to be more encompassing of the city."

Commission Member Sims asked, "Are you talking about what is lit up and not the actual dimensions?"

Mr. Baker replied, "I believe so."

Commission Member Sims said, "That is where the change is coming from."

Chairman Mahone asked Mr. Rae, "How does the City of Sherman measure these signs?"

Mr. Rae replied, "The dimensions of the black area on the monument sign is what we would measure which is 8' by 14'."

Chairman Mahone asked, "So the City of Sherman is not measuring the actual total dimension of the structure?"

Mr. Rae replied, "That's correct, although the measurement of the structure is the same as what was proposed in December 2021."

Mr. Baker stated, "If I may, the black area around there is more a platting around the actual sign, the box itself stops with the blue and white on the other side. That is where the initial figure was changed. They had initially calculated the sign from the black edge that is more decorative than the actual sign box."

Commission Member Blagg asked, "So you are 7' by 13'?"

Mr. Baker replied, "yes sir."

Chairman Mahone asked, "When we are looking at the QT sign, were we measuring the same way?"

Mr. Rae replied, "I am not aware how that was measured, that was in 2017."

Mr. Baker stated, "From a sign standpoint, our biggest concern is yes, we do have the sign for the highway traffic, but for the Grayson area coming around that ridge, there is no way they can have any sort of understanding of how much the gas is going to be because it is all on the other side of the property by the service road. This would be directly to the consumer as they are coming in from the local area."

Commission Member Davis, "We have a one sign ordinance."

Mr. Rae added, "One freestanding sign per lot."

Commission Member Davis said, "It doesn't state a second sign, that is my deal. In theory he can come back every six months wanting another freestanding sign and you look up and he has eight of them."

Mr. Rae replied, "Part of the request is to add a second sign."

Commission Member Manley added, "It says additional."

Commission Member Davis stated, "If I remember right that was the issue with the previous request."

Mr. Baker replied, "It was a parking issue where we had originally placed it."

Commission Member Blagg stated, "There was also an easement."

Commission Member Davis said, "There was an easement and two signs. Is there anything different now than before?"

Chairman Mahone stated, "It sounds like you are saying the location is different."

Mr. Lopez stated, "I think there is a misunderstanding. I am the general contractor on the project. It looks like it is a familiar request. It is three-fold, we are requesting an additional sign, we are requesting a different position for the setback and we are requesting a larger size than 65 square feet."

Let's start with the location. On the location, I have worked with the engineering department, Mr. Wayne Lee, and he told me what is required for us to do our due diligence. We had line locates, dig test and had the City of Sherman come out and verify. We had to change the engineering on the sign from a pier and beam to a spread footing to allow for that sign to be placed on the property line. We are aware after review of the Staff Review Letter that if you approve, the owner has to sign an easement infringement agreement."

Mr. Lee replied, "That is correct."

Mr. Lopez continued, "That takes care of one, number two is that, I have been working with Mr. Rae and he has been very helpful. The biggest concern that we have right now and in the future is the sign itself. The sign is not the same sign that was submitted before. You may have gotten the wrong copy. It was 104 square feet, now it is down to 91 square feet."

Chairman Mahone stated, "It looks like the same size as the previous one submitted."

Mr. Baker replied, "The brick is the same."

Chairman Mahone stated, "I cannot find anything different on these drawings except for where it says what the square footage is."

Commission Member Blagg asked Mr. Rae, "Would you say it goes to the letters?"

Mr. Rae replied, "I would say by looking at what was submitted, it is the area that is indicated in black. I am not aware that there is a different material on the outside of that. It all looks the same to me as part of the sign cabinet."

Mr. Baker replied, "If you look at the side view, there is a little line of black that goes past where the actual box is. That is the area around where the sign box is. It is more of a decorative thing to bring the design elements into the monument sign itself, it isn't actually a part of what we are looking at."

Mr. Lopez added, "The other part is if you will allow me to bring this up, I hope it is okay, I believe the City of Sherman is in the process of changing the ordinance and increasing the size of those signs that are allowed there, and if so, it will increase the 65 square feet. Do you have any idea what the proposed update might be?"

Mr. Rae replied, "no, we were told by our attorneys to hold off on that."

Mr. Lopez stated, "so if it jumps, and I am making this as a point of argument, if they approve 85 square feet and we are asking for 91 square feet, that is only a 6 square feet difference."

Commission Member Davis stated, "On your last sign, you were approved for a variance on the setback, and you have a 103.7 additional square feet above what we allow already. I think that was a big part of why you didn't get approved, and I just am asking, is there anything different versus the last submission? What changed?"

Mr. Lopez replied, "What has changed is that we were rookies at this process, and when that denial happened, we knew you did not have the right information. If I would have been smart enough, I would have requested to table the item until I could get more information from Mr. Rae on the percentage that can be approved. By no fashion, way or manner are we here to try to force something to deceive you into approving something that is not proper. We are trying to work with the system. The concern I have is just what the attorney mentioned, it is a unique situation because of the corner where we are at. It is so far from the easement of the road, from the turn where if you put it even 10' back and you allow a variance on the distance, it is just not doable because you can't see it. You can hardly see it from a regular distance, much less at 65 square feet. That is the purpose of increasing the size of the sign. A lot of things were mentioned about competing. The competition is if you are trying to run a gas station and you do not have enough signage to promote all the fuels that you are providing then you are at a disadvantage. I don't know if we need to adjust something, if you can approve two items and let us table until we satisfy Mr. Rae and the Planning and Zoning Commission as to the size and exactly whatever it is that needs to be done and we can come to an agreement. I do not want to stand here and waste your time for you to say we are not going to approve any of the Variances and we

waste another two months. We have already delayed the project for over twelve months.”

Commission Member Sims said, “I have a legal question and request a closed session.”

Chairman Mahone stated, “The Planning & Zoning Commission will now hold a closed executive session pursuant to the Texas Open Meetings Act at Section 551.001 to consult with the City Attorney.”

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned for an Executive Session at 7:02 p.m.

RECONVENE

The Executive Session closed, and the meeting reconvened at 7:08 p.m.

Chairman Mahone announced, “We are now going to take a five-minute recess.”

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned for a recess at 7:08 p.m.

RECONVENE

The recess concluded and the meeting reconvened at 7:14 p.m.

Commission Member Manley asked Mr. Lee, “Can you explain the reason for the setback and what an infringement agreement is?”

Mr. Lee replied, “There is a 20’ sewer easement adjacent to their frontage along Highway 691 and if any sign is allowed in there, they have to get an encroachment agreement from the City of Sherman, that does go the City Council, it basically allows the sign to be there but if we have to go in and do any maintenance on our utilities there, we can remove the sign and not replace it.”

Commission Member Manley clarified, “It is because of a sewer line and not the proximity to Highway 691.”

Mr. Lee replied, “That sewer easement is engineering’s concern, I believe there is a setback requirement from a zoning standpoint.”

Mr. Rae responded, “25’.”

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

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

ADJOURNMENT

RECONVENE

ADJOURNMENT

RECONVENE

Mr. Hassan said, “I would like to express my feelings really quick. We are not asking for special permission, we are not even asking for fair treatment. Fair treatment would have us at 154 square feet and 10’10” tall on the property line and also have that pole sign, 20’ closer to the highway than some of our counterparts across the street, so what we are looking for, for big corporate, exceptions like these are ideal, but a company of our size, our survival is on the line with this type of item. There are a total of three Variances, just to clarify: the size, location and an additional sign. If there were any typos on that first sign, we did, in fact request a 104 square feet sign, we are now asking for a 91 square feet sign. We have moved from those 104 square feet. We have coordinated with Mr. Lee on the location from our last visit. Just wanted to say my two cents on that.”

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

ACTION TAKEN.

Motion by Commission Member Davis to deny the Variance under Ordinance No. 2280, Section 6.13.4, Subsection (11) and Section 7, Subsection (14)(i)(1) to allow an additional 91 square foot, 10’ tall monument sign on the property line along FM 691 in lieu of one freestanding sign per development lot and the allowed 65 square foot, 12’ tall and 25’ setback in a C-2 (General Commercial) District./O-1 (75 & 82) Overlay District/O-1.3 (FM Highway 691) Overlay District subject to the Staff Review letter. There was no second.

NO ACTION TAKEN.

ACTION TAKEN

Motion by Commission Member Manley to approve the Variance under Ordinance No. 2280, Section 6.13.4, Subsection (11) and Section 7, Subsection (14)(i)(1) to allow an additional 65 square foot sign on the property line along FM 691 in lieu of one freestanding sign per development lot and 25’ setback in a C-2 (General Commercial) District./O-1 (75 & 82) Overlay District/O-1.3 (FM Highway 691) Overlay District subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, SIMS, MANLEY AND WHITAKER.

VOTING NAY: DAVIS.

MOTION CARRIED.

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

VARIANCE

THE REQUEST OF MARIA ZARATE (OWNER), BRANDON MENDEZ-ZARATE (REPRESENTATIVE) AND WILLIAM DAVIS FINNEY (SURVEYOR) CONCERNING THE

**VARIANCE – FRONT
SETBACK
1009 HOLIDAY DR.
(MARIA ZARATE)**

PROPERTY AT 1009 HOLIDAY DRIVE, BEING LOT 3, BLOCK B, CASA LINDA THIRD ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENT

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 5' FRONT SETBACK FOR AN EXISTING CARPORT IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

Brandon Mendez, 1009 Holiday Dr., Sherman, TX

Mr. Mendez appeared to represent the request and answer any questions. The property is located at 1009 Holiday Drive between Linda Lane and South Dewey Avenue and is zoned R-1 (One-Family Residential) District.

Mr. Mendez explained, "We are requesting a Variance to allow an existing metal carport 5' from the front property line.

Following a recent storm, our home has undergone roof repairs, including replacing and reinforcing aluminum sheets on our longstanding carport. A few days later, on June 10th, 2022, we received a notice from the City of Sherman that our carport was built without a permit.

We purchased the home in October 2008 with the carport included. The carport in violation was built in 2006 as per graysonappraisal.org."

Keith Carlisle, 2612 W. Cascade Dr., Sherman, TX

Mr. Carlisle said, "I own the property next door. I bought that house knowing the carport was there. I have no problem with this Variance."

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

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

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 5' front setback for an existing carport in lieu of the required 25' in an R-1 (One-Family Residential) District at 1009 Holiday Drive subject to the Staff Review letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, SIMS, MANLEY AND WHITAKER.

VOTING NAY: DAVIS.

MOTION CARRIED.

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

VARIANCE

THE REQUEST OF BRAD TIDWELL (OWNER), BACA STUDIO (REPRESENTATIVE/ARCHITECT) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 2100-2200 BLOCKS NORTH TRAVIS STREET, BEING 2.809 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING A PART OF LOT 2, REPLAT OF LOT 3, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION THREE, AS FOLLOWS:

BOARD OF ADJUSTMENT

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.13.1, SUBSECTION (4)(B) TO ALLOW METAL SIDING AS INDICATED BY THE SITE PLAN IN LIEU OF THE REQUIRED MASONRY, MASONRY VENEER, OR CONCRETE SIDING IN A C-1 (RETAIL BUSINESS) DISTRICT/ O-1 (75 & 82) OVERLAY DISTRICT.

VARIANCE – METAL SIDING

2100-2200 BLKS. N. TRAVIS ST.
(BRAD TIDWELL)

David Baca, 100 N. Travis St., Sherman, TX

Mr. Baca appeared to represent the request and answer any questions. The property is located in the 2100-2200 Blocks North Travis Street between East Lamberth Road and East Taylor Street.

Mr. Baca explained, “We are requesting a Variance to allow architectural metal siding as indicated by the Site Plan. We are asking that the area between the roll-up doors be the same finish. Those are internal facing. On the two-story building, we want to put metal siding on the recessed loading zone that is about 40’ deep. This will add architectural interest to the building.”

Diane Evans, 2200 N. Travis St., Sherman, TX

Ms. Evans said, “The storage building to the north is made of brick with metal roll up doors. They followed the City of Sherman Ordinance. The one by Albertsons is brick. If all of these facilities had to follow the City of Sherman ordinance, does that mean, as of now, you are going to change the ordinance so that anyone else that comes in can do the same?”

Commission Member Davis asked, “Do you know if any of those that she mentioned requested a Variance?”

Mr. Rae replied, “not that I am aware of.”

Chairman Mahone stated, “They could request that if they wanted it.”

Ms. Evans replied, “ABC Storage requested a Variance and they had to adhere to the codes, and they are within 200’ of this requested location.

I want this to look as nice as the others in the area.”

Mr. Baca replied, “I am not sure of the percentages, but this is primarily brick.

We know there are other areas within the City of Sherman that have been granted the Variance for metal when it is done in an architectural manner.”

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

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

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Variance under Ordinance No. 2280, Section 6.13.1, Subsection (4)(b) to allow Metal Siding as indicated by the Site Plan in lieu of the required masonry, masonry veneer, or concrete siding in a C-1 (Retail Business) District/ O-1 (75 & 82) Overlay District in the 2100-2200 Blocks North Travis Street subject to the Staff Review letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

ZONE CHANGE AND SITE PLAN

THE REQUEST OF NALIN RATNAIKE (OWNER), JOSHUA HOLLEY, HOLLEY JOLLY HOMES, LLC (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 8100 SOUTH HIGHWAY 75, BEING LOT 2R, OF THE REPLAT OF LOTS 1 AND 2, DAVIDSON ADDITION CONSISTING OF 5.913 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

Dustin Tucker, 2013 S. Woodard St., Denison

Mr. Tucker appeared to represent the request and answer any questions. The property is located at 8100 South Highway 75 between East Shepherd and Ponderosa Roads.

Mr. Tucker explained, “We are requesting a Zone Change and Site Plan approval from a C-1 (Retail Business)

**ZONE CHANGE – C-1
TO R-2
SITE PLAN –
DUPLEXES
8100 S. HWY. 75
(NALIN RATNAIKE)**

District/O-1 (75 & 82) Overlay District to an R-2 (Multi-Family Residential) District/O-1 (75 & 82) Overlay District to build 5 duplexes on the property. In the future, once water and sewer are in closer proximity, they plan to expand with additional housing units. Right now, we have to use an aerobic septic system that will take up most of the area behind the duplexes.”

Kavoor Shirish, 516 Wentworth Ln., Murphy, TX

A letter was received from Kavoor Shirish stating, “I request the City of Sherman put conditions such that this zone change does not create any additional burden for neighboring non-residential development in the future. Residents must acknowledge prior to move-in that they are aware and agree not to raise objections in the future to commercial/industrial developments.”

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

Mr. Tucker 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.

ACTION TAKEN.

Motion by Commission Member Manley to approve the Zone Change and Site Plan under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District to an R-2 (Multi-Family Residential) District/O-1 (75 & 82) Overlay District at 8100 South Highway 75 subject to the Staff Review letter. Second by Commission Member Blagg.

VOTING AYE: MAHONE, DAVIS, SIMS, 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

THE REQUEST OF MAURICE SOWELL AND RYAN CHAVEZ (OWNER), MICHAEL SMITH (TENANT) AND HELVEY-WAGNER SURVEYING, INC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 120 SOUTH CROCKETT STREET, BEING 3,801 SQUARE FEET AND BEING PART OF LOTS 5 AND 6, BLOCK 4 OF THE ORIGINAL TOWN PLAT, 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 CIGAR AND WHISKEY LOUNGE IN A C-1 (RETAIL BUSINESS) DISTRICT.

**SUP & SITE PLAN –
CIGAR & WHISKEY
LOUNGE
120 S. CROCKETT
ST.
(MAURICE SOWELL
AND RYAN CHAVEZ)**

Michael Smith, 1018 FM 902, Howe, TX

Mr. Smith appeared to represent the request and answer any questions. The property is located at 120 South Crockett Street between West Lamar and West Houston Streets and is zoned C-1 (Retail Business) District.

Mr. Smith explained, "I am requesting Specific Use Permit and Site Plan approval to allow an upscale Cigar and Whiskey Lounge for relaxation and casual networking. There will be a humidor, that will be the only room that is closed off."

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

Mr. 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 Zone Change or Site Plan.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Cigar and Whiskey Lounge in a C-1 (Retail Business) District at 120 South Crockett Street subject to the Staff Review letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

VARIANCES

THE REQUEST OF WYLDEWOOD HOMES, LLC (OWNER), NOLAN PIKE (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTIES AT 2800 AND 2803 ORCHID DRIVE; 2903 AND 2911 TULIP DRIVE; AND 2802, 2810 AND 2912 CLOVER DRIVE OF THE GROVE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENT

VARIANCES UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) ALLOW A 20' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT FOR THE FOLLOWING LOTS:

LOT 1, BLOCK E

LOT 5, BLOCK D

LOT 7, BLOCK D

LOT 18, BLOCK E

LOT 16, BLOCK E

VARIANCES – REAR SETBACKS

2800 & 2803 ORCHID DR.; 2903 & 2911

TULIP DR.; & 2802,

2810 & 2912 CLOVER DR.

(WYLDEWOOD HOMES, LLC)

LOT 10, BLOCK E
VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3,
SUBSECTION (1) TO ALLOW A 16' REAR YARD SETBACK
IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE-FAMILY
RESIDENTIAL) DISTRICT FOR THE FOLLOWING LOT:
LOT 18, BLOCK D

Bryan Blagg, 505 S. Glacier Dr., Sherman, TX

Mr. Blagg appeared to represent the request and answer any questions. The properties are located at 2800 and 2803 Orchid Drive; 2903 and 2911 Tulip Drive; and 2802, 2810 and 2912 Clover Drive of The Grove Addition and are zoned R-1 (One Family Residential) District.

Mr. Blagg explained, "We are requesting a 20' rear yard setback approval for rear yard setbacks on the following lots:

Lot 1, Block E
Lot 5, Block D
Lot 7, Block D
Lot 18, Block E
Lot 16, Block E
Lot 10, Block E
Lot 18, Block D.

These are shallow lots. We have two styles of homes that we have tried to adjust to fit the 25' rear setback and we just can't get them to work."

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

Mr. Blagg 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 Variances.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Variances under Ordinance No. 2280, Section 6.3, Subsection (1) allow a 20' rear yard setback in lieu of the required 25' in an R-1 (One-Family Residential) District for the following lots:

Lot 1, Block E
Lot 5, Block D
Lot 7, Block D
Lot 18, Block E
Lot 16, Block E
Lot 10, Block E
Lot 18, Block D

at 2800 and 2803 Orchid Drive; 2903 and 2911 Tulip Drive; and 2802, 2810 and 2912 Clover Drive of The Grove Addition subject to the Staff Review letter. Second by Commission Member Sims.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

OTHER BUSINESS

APPROVE THE 2023 PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT CALENDAR.

No other citizens appeared before the Planning and Zoning Commission to discuss the 2023 Planning and Zoning Commission and Board of Adjustment Calendar.

ACTION TAKEN.

Motion by Commission Member Sims to approve the 2023 Planning and Zoning Commission and Board of Adjustment Calendar. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

REVIEW DRAFT 2022 SHERMAN COMPREHENSIVE PLAN AND CONSIDER RECOMMENDATION TO CITY COUNCIL

Commission Member Manley, Commission Member Sims, Theresa Hutchinson and Mr. Rae represented this item.

Chairman Mahone stated, "Commission Member Manley and Commission Member Sims were both on the Comprehensive Plan Advisory Committee (CPAC). Mr. Rae has a presentation for us, but could I have one of you tell us about the process of what is leading up to what has been drafted here?"

Commission Member Manley explained, "The last time we had a Master Plan in the City of Sherman was in 2009. Our world is completely different in what we are facing with growth and potential for the City of Sherman.

The new Master Plan talks about land use, parks, trails and all that affect a day in the life of citizens of Sherman.

It is a broad strokes guideline going forward and will be a tool for Planning and Zoning to consider applications. We will be able to see, ask and know whether an application is consistent with our Master Plan. It does not get into details of ordinance.

There was a public hearing at the Municipal Ballroom, and citizens were able to come in and actively participate in all that was incorporated."

OTHER BUSINESS

COMP. PLAN
RECOMMENDATION

Commission Member Sims added, “Along with a community survey.”

Ms. Hutchinson added, “There were 1600 responses to the survey.”

Commission Member Sims added, “We worked with Halff Associates and they came several times throughout the year and the CPAC did a lot of work and brainstorming based on what we were told from the community meeting and survey to make sure this is not the City Council master plan or Planning and Zoning Master Plan, but it is the communities Master Plan.

Affordable housing was a main topic, as well as parks and trails. There are people that seek out different types of trails, such as bike trails.”

Commission Member Manley added, “The CPAC was made up of developers, community leaders, avid bikers and park enthusiasts, leaders of non-profits, someone from every group was represented in the CPAC.”

Mr. Rae explained, “Ms. Hutchinson and I kind of co-lead the effort, me on the Comprehensive Plan side and Ms. Hutchinson on the Trails and Master Plan side. We were able to get an economy of scale with Halff Associates by doing both plans at the same time. I am really happy with the trails plan. A few of my goals was that it was a grassroots plan and we wanted it to be brief.

At the end of the process, if approved by City Council, the consultants will provide an executive summary of the vision statement and part four which is the land use plan, the thoroughfare plan, the housing goals and things like that.

We had a lot of opportunities for feedback: one-on-ones with City Council, four CPAC meetings, public open-house and then the large community survey. The survey is public, and you can see all the results on our website.

This is one of the quickest comprehensive plans our consultant has done, we kept them on that deadline of September 2022 Planning and Zoning and October 2022 City Council. They are very pleased with that process as that keeps them in budget.

There are five sections in the Comprehensive Plan:
Part 1 - Vision & Goals:

Goal 1 – Housing and Neighborhoods
Housing was really important. Affordable housing was key. Rent in Sherman is going up and we still need workforce

housing and blue-collar jobs. We need the housing to provide for those types of jobs.”

Commission Member Davis asked, “What is affordable housing in Sherman?”

Chairman Mahone replied, “It is 30% of the average income.”

Commission Member Manley replied, “Some of that is supply and demand. Our property values are high because there are not enough of them. There is more demand than supply.”

Mr. Rae responded, “Something that we are working on now is variation in zoning types, which does not limit the homebuilder from being able to build a smaller home product.”

Mr. Rae continued,

“Goal 2 – Land Use and Design

This is an important part of the chapter for Planning and Zoning. Future land use, if adopted will be the new standard for how we will present an application for a Zone Change or something similar. This will replace the old land use plan. When an item comes up, we are going to call out what the future land use plan is and there is an expectation that the application conforms to that. In other cities, they are required to update the Comprehensive Plan to reflect that change. The Planning and Zoning Commission and City Council are the ones that administer this if there is a Zone Change. The future land use categories will relate to our proposed zoning districts and there will be a capability text in the zoning ordinance.

There is no industrial in the downtown area. If there is a proposed change, what do we envision for the downtown area and the area east of downtown. Is this something that will remain an industrial use or does the City of Sherman want to see that change over time. This Master Plan would provide that guidance.

Each one of these future land use descriptions has the intent and character, appropriate land use types, compatible zoning districts and considerations:

- a. Core Neighborhood
- b. Suburban Neighborhood
- c. Regional commercial
- d. Community Commercial
- e. Technology Hub
- f. Floodplain & Open Space

We have provided our consultant with our proposed zoning districts, which you have been made aware of in previous meetings. We are trying to incorporate those in these future land use descriptions.

Goal 3 – Mobility

The Thoroughfare Plan has been updated. Mr. Lee and I have worked heavily on this making sure this works well with both, the County Thoroughfare Plan and what we are seeing for development in the City of Sherman.

Goal 4 – Livability

These are the more enjoyable things. We spent a lot of time on downtown. Many of the strategies were focused on improving downtown and making it more of a usable space for retail and reducing the amount of enforcement and other uses that are not typical of a downtown area.

Those four goals correspond throughout the whole document. Achieving all of those is what the vision of the Master Plan.”

Chairman Mahone asked, “If someone came to the Planning and Zoning Commission wanting a different zone in the Suburban Neighborhood, would we just tell them that this does not conform to the Master Plan?”

Mr. Rae replied, “The Planning and Zoning Commission and City Council have the ability to deny based on the Master Plan. It would be the recommendation to follow or amend the Master Plan.”

Chairman Mahone asked, “How would we amend the Master Plan?”

Mr. Rae replied, “Other cities make a request for a Comprehensive Plan amendment.”

Chairman Mahone asked, “Just for that plot?”

Mr. Rae replied, “yes, we would go in and change the Master Plan.”

Aliceson Cotton added, “It depends on how the Master Plan is written and the rules they choose to follow.”

Mr. Rae added, “In no way do these standards change the existing zoning. The existing zoning as it is now can’t be changed. If they want to change it to something else that may not be compatible, this Master Plan would dictate that.”

Part 2 – Community Context, Part 3 – Community Engagement, and Part 4 – Guiding the future were discussed.

Mr. Rae continued, “Part 5 - Implementation

There are four different areas that we look at on the implementation, it filters down from broad to more specific actions that we have. The actions are the things that staff from different departments and other organizations in the City of Sherman are responsible for and making sure those get implemented.

You have a goal, strategy and each of the action items that relate to that strategy. Each of the goals and strategies have what the action type is, the time frame and who is involved.

The adoption schedule is, we posted the plan publicly on our website at the beginning of September and sent out notices via Facebook, tonight we have the Planning and Zoning public hearing and recommendation. Staff is asking for an action or motion for that. On September 22, 2022, we are doing a City Council workshop to go over the Comprehensive Plan and Zoning Ordinance Update. On October 17, 2022, if you all recommend approval City Council will have a public hearing and Staff recommends action on that as well.

Ms. Hutchinson will share a little on the Trails Plan. No action is requested from the Planning and Zoning Commission on this, it is just an update.”

Ms. Hutchinson explained, “The Trails Plan will go before our Parks and Recreational Advisory Board and hopefully they will recommend approving.

The Trails Plan is a narrower plan than the Comprehensive Plan. The Vision and Guiding principles that talk about the types of trails we want. We would like to connect with different aspects of the community, from parks to retail to neighborhoods with a more natural setting. We want the trails to go where they make sense without restriction to exact paths. One goes to the north on the Katy Trail and connects to Denison, TX. We have some in utility easements and railroad lines to help with affordability. We have one that would connect the high school up through Herman Baker Park.

All of this will help us to apply and qualify for grants and that sort of thing. The grants typically want to see that there has been some sort of planning process.”

Mr. Rae stated, “The CPAC consisted of 16 members, we received feedback from 15 that they approve the plan. One had a comment that we were not addressing affordable housing and the other comment was the lack of addressing the preservation of the historical district.

I think it is important for us to look at this annually to keep on track. We may need to go over our Comprehensive Plan when we have our annual Planning and Zoning training.”

ACTION TAKEN.

Motion by Commission Member Sims to recommend approval to take the 2022 Sherman Comprehensive Plan and Comprehensive Plan Advisory Committee comments to City Council. Second by Commission Member Davis.

PLANNING & ZONING COMMISSION MINUTES – SEPTEMBER 20, 2022

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
8:22 p.m.

ADJOURNMENT

CHAIRMAN



ACTING SECRETARY